

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

#5

MINNESOTA STATE REGULATIONS

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the Department of Education
(Agency or Board)

Regulation No. EDU 620-630 (new)

Subject: Equality of Educational Opportunity + School Desegregation

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration

NOV 1 1973 3:10 pm

BY Eda Staudenmaier
AUTH. SIGNATURE EJ

Stamped and filed with the Secretary of State 11-1-73

Rev. 9-72

STATE OF MINNESOTA

BEFORE Louis R. Smerling, et al
State Board of Education

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Board of Education Governing Adoption of Edu 620-630.

ORDER ADOPTING RULES

The above entitled matter came on for hearing before the State Board of Education of the State of Minnesota on the 1st and 2nd days of December, 1972 at 9:00 a.m. in the Auditorium, St. Paul Area Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota and on the 20th day of July, 1973 at 9:00 a.m. in the State Office Building Auditorium, St. Paul, Minnesota, after proper notice required by M.S. 1971, Section 15.0412 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Edu 620-630 are respectively adopted this 10th day of September, 1973, pursuant to authority vested in me by the State Board of Education.

STATE OF MINNESOTA
Board of Education

Secretary, State Board of Education

In the matter of Rules supplementing MINNESOTA ADMINISTRATIVE RULES AND REGULATIONS--Rules and Regulations of the State Board of Education, 1967 Edition and 1969, 1970, 1971, 1972 and 1973 Supplements, identified as Minn. Regs. Edu: 620-639

STATEMENT OF COMPLIANCE WITH MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Charles T. Mottl, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

Charles T. Mottl
Special Assistant Attorney General

Dated: October 4, 1973

ADMIN 1000

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : Steve Fuller
Special Assistant Attorney General

DATE: 10/3/73

FROM : Charles T. Mottl CTM
Special Assistant Attorney General

SUBJECT: Rules supplementing MINNESOTA ADMINISTRATIVE RULES AND REGULATIONS--Rules and Regulations of the State Board of Education, 1967 Edition and 1969, 1970, 1971, 1972 and 1973 Supplements, identified as Minn. Regs. Edu: 620-639

Please find attached hereto an original and four copies of the above identified rules supplementing MINNESOTA ADMINISTRATIVE RULES AND REGULATIONS. Pursuant to Minn. Stat. § 15.0412 (1971), these rules are being submitted to the Attorney General this 4th day of October, 1973, for his approval as to form and legality subject to the statutory time limit of 20 days contained in subdivision 4 of section 15.0412.

The attached regulations were the result of public hearings held on December 1 and 2, 1972, and July 20, 1973. Subsequent to the December 1 and 2, 1972 hearing, the State Board of Education made certain amendments to Edu 620-639 and on July 20, 1973, the Board held a second hearing on Edu 620-639 as amended. The Board made no amendments subsequent to the July 20, 1973 hearing.

CTM: cew

Attachments

MINNESOTA REGULATIONS EDU

Proposed New Regulations for Public Hearing, July 20, 1973

CHAPTER THIRTY-TWO: EDU 620-639

REGULATIONS RELATING TO
EQUALITY OF EDUCATIONAL OPPORTUNITY
AND SCHOOL DESEGREGATION

(ALL NEW MATERIAL)

EDU 620 Policy.

The State Board recognizes many causes for inequality in educational opportunity, among which is racial segregation.

The State Board agrees with the U. S. Senate Report of the Select Committee on Equal Educational Opportunities that, "the evidence, taken as a whole, strongly supports the value of integrated education, sensitively conducted, in improving academic achievement of disadvantaged children, and in increasing mutual understanding among students from all backgrounds."

The State Board recognizes its duty to aid in the elimination of racial segregation in Minnesota Public Schools and therefore adopts these regulations, the purpose of which is to direct and assist each school district in the identification of and the elimination of racial segregation which may exist in the public schools within the district.

The regulations which follow are designed to implement the policy of the State Board as set forth in Educational Leadership Role for Department of Education and Board of Education in Providing Equal Educational Opportunity, November 9, 1970.

Edu 621 Definitions

For the purposesof Edu 620-639, the following words and phrases shall have the meaning ascribed to them:

(a) "Equal Educational Opportunity" is defined as the provision of educational processes where each child of school age residing within a school district has equal access to the educational programs of the district essential to his needs and abilities regardless of racial or socio-economic background.

(b) The term "Minority Group Students" is defined as students who are Black-American, American-Indian, Spanish surnamed American, or Oriental Americans. The term "Spanish surnamed American" includes persons of Mexican, Puerto Rican, or Spanish origin or ancestry.

(c) Segregation occurs when a public school has a student body of 30% or more minority group students.

(d)

Edu 622 Duties of Local Boards, Penalty for Failure to Comply

(a) Each local board shall, in accordance with these regulations, submit data to the Commissioner on the racial composition of each of the schools within its jurisdiction.

(b) Each local board shall, if segregation is found to exist in any of its schools

(1) submit to the Commissioner a comprehensive plan for the elimination of such segregation that will meet the requirements of Edu 620-639; (2) submit information to the Commissioner on the progress of implementation of any comprehensive plan which has been approved; and (3) implement in accordance with its schedule a comprehensive plan which has been approved.

(c) The penalty for non-compliance with Edu 620-639 shall be the reduction of state aids pursuant to Minnesota Statute 1971, Section 124.15.

Edu 623 Submission of Data

(a) Each local board shall submit to the Commissioner within 60 days of the effective date of these regulations and annually thereafter by November 15, of each year, such data as are required by subsection (b) of this section, to determine the existing racial composition of the enrollment of each school in the district. If a local board fails to submit such data by November 15, annually, the Commissioner shall notify the Board of non-compliance. A reasonable time of 15 days, shall be allowed for compliance.

(b) Each local board shall submit a report showing the number of students enrolled which belong to each race and the number of certificated personnel employed which belong to each race for each of the schools under its jurisdiction. The information required to be submitted may be based upon sight count or any other method determined by the local board to be accurate. The clerk of the local board of education shall certify the accuracy of the report.

Edu 624 Submission of Plan

(a) The Commissioner shall examine the data which are submitted pursuant to Edu 623. Whenever the Commissioner finds from the examination of such data that segregation exists in any public school, he shall in writing within 30 days after receipt of data notify the local board having jurisdiction over said school that such a finding has been made.

(b) The Commissioner may after data has been submitted and examined, pursuant to Edu 623 and 624 determine from additional data received at any subsequent time that a condition of segregation exists and request action to correct the situation.

(c) Any local board receiving notification of the existence of segregation shall forthwith prepare a comprehensive plan to eliminate such segregation and shall file a copy of such plan with the Commissioner within 90 days after the receipt of the notification.

(d) If the local board fails to submit a plan within 90 days, the Commissioner shall notify the local board of non-compliance. A reasonable time of 15 days, shall be allowed for compliance.

Edu 625 Contents of Plan: Approval or Rejection

(a) The 30 percent requirement of Edu 621 (c) shall be used as the standard for local school boards in the process of developing plans to remove racial segregation in the district.

Notwithstanding the 30 percent standard, the Commissioner may, if the local board can justify an educational reason to the State Board from the comprehensive school desegregation plan submitted, approve school desegregation plans that vary from the 30 percent

(i) All plans should be subject to continuing review and evaluation by the local boards and shall provide that amendments to improve their effectiveness shall be adopted and implemented on a continuing basis; provided, however, that the implementation of any proposed amendment which would result in resegregation of any school or classroom, shall not take effect until after it has been reviewed by the Commissioner of Education in the manner provided with respect to plans in (j) below. Submissions of proposed amendments shall be accompanied by materials setting forth the reasons underlying the proposals and their projected effects upon racial composition of all affected schools and classrooms.

(j) The Commissioner shall review any plan or amendment submitted under these provisions and shall determine whether it complies with the requirements of these regulations. If the Commissioner determines that the plan will eliminate segregation in the schools of the district submitting the plan, and that the dates for implementation of the plan will not exceed 2 years, and that any proposed transportation to achieve desegregation is not restricted to minority students, he shall approve the plan and notify the State Board and the local board within 30 days. The Commissioner may provide to the local board of education such technical assistance and services as requested by the local board and deemed necessary by the Commissioner in order to implement the plan. If the Commissioner finds that the plan will not eliminate segregation in the schools of the district submitting the plan, or that the dates for implementation will exceed 2 years or that any transportation to achieve desegregation is restricted to minority students, he shall reject the plan.

(k) The Commissioner shall notify the local board of the rejection of the plan within 30 days. The notice shall specify:

(1) the reasons for the rejection of the plan,
(2) the revisions necessary to make the plan satisfactory,
(3) specify a period of 45 days in which the local board shall submit a revised plan

(l) If no revised plan is received within 45 days, or if the revised plan fails to contain the revisions specified by the Commissioner, or if the plan fails to meet the requirements of Edu 620-639 the Commissioner shall notify the local board of action to be taken pursuant to Edu 622(c).

Edu 626 Submission of Information on Implementation of Plan

If a local board has submitted a plan which has been approved by the Commissioner, the local board shall submit to the Commissioner at such times as he shall request, such information as he deems necessary concerning the implementation of the plan. If the local board fails to submit such information, the Commissioner shall notify the local board of the non-compliance. A reasonable time of 15 days shall be allowed for correction of non-compliance.

Edu 627 Implementation of the Plan

The Commissioner shall examine the information requested pursuant to Edu 626. If he determines that there is any discrepancy between the schedule in the plan as approved and the progress which has been achieved in the implementation of the plan, he shall notify the local board of non-compliance. A reasonable time, which shall be determined by the Commissioner according to the nature of the discrepancy, shall be allowed for correction of the discrepancy.

standard to not more than 40 percent.

(b) If to alleviate the isolation of minority group students, required transportation time would exceed more than 1 hour trip per day, then a standard may be determined by the Commissioner based on the data presented by the district for each school within the district.

(c) The comprehensive plan, submitted pursuant to Edu 624(c), shall contain a detailed description of the actions to be taken by the local board to eliminate segregation. Each plan shall contain: (1) an explicit commitment by the local board to fulfill the requirements of these regulations, (2) a detailed description of the specific actions to be taken to correct racial segregation of students and faculty, showing the intended effect of each action proposed with respect to the entire plan, and each specific action proposed in the plan, (3) a time table showing dates of initial implementation and completion, (4) evidence that broad community participation and involvement was secured in the planning and development of the plan, and (5) specific affirmative proposals to insure that the integration process provides and effective learning environment for all children based upon mutual, cultural and personal respect. The plan shall also include a narrative description of changes in the staffing patterns of the school district, curriculum changes to meet the needs of students in a desegregated environment, any anticipated building or remodeling programs, present and projected attendance patterns, staff preparation or projected in-service training programs.

(d) The implementation period shall not exceed 2 years. The plan shall specify the effect which each proposed action will have on the racial composition of each school within the district and shall include projections of the racial composition of each school within the district which may be expected upon completion of the plan.

(e) In the formulation of plans to eliminate and prevent racial segregation in schools, local boards shall consider and employ methods that are educationally sound and administratively and economically feasible. Such methods may include but are not limited to: school pairings and groupings; grade reorganization; alteration of school attendance zones and boundaries; pupil reassignments and such optional transfers as are consistent with these requirements; establishment of educational parks and plazas; rearrangements of school feeder patterns; voluntary metropolitan or inter-district cooperative plans; specialized or "magnet" schools; differentiated curricular or other program offerings at schools serving children predominately of different racial groups at the same grade level; reassignments of faculty, staff, and other personnel, affirmative recruitment, hiring, and assignment practices to insure that each system's personnel corps, as well as the faculty, staff, and other personnel at all attendance centers within systems, become and remain broadly representative racially.

(f) All decisions by local boards concerning selection of sites for new schools and additions to existing facilities shall take into account, and give maximum effect to, the requirements of eliminating and preventing racial as well as socio-economic segregation in schools. The Commissioner will not approve sites for new school building construction or plans for addition to existing buildings when such approval will perpetuate or increase racial segregation.

(g) All plans to effect school desegregation and integration shall be equitable and non-discriminatory. Within the constraints imposed by feasibility and educational soundness, inconvenience or burdens occasioned by desegregation shall be shared by all and not borne disproportionately by pupils and parents of minority group students.

(h) Local board shall not adopt or maintain pupil grouping or classification practices, such as tracking, which result in racial segregation of pupils within a given school.

Edu 628 Appearance Before the State Board

Any school district aggrieved by a decision required of the Commissioner by Edu 620-639 may serve a written request on the State Board of Education within 30 days of any such decision to appear before said Board.

The appearance shall be made at the next regular State Board meeting following receipt of such request. Following such appearance the Board may in writing support, modify or reject the Commissioner's decision. Any such notice served by a school district shall stay any proceeding pursuant to Minnesota Statute 1971, Section 124.15 to reduce state aids for non-compliance with Edu 620-639 until a determination by the Board.

Edu 629 Notices

(a) Any notice to a local board which is required by these regulations shall be written and shall be sent by certified mail, to the superintendent, and to the clerk of the local board of the district at their respective business addresses. For the purpose of Edu 620-639, the business address of the clerk of the local board is deemed to be the main administrative office of the district.

(b) The content of any notice of non-compliance shall be such as is specified in Minnesota Statute 1971, Section 124.15, Subdivision 3. The reasonable time for correction of non-compliance shall be such as specified in Edu 620-639.

Edu 630 No District Exempt From Edu 623

At no time shall any local board be exempt from the reporting requirements of Edu 623.

Edu 631-639 Reserved for future use.

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
NOV 1 1973 3:10 P.M.
BY Edw L Staudenmaier
AUTH. SIGNATURE

APPROVED AS TO FORM AND LEGALITY
Robert W Fox
WARREN SPANNAUS, ATTORNEY GENERAL
BY Oct 31, 1973
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 1 - 1973 - 3:00 pm
Arlen I. Erdahl
Secretary of State

Ex. No. 1



RESOLVE

RESOLVED, that the State Board of Education shall call a hearing for the purpose of informing the public concerning proposed rules of the Board amending Minnesota Rules and Regulations, 1967 Edition and the 1969, 1970, 1971 and 1972 Supplements; and that the Commissioner of Education or his Deputy is authorized to sign an order and notice of such hearing to be conducted under rules of the Board. IT IS FURTHER RESOLVED that the hearing on these proposed rules shall be held on Friday and Saturday, December 1 and 2, 1972, at 9:00 a.m., in the Auditorium, St. Paul Area Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota 55102.

Ex. No. 2

CERTIFICATE OF BOARD'S
AUTHORIZING RESOLUTION

I, Howard B. Casmey, do hereby certify that I am secretary of the state board of education, a board duly authorized under the laws of the State of Minnesota, and that the following is true, complete, and correct copy of a resolution adopted at a meeting of the state board of education duly and properly called and held on the 2nd day of October 1972; that a quorum was present at said meeting; and that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED, that the State Board of Education shall call a hearing for the purpose of informing the public concerning proposed rules of the Board amending Minnesota Rules and Regulation, 1967 Edition and the 1969, 1970, 1971, and 1972 Supplements; and that the Commissioner of Education or his Deputy is authorized to sign an order and notice of such hearing to be conducted under rules of the board. IT IS FURTHER RESOLVED that the hearing on these proposed rules shall be held on Friday and Saturday, December 1 and 2, 1972, at 9:00 a.m., in the Auditorium, St. Paul Area Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota 55102.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 12 day of October 1972

Howard B. Casmey
Secretary, State Board of Education

James A. Lenton
President, State Board of Education

State of Minnesota
Department of Education
Capitol Square, 550 Cedar Street
St. Paul, Minnesota 55101

Ex. No. 3

STATE OF MINNESOTA
County of Ramsey

IN THE MATTER OF: The proposed adoption of rules of the state board of education amending "Minnesota Administrative Rules and Regulations--Rules and Regulations of the State Board of Education," 1967 Edition and the 1969, 1970, 1971 and 1972 Supplements.

ORDER FOR HEARING

To effectively implement the rules and regulations of the Minnesota State Board of Education, the board deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in it by M.S. 1971.

NOW, THEREFORE, IT IS ORDERED this 13th day of October, 1972, that a public hearing on the proposed rules captioned above be held at the Auditorium, St. Paul Area Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota 55102, December 1 and 2, 1972, commencing at 9:00 a.m. and continuing until all representatives of school districts, associations or other interested persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups of persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

STATE OF MINNESOTA
Department of Education

Howard D. Rosner
Commissioner of Education

State of Minnesota

Department of Education
Capitol Square, 550 Cedar Street
St. Paul, Minnesota 55101

Ex. No. 4

STATE OF MINNESOTA
County of Ramsey

IN THE MATTER OF: The proposed adoption of rules of the state board of education amending "Minnesota Administrative Rules and Regulations -- Rules and Regulations of the State Board of Education," 1967 Edition and the 1969, 1970, 1971 and 1972 Supplements.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1971 Section 15.0412, Subdivision 4, on the above entitled matter in the Auditorium, St. Paul Area Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota 55102, on Friday and Saturday, December 1 and 2, 1972, commencing at 9:00 a.m., and continuing until all representatives of school districts, associations or other interested persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

Copies of proposed rules are available to interested persons at the State Department of Education, 736 Capitol Square Building, St. Paul, Minnesota 55101. (Telephone: 612/296-4434)

NOTE: Copies of proposed rules, in accordance with state board of education policy, are sent to superintendents or heads of school districts.

STATE OF MINNESOTA
Department of Education

Commissioner of Education

Department of Public Safety

Commissioner of Public Safety

Ex. No. 5

STATE OF MINNESOTA

County of Ramsey

CERTIFICATE

In the matter of the proposed adoption of rules of the state board of education amending and supplementing MINNESOTA ADMINISTRATIVE RULES AND REGULATIONS -- Rules and Regulations of the State Board of Education, 1967 Edition and the 1969, 1970, 1971 and 1972 Supplements:

I hereby certify that the attached 2 sheets constitute the complete list of person, associations, and other interested groups who as of 1:30 o'clock P.M., this twenty-fourth day of October, 1972 have requested pursuant to M.S. 1967 Section 15.0412, Subd. 4, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Arlen D. Erdahl
Secretary of State

By Ceil Dion

Ex. 106

AFFIDAVIT OF MAILING

In the matter of the proposed adoption of rules of the state board of education amending and supplementing MINNESOTA ADMINISTRATIVE RULES AND REGULATIONS -- Rules and Regulations of the State Board of Education, 1967 Edition and the 1969, 1970, 1971 and 1972 Supplements:

Hugh Sharp, being first duly sworn, deposes and says:

That on the 31 day of October, 1972, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons listed on the attached sheet as presently being members of the Minnesota Legislature.

Hugh Sharp
Hugh Sharp
Research, State Aids, and
Statistics Section

Myrtle A. Benson
MYRTLE A. BENSON
Notary Public, Ramsey County, Minnesota
My Commission Expires June 14, 1977.

MEMBERS OF THE HOUSE - 1971

The Honorable James L. Adams
616 E. 19th Street
Minneapolis, Minnesota 55404

The Honorable Salisbury Adams
Route 2, Box 1122
Wayzata, Minnesota 55391

The Honorable Howard R. Albertson
118 South Main Street
Stillwater, Minnesota 55082

The Honorable Richard Andersen
2600 Rice Creek Terrace
New Brighton, Minnesota 55112

The Honorable Delbert F. Anderson
Route 1, Box 70
Starbuck, Minnesota 56381

The Honorable Harold J. Anderson
4919 Colfax Avenue South
Minneapolis, Minnesota 55409

The Honorable Irvin N. Anderson
909 - 13th Street
International Falls, Minnesota 56649

The Honorable Otto Bang, Jr.
5200 Duggan Plaza
Edina, Minnesota 55435

The Honorable John Bares, Jr.
Route 2
Sauk Rapids, Minnesota 56379

The Honorable Sam R. Barr
424 Jackson Avenue
Ortonville, Minnesota 56278

The Honorable Robert C. Becklin
447 Northwest Fourth
Cambridge, Minnesota 55008

The Honorable Robert C. Bell
807 Heinel Drive
Roseville, Minnesota 55113

The Honorable Tony L. Bennett
1414 Mechanic Street
St. Paul, Minnesota 55106

The Honorable Tom Berg
2112 Newton Avenue South
Minneapolis, Minnesota 55405

The Honorable John Bernhagen
Route #1
Hutchinson, Minnesota 55350

The Honorable John Biersdorf
Route #3
Owatonna, Minnesota 55060

The Honorable John E. Boland
796 Mary Street
St. Paul, Minnesota 55119

The Honorable Edward R. Brandt
162 Southeast Emerald Street
Minneapolis, Minnesota 55414

The Honorable Bernard J. Brinkman
Richmond, Minnesota 56368

The Honorable Arne Carlson
2687 E. Lake of Isles Boulevard
Minneapolis, Minnesota 55408

The Honorable Bernard O. Carlson
1216 Selsmer Avenue
Cloquet, Minnesota 55720

The Honorable Douglas W. Carlson
Sandstone, Minnesota 55072

The Honorable Warren D. Chamberlain
887 Southwest Fourth Avenue
Faribault, Minnesota 55021

The Honorable Joe Connors
1401 Trollhagen Drive
Fridley, Minnesota 55421

The Honorable Robert Culhane
Waterville, Minnesota 56096

The Honorable Patrick M. Daugherty
3914 Bryant Avenue North
Minneapolis, Minnesota 55412

The Honorable Frank H. DeGroat
Route 1
Lake Park, Minnesota 56554

The Honorable Aubrey W. Dirlam
Route 2
Redwood Falls, Minnesota 56283

The Honorable Robert Dunn
503 - 8th Avenue South
Princeton, Minnesota 55371

The Honorable A. J. Ec[redacted]ein
411 State Street South
New Ulm, Minnesota 56073

The Honorable Willis Eken
Twin Valley, Minnesota 56584

The Honorable Stanley A. Enebo
3304 East 25th Street
Minneapolis, Minnesota 55406

The Honorable Dale E. Erdahl
Route 2
Blue Earth, Minnesota 56013

The Honorable Wendell O. Erickson
Hills, Minnesota 56138

The Honorable Robert A. Falk
Route 1
Tenstrike, Minnsota 56683

The Honorable Ray W. Faricy
2240 Goodrich
St. Paul, Minnesota 55105

The Honorable Jack Fena
2530 Third Avenue West
Hibbing, Minnesota 55746

The Honorable W. Casper Fischer
Route 2
Marshall, Minnesota 56258

The Honorable Richard W. Fitzsimons
303 East Prairie Avenue
Warren, Minnesota 56762

The Honorable Gary W. Flakne
4901 - 11th Avenue South
Minneapolis, Minnesota 55417

The Honorable Donald E. Forseth
5839 Jersey Avenue North
Crystal, Minnesota 55428

The Honorable Stanley J. Fudro
2322 Second Street Northeast
Minneapolis, Minnesota 55418

The Honorable Peter X. Fugina
5 Merritt Drive
Virginia, Minnesota 55792

The Honorable Bertram H. Fuller
Hayfield, Minnesota 55940

The Honora[redacted]e Paul Gerhardt
Route #1
Fairmont, Minnesota 56031

The Honorable Joe Graba
Route #1
Wadena, Minnesota 56482

The Honorable Joseph P. Graw
10730 West Bloomington Freeway
Bloomington, Minnesota 55420

The Honorable Wallace F. Gustafson
900 Meadow Lane
Willmar, Minnesota 56201

The Honorable Jon O. Haaven
420 Lincoln Avenue East
Alexandria, Minnesota 56308

The Honorable Thomas M. Hagedorn
Route #2
Truman, Minnesota 56088

The Honorable Roger L. Hanson
Vergas, Minnesota 56587

The Honorable Walter R. Hanson
1136 Hague Avenue
St. Paul, Minnesota 55104

The Honorable Neil Haugerud
Preston, Minnesota 55965

The Honorable O. J. Heinitz
2555 Queensland Lane
Wayzata, Minnesota 55391

The Honorable Julian Hook
3900 West 28th Street
St. Louis Park, Minnesota 55416

The Honorable George F. Humphrey
1936 Irving Avenue South
Minneapolis, Minnesota 55403

The Honorable C. A. Johnson
130 Crocus Place
Mankato, Minnesota 56001

The Honorable Carl M. Johnson
Route 3
St. Peter, Minnesota 56082

The Honorable Douglas J. Johnson
Box 14
Cook, Minnesota 55723

The Honorable John W. Johnson
5101 Irving Avenue South
Minneapolis, Minnesota 55419

The Honorable Robert W. Johnson
1950 Bayard Avenue
St. Paul, Minnesota 55116

The Honorable Ralph P. Jopp
Mayer, Minnesota 55360

The Honorable Francis G. Judge
700 - 8th Avenue
Worthington, Minnesota 56187

The Honorable John B. Keefe
201 Oakwood Road
Hopkins, Minnesota 55343

The Honorable William N. Kelly
430 - 10th Avenue North
East Grand Forks, Minnesota 56721

The Honorable Jack Kleinbaum
1100 - 23rd Avenue North
St. Cloud, Minnesota 56301

The Honorable Howard A. Knutson
1907 Woods Lane
Burnsville, Minnesota 55378

The Honorable Adolph L. Kvam
25 West Lockerbie
Litchfield, Minnesota 55355

The Honorable Calvin R. Larson
316 East Cherry
Fergus Falls, Minnesota 56537

The Honorable Jack H. LaVoy
1721 East Third Street
Duluth, Minnesota 55812

The Honorable L. J. Lee
508 Geary Avenue
Bagley, Minnesota 56621

The Honorable Ernest A. Lindstrom
7501 Humboldt Avenue South
Richfield, Minnesota 55423

The Honorable Verne E. Long
Route 1, Box 307
Pipestone, Minnesota 56164

The Honorable George Mann
Route 1
Windom, Minnesota 56101

The Honorable Sidney R. Mason
200 Paine Farm Road
Duluth, Minnesota 55804

The Honorable M. J. McCauley
404 East Howard
Winona, Minnesota 55987

The Honorable Helen E. McMillan
1230 Second Drive Northeast
Austin, Minnesota 55912

The Honorable R. J. Menke
Prior Lake, Minnesota 55372

The Honorable Charles H. Miller
1103 1/2 Hiawatha Drive
Wabasha, Minnesota 55981

The Honorable Donald M. Moe
375 Marion Street
St. Paul, Minnesota 55103

The Honorable August B. Mueller
Arlington, Minnesota 55307

The Honorable Willard M. Munger
7408 Grand Avenue
Duluth, Minnesota 55807

The Honorable Leonard C. Myrah
Route 2
Spring Grove, Minnesota 55974

The Honorable Rolf T. Nelson
1840 Spring Valley Circle
Golden Valley, Minnesota 55422

The Honorable Thomas W. Newcome
2374 Joy Avenue
White Bear Lake, Minnesota 55110

The Honorable Joe T. Niehaus
Route 3
Sauk Centre, Minnesota 56378

The Honorable Richard M. Nolan
606 - 2nd Street Northeast
Little Falls, Minnesota 56345

The Honorable Robert D. North
1642 Blair Avenue
St. Paul, Minnesota 55104

The Honorable Fred C. Norton
701 Fairmont Avenue
St. Paul, Minnesota 55105

The Honorable Richard W. O'Dea
92 Wildwood Beach Road
Mahtomedi, Minnesota 55115

The Honorable William R. Ojala
333 South Second Street West
Aurora, Minnesota 55705

The Honorable Raymond Pavlak
817 Park Lane
South St. Paul, Minnesota 55075

The Honorable Robert L. Pavlak
116 West Belvidere Street
St. Paul, Minnesota 55107

The Honorable Harry Peterson
Route 2
Madison, Minnesota 56256

The Honorable Paul Petrafeso
2700 Rhode Island Avenue South
St. Louis Park, Minnesota 55426

The Honorable Vernon Plaisance
9741 Foley Boulevard Northwest
Coon Rapids, Minnesota 55433

The Honorable Norman Prahl
Box 298, Route 2
Grand Rapids, Minnesota 55744

The Honorable Joseph Prifrel
1094 Woodridge Street
St. Paul, Minnesota 55117

The Honorable E. W. Quirin
1804 Third Avenue Southwest
Rochester, Minnesota 55901

The Honorable James I. Rice
2220 Vincent Avenue North
Minneapolis, Minnesota 55411

The Honorable Roy R. Ryan
1085 Thomas Avenue
St. Paul, Minnesota 55104

The Honorable Martin O. Sabo
3129 East 22nd Street
Minneapolis, Minnesota 55406

The Honorable Dr. John J. Salchert
2120 Victory Memorial Drive
Minneapolis, Minnesota 55412

The Honorable Donald B. Samuelson
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n New Member

January 2nd, 1973

MEMBERS OF SENATE - 1973 MINNESOTA LEGISLATURE

NAME	DISTRICT	ADDRESS
x Anderson, Jerald C.	19	Box 503, North Branch 55056
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* Ashbach, Robert O.	48	1585 Lake Johanna Blvd., Arden Hills 55112
*n Bang, Otto, Jr.	39	5200 Duggan Plaza, Edina 55435
*n Berg, Charles	15	Chokio 56221
*n Bernhagen, John	22	Hutchinson 55350
* Blatz, Jerome V.	38	11044 Glen Wilding Lane, Bloomington 55431
x Borden, Winston W.	13	Box 411, Brainerd 56401
* Brown, Robert J.	51	106 W. Wilkin St., Stillwater 55082
x Chenoweth, John C.	66	987 Earl St., St. Paul 55106
x Chmielewski, Florian	14	Sturgeon Lake 55783
x Coleman, Nicholas D.	65	79 Western Ave. N., St. Paul 55102
x Conzemius, George	25	800 W. Hoffman, Cannon Falls 55009
x Davies, Jack	60	3424 Edmund Blvd., Mpls 55406
x Doty, Ralph R.	8	4107 Dodge St., Duluth 55804
*n Dunn, Robert	18	503 8th Avenue S., Princeton 55371
*n Fitzsimons, Richard W.	1	303 E. Prairie Ave., Warren 56762
* Frederick, Mel	32	414 Clyde St., West Concord 55985
x Gearty, Edward	54	3810 Xerxes Ave. N., Mpls 55412
x Hansen, Baldy (C.R.)	31	100 S.E. 1st St., Austin 55912
* Hansen, Mel	61	4505 28th Ave. S., Mpls 55406
*n Hanson, Roger	10	Vergas 56587
x Hughes, Jerome M.	50	1978 Payne Ave., Maplewood 55117
xn Humphrey, Hubert H. III	44	8116 40th Ave. N., New Hope 55428
* Jensen, Carl A.	28	209 1st Ave. S., Sleepy Eye 56085
* Josefson, J. A.	20	310 North Grant, Minneota 56264
*n Keefe, John	40	201 Oakwood Rd., Hopkins 55343
xn Keefe, Stephen	59	3255 Pleasant Ave. S., Mpls 55408
* Kirchner, William G.	37	6830 Newton Ave. S., Richfield 55423
xn Kleinbaum, Jack	17	100 23rd Ave. N., St. Cloud 56301
*n Knutson, Howard A.	53	1907 Woods Lane, Burnsville 55378
*n Kowalczyk, Al	45	6016 70th Ave. N., Mpls 55429
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xn Milton, John	49	1 Sparrow Lane, North Oaks 55110
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*n Nelson, Rolf	43	3820 Bassett Creek Drive, Golden Valley 55422
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xn Olhoft, Wayne	11	Herman 56248
x Olson, Alec G.	21	1905 SW 5th, Willmar 56201
x Olson, Howard D.	27	R. 3, St. James 56081
* Olson John L.	26	612 Lake St., Worthington 56187
* O'Neill, Joseph T.	63	1381 Summit Ave., St. Paul 55105
*n Patton, John	30	1007 South Moore, Blue Earth 56013
x Perpich, A. J.	6	4 Lakeside Dr. S., Eveleth 55734
x Perpich, George F.	5	814 NE 5th Ave., Chisholm 55719
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xn Schaaf, David D.	46	6550 E. River Road, Fridley 55432
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xn Solon, Sam George	7	616 W. 3rd St., Duluth 55806
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*n Stassen, J. Robert	52	2320 Kraft St., South St. Paul 55075
xn Stokowski, Eugene	55	2231 Stinson Blvd., Mpls 55418
x Tennessen, Robert J.	56	2564 Upton Ave. S., Mpls 55405
x Thorup, Stanley N.	47	319 104th Lane NE, Blaine 55434
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x Willet, Gerald L.	4	207 Mill Road, Park Rapids 56470

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xn Anderson, Glen H.	15B	Odessa 56276
x Anderson, Irvin N.	3A	909 13th St., International Falls 56649
*n Becklin, Lynn H.	18A	615 S. Dellwood, Cambridge 55008
*n Belisle, Jerome J.	50A	407 Glenbrook Ave. N., Oakdale 55119
* Bell, Robert C.	48B	807 Heinel Dr., Roseville 55113
* Bennett, Tony L.	66B	1414 Mechanic Ave., St. Paul 55106
x Berg, Tom	56B	2112 Newton Ave. S., Mpls 55405
xn Berglin, Linda	59A	2534 13th Ave. S., Mpls 55404
* Biersdorf, John S.	32A	409 E. Broadway, Owatonna 55060
x Boland, John E.	50B	2541 Bittersweet Lane, Maplewood 55109
xn Braun, Art	1A	Greenbush 56726
x Brinkman, Bernard J.	16B	Box 97, Richmond 56368
* Carlson, Arne	58B	4301 Fremont Ave. S., Mpls 55409
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xn Carlson, Lyndon R.	44A	5819 Halifax Ave. N., Brooklyn Center 55429
xn Casserly, James R.	56A	1100 Vincent Ave. N., Mpls 55411
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*n Clifford, J. B.	44B	9400 Northwood Parkway, New Hope 55427
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xn Dahl, Harold J.	22B	Box 337, Howard Lake 55349
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xn Dieterich, Neil	62A	2171 Knapp St., St. Paul 55108
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x Eckstein, A. J.	28B	411 S. State, New Ulm 56073
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*n Esau, Gilbert	28A	Mountain Lake 56159
x Faricy, Ray W.	63A	2240 Goodrich Ave., St. Paul 55105
*n Ferderer, Robert J.	64A	440 Hoyt Ave. E., St. Paul 55101
*n Fjoslien, David	11B	Brandon 56315

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xn Jacobs, Joel	47A	11932 Zion St., Coon Rapids 55433
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* Johnson, Robert W.	63B	1950 Bayard Ave., St. Paul 55116
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xn Jude, Thaddeus	42A	4400 Shoreline Blvd., Mound 55364
xn Kahn, Phyllis	57A	100 Malcolm Ave. S.E., Mpls 55414
x Kelly, William N.	2A	430 10th Ave. N., East Grand Forks 56721
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x Lemke, Richard	34A	Lake City 55041
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xn McEachern, Bob	18B	601 N. Walnut, St. Michael 55376
*n McFarlin, Robert J.	41B	4329 Coolidge Ave., St. Louis Park 55424
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xn Miller, Melvin J.	12A	Randall 56475

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Senate Finance Committee - 113 State Capitol, St. Paul 55101

Shagatura, Eugene H., 2833 Lake Ave. So., Duluth 11

Shaw, Robert M., 616 Mob● Oil Bldg., Mpls. 55402 ●

Skelly, Oil Co., c/o R.R. Wellington, P. O. Box 436, Kansas City, Mo.

Solomon, Arnold, 603 Capital Sq. Bldg., 550 Cedar St., St. Paul 55101

Standard American Life & Annuity Company, 3801 W. 50th St., Mpls. 55410

State Board of Barber Examiners, 555 Wabash, Rm. 208, St. Paul 55102

State Board of Veterinary Examiners, c/o Dr. A.C. Spannaus, D.V.M., Waconia 55387

Stupka & Morem, Midtown Bldg., Austin 55912

Summit National Bank, Attn., D.L. Morrill 205 Aurora Ave., St. Paul 55103

Sussel Co., 1850 Como Ave., St.Paul 55108 Attn. Stanley Barenbaum

Swanson, Burt E., W-2162 1st National Bank Bldg., St. Paul 55101

Talle, Jim, Rm. 200 State Capitol, St. Paul 55101

Tetzloff, Robert E., 5620 W. Broadway, Mpls. 55428

~~Thomson & Bresnahan, 714 Commerce Bldg., St. Paul 55101~~

~~Transfer Men's Assn. of St. Paul, Inc., 1220 Minn. Bldg., St. Paul 55101~~

Twin City Retail Druggist Assn., 2388 Univ. Ave., St. Paul 55104

Union Stock Yards Company, Attn. President, So. St. Paul 55075

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Village of Woodbury, 561 Tower Drive, Newport 55055, Attn: Fred Strong

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Voldness, Perry, Investors Diversified Services, Inc., 8th & Marquette, Mpls. 55402

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Wyant, Clinton W., Atty., Atkin, Minn. 56431

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(13)

St. Paul Motorcycle Escort Club, Inc., PO Box 3264, St.Paul 55101

Shields, J.B., Driver Ed.Range, 1000 N. Snelling Ave., St.Paul 55108

~~Minnesota Plywood Assn., Attn: Glenn J. Malmo, 653 W. 98th St., Apt. 14, Mpls. 55420~~
Bose, Vilmar K., Ellerbe Arch., 333 Sibley St., St. Paul 55101
Mobilco Industries, Inc., 114 E. 32nd St., New York, N.Y. 10016.
Northern Natural Gas Company, c/o C T Corp.System, 405 2nd Ave.S., Mpls 55401
Northwest Petroleum Ass'n, 84 S. 6th St., Mpls. 55402

Samford, S. M. 7000 Portland Ave.,Richfield, Mpls. 55423

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Berkeland, Merle, Fire Marshal, Box 932, Willmar 56201
Buresh, Robert J., 4801 W. 50th St., Edina 55424
Burke, Donald A., 6700 Portland S., Richfield 55423

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Sherwin Oil Co., 200 S. Water St., Northfield 55057



MINNESOTA ADMINISTRATIVE REGULATIONS: EDUCATION
Rules for Public Hearing: December 1 and 2, 1972, St. Paul

TIME SCHEDULE

	Edu Section Number	Regulations
9:00 A.M., Friday	190	Private School Transportation
	291	Certification of teachers of science, industrial arts, and social studies
	320-331	Certification of Administrations
	345A	Certification of coaches of girls' interscholastic sports
	346	Amending certification of recreational personnel
	540-551	Procedures for issuance of continuing certificate
1:00 P.M., Friday	220-225	Qualifications for bus drivers
	261-263	School bus standards
3:00 P.M., Friday and continuing at 9:00 A.M, Saturday, December 2, 1972	620-630	Regulations for equal educational opportunity and desegregation

State of Minnesota

Department of Education
Capitol Square, 550 Cedar Street
St. Paul, Minnesota 55101

STATE OF MINNESOTA
County of Ramsey

IN THE MATTER OF: The proposed adoption of rules of the state board of education amending "Minnesota Administrative Rules and Regulations -- Rules and Regulations of the State Board of Education," 1967 Edition and the 1969, 1970, 1971 and 1972 Supplements.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1971 Section 15.0412, Subdivision 4, on the above entitled matter in the Auditorium, St. Paul Area Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota 55102, on Friday and Saturday, December 1 and 2, 1972, commencing at 9:00 a.m., and continuing until all representatives of school districts, associations or other interested persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

Copies of proposed rules are available to interested persons at the State Department of Education, 736 Capitol Square Building, St. Paul, Minnesota 55101. (Telephone: 612/296-4434)

NOTE: Copies of proposed rules, in accordance with state board of education policy, are sent to superintendents or heads of school districts.

STATE OF MINNESOTA
Department of Education

Commissioner of Education

Department of Public Safety

Commissioner of Public Safety

Minnesota Administrative Rules and Regulations

Rules and Regulations of

THE STATE BOARD OF EDUCATION

PROPOSED AMENDMENTS TO:
REGULATIONS OF THE BOARD OF EDUCATION
OF THE STATE OF MINNESOTA

To Be Submitted At A

PUBLIC HEARING

December 1 and 2, 1972

A Public Hearing on Proposed New and Amended Regulations will be held on Friday and Saturday, December 1 and 2, 1972, in the Auditorium, St. Paul Area Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota 55102.

* * * * * *

The official rules and regulations of the State Board of Education are contained in the 1967 Edition: "Minnesota Administrative Rules and Regulations", including the 1969, 1970, and 1971 Supplements, one copy of which has been sent to school heads of districts maintaining graded elementary and secondary schools and additional copies made available for purchase by the Documents Section, Department of Administration, 140 Centennial Building, St. Paul 55155.

Proposed amendments and proposed new regulations, "Minnesota Administrative Rules and Regulations" (EDUCATION) are contained herein.

STATE OF MINNESOTA -- DEPARTMENT OF EDUCATION

ST. PAUL, MINNESOTA 55101

MINNESOTA ADMINISTRATIVE REGULATIONS: EDUCATION

Proposed Amendments, State Board of Education
Rules for Public Hearing: December 1 and 2, 1972, St. Paul

CONTENTS

Edu Section Number	
190	New. Provides free and equal transportation for all school children in their resident districts.
220-225	Amends the qualifications for bus drivers to conform with 1971 law changes.
261-263	Amends standards for school buses primarily to conform to federal standards.
291	Amends minimum requirements for preparation of teachers of science, social studies and industrial education.
320-331	Amends certification of school administrators.
345A	Change effective date for certification of public school coaches, girls' interscholastic sports to July 1, 1975.
346	Amends certification requirements for recreational personnel.
540-551	Amends procedures for issuance of continuing certificate.
620-630	New. Establishes regulations relating to equality of educational opportunity and school desegregation.

MINNESOTA ADMINISTRATIVE REGULATIONS: EDUCATION

STATE BOARD OF EDUCATION/MINNESOTA DEPARTMENT
OF EDUCATION/MINNESOTA DEPARTMENT OF PUBLIC SAFETY

PROPOSED AMENDMENTS TO:
REGULATIONS OF THE BOARD OF EDUCATION

OF THE STATE OF MINNESOTA
TO BE SUBMITTED AT A

J O I N T P U B L I C H E A R I N G

At 1:00 P.M., Friday, December 1, 1972

A joint Public Hearing between Minnesota Department of Education and the Minnesota Department of Public Safety on proposed new and amended regulations over Chapter Twelve: Edu 220-225 governing qualifications for school bus drivers making required changes to conform to the 1971 law. The hearing is to be held in the Auditorium, St. Paul Area Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota 55102.

Proposed Amendments and Proposed New Regulations
for Public Hearing, December 1 & 2, 1972

NOTE: Changes or additions indicated by underlining; deletions by ~~strikeouts.~~

CHAPTER TEN: EDU 180-199

TRANSPORTATION OR BOARD AND LODGING
STANDARDS FOR AID

(ALL NEW MATERIAL)

EDU 190 REGULATIONS RELATING TO EQUAL TRANSPORTATION

(a) Policy Statement. In accordance with Laws 1969, Chapter 570 (codified as Minn. Stat. Sec. 123.76 - 123.79), it is the policy of the state board of education that school districts provide free and equal transportation for all school children of the state residing in school districts which are eligible for state reimbursement for transportation costs pursuant to Minn. Stat., Chapters 123.and 124.

(b) Pursuant to the policy set out in Edu 190 (a), the state board of education:

(1) shall provide transportation aid in the form of reimbursement in accordance with Minn. Stat. Sec. 124.22 for transportation provided by the school board for resident pupils to and from eligible schools located with the district.

(2) shall provide transportation aid in the form of reimbursement in accordance with Minn. Stat. Sec. 124.22 for transportation provided by the school district for resident pupils attending eligible schools located outside of the district, provided that the reimbursement shall be for only so much of the trip as is within the district of residence and, provided further that transportation aid may only be provided for such pupils within the limits specified in Edu 190 (c).

(3) shall not provide transportation aid where a school district elects to provide transportation for non-resident pupils to a school or schools within its district.

(4) shall not provide transportation aid where a school district elects to provide transportation for non-resident pupils through its district enroute to a school located in another district.

(c) An eligible resident pupil shall receive free and equal transportation to the appropriate school district boundary if there is no non-public school within the district which is available to such pupil.

(1) A non-public school located within the resident district shall be deemed unavailable if it does not maintain the appropriate grades or departments.

(2) The public school administration shall consult with the appropriate non-public school administration within the resident district on attendance areas and availability of space for the pupils. Thereafter, a determination of these matters shall be made by the public school board.

(3) The final determination as to whether transportation shall be provided to the boundary of the resident district shall be made by the public school board pursuant to law.

(d) Where transportation is provided within the district to the boundary of the district and the school district is eligible for transportation aid for such transportation, the "within the district" limitation shall not be applied in an arbitrary manner.

(1) Safety factors in loading or unloading buses at or near the school district boundary shall be given due consideration.

(2) Transporting pupils a reasonable distance into the adjoining district or stopping short of the district boundary to assure safety of the pupils shall be determined by the public school board.

(e) The school board of the district of residence may make contractual arrangements with private bus operators, non-public schools, public transit operators, parents, and/or other school districts for the transportation of school pupils for any portion of the pupil's trip to or from school, provided that the board ascertains that it is only paying for and claiming state reimbursement for that portion of the trip that is within the district of residence.

(1) The resident school board's responsibility relative to such contracts shall be limited to the pro-rata cost per resident pupil based on mileage traveled within the resident district as that mileage relates to the total number of miles traveled. Equal transportation is not be be defined in terms of numbers of children transported or numbers of miles traveled.

(2) Each public school board shall require the other party to such contractual arrangements to substantiate and identify all transportation costs charged to the public school district.

(3) Each school board applying for transportation aid for non-public school pupils shall comply with regulations of the state board as specified in Chapters Ten, Twelve, Thirteen, and Fourteen of the "Administrative Manual for Minnesota Public Schools."

(f) If a school board provides transportation for public school pupils to an approved secondary vocational center in another district, it shall also provide transportation for shared time pupils between the public secondary school and the approved secondary vocational center in the other district.

(1) The school board of the district shall not provide transportation for shared time pupils between non-public and public school buildings.

(2) A shared time pupil may be provided transportation between his residence and the public secondary school when such trip is a part of the trip to the secondary vocational center.

(g) These regulations shall be effective upon adoption by the state board.

EDU 191 - 199 Reserved for future use.

CHAPTER TWELVE: EDU 220-239

QUALIFICATIONS FOR SCHOOL BUS DRIVERS ~~LICENSE LAWS, RULES~~

EDU 220 GENERAL REQUIREMENT

A school bus driver's ~~license~~ examination shall be required of every person operating any motor vehicle used in the transportation of children to or from public, private or parochial schools and owned by

(a) A government agency; or

(b) A person, firm, association or corporation; or

(c) Private or parochial school corporations or agencies.

EDU 221 WRITTEN TEST

The test or examination required ~~under the provisions of Chapter 215, Laws 1953,~~ for a school bus driver's endorsement on a Minnesota driver's license. shall be a written test based upon the provisions of the "Highway Traffic Regulations Act" and Driver License Laws, rules and regulations relating to school bus operation prescribed by the state board of education, and a general knowledge of the operation of school buses, including knowledge of the equipment, devices, and laws peculiar to school buses.

EDU 222 PHYSICAL EXAMINATION

(a) An applicant for a school bus driver's ~~license~~ endorsement shall be in good physical and mental health, be able-bodied and free from communicable disease. As evidence of his physical fitness and mental alertness, the applicant shall submit to a physical examination by a reputable physician designated by the local school authorities; and the physician's certificate of physical fitness shall accompany the application for school bus driver's ~~license~~ endorsement when presented to the ~~office of the secretary of state~~ department of public safety.

(b) Any school bus driver applicant, whose physical examination discloses communicable diseases or mental or physical conditions of intermittent or continuing nature that might reasonably affect his ability to operate a school bus, shall be denied a school bus driver's endorsement. One or more of the following deficiencies will disqualify the applicant for a school bus ~~operator's license~~ driver's endorsement:

(1) Eyesight. Visual acuity less than 20/40 (Snellen) in either eye without ~~glasses~~ lenses or by correction with ~~glasses~~ lenses; total form field of vision in the horizontal meridian less than 140 degrees in either eye (drivers requiring correction by ~~glasses~~ lenses shall wear properly prescribed ~~glasses~~ lenses at all times when driving).

(2) Hearing. Hearing less than 10/20 in the better ear, with or without a hearing aid.

(3) Inebriates or users of narcotics or drugs which may impair driving ability.

(4) Coronary disease. Any indication of coronary or heart ailment likely to interfere with safe driving. Electrocardiogram is required when other findings indicate desirability.

(5) Blood pressure over 160/90.

(6) Lungs. Failure to have a satisfactory Mantoux or chest x-ray within the past six months.

(7) Any communicable disease as listed in Minnesota Health Department regulations 10795 and 10812. (As recoded.)

(8) Loss of foot, leg, hand or arm, or other structural defect or limitation of movement likely to interfere with safe driving.

(9) Any mental, nervous, organic, or functional disease likely to interfere with safe driving.

(10) Diabetes unless controlled by diet only.

(11) Epilepsy or other episodic (paroxysmal) periods of unconsciousness (not accepted).

(12) Use of any medication which the examining physician determines is likely to interfere with safe driving.

(13) Applicant not of good general health.

(c) The certificate to be used by the physician for reporting the physical condition of the applicant shall be one prescribed by the ~~secretary of state~~ department of public safety and may be obtained from that office or ~~authorized deputy registar or county superintendent of schools.~~ any driver examining station.

(d) Each school bus driver is required to take and pass a physical examination each year prior to his birthday in order to retain his school bus driver endorsement. The department of public safety will send physical examination certificates to school bus drivers. School bus drivers shall return the certificate, completed by the examining physician, along with a $2.00 processing fee, on or before his birthday to the department of public safety. Failure to pass and/or return the yearly physical examination shall result in cancellation of the school bus driver endorsement from the Minnesota driver license.

(e) A physical examination may be required oftener upon demand of any school district from or to which such school bus driver shall be transporting school children. Such extra examination shall be paid for by the district demanding it.

EDU 223 REQUIREMENTS, RENEWAL OF LICENSE. Repealed Minn. Reg. Edu 1972.

~~A person applying for the renewal of his school bus driver's license shall pass an examination containing only such material as the secretary of state deems neeessary to determine if the licensee is entitled to renew the license previously issued.~~

~~NOTE: See the following legal refereneeS:~~

~~Bus Drivers:~~

~~License, school bus drivers: M.S. 168.39 168.46~~
~~Examination and license: M.S. 168.40 (2); 168.43~~
~~Form and display: M.S. 168.41~~

(Replaced by Edu 225 as amended.)

EDU 224 MORAL CHARACTER AND BACKGROUND

The applicant for a school bus driver's endorsement shall be of good moral character. Before issuing a school bus driver's endorsement the Department of Public Safety shall conduct a thorough background check on the applicant.

Edu 225 REQUIREMENTS, RENEWAL OF DRIVER LICENSE AND SCHOOL BUS ENDORSEMENT.

(a) A school bus driver applying for the renewal of his driver license and school bus endorsement shall pass an examination containing only such material as the Commissioner of Public Safety deems necessary to determine if the licensee is entitled to retain the endorsement previously issued.

(b) Failure to comply with any of the requirements of this regulation shall result in the cancellation or denial of the school bus driver's endorsement.

EDU 226-239 Reserved for future use.

CHAPTER FOURTEEN: EDU 260-279
DESIGN OF SCHOOL TRANSPORTATION EQUIPMENT, STANDARDS

EDU 261 SCHOOL BUS CHASSIS

(a) Air Cleaner. No change.

(b) Axles

(1) Front axle or other type of suspension assembly shall be of sufficient capacity at ground to support such load on front axle as would be imposed by actual average gross vehicle weight ~~plus 10 percent~~.

(2) No change.

EXCEPTION: TRANSIT AND METROPOLITAN VEHICLES:

(1) No change.

(2) No change.

(c) BATTERY. No change.

(d.1) BRAKES. No change.

(d.2) THE FOLLOWING PROVISIONS FOR BRAKES SHALL SUPERSEDE THOSE SHOWN ABOVE ON ALL SCHOOL BUS CHASSIS MANUFACTURED AFTER JANUARY 1, 1968. No change.

(e.1) BUMPER, FRONT. No change.

(e.2) BUMPER, REAR. No change.

(f) CERTIFICATION. No change.

(g) CLUTCH. No change.

~~(h)--COLOR.--Chassis,-including-wheels,-front-fender-and-front-bumper,-shall-be--black;-head-and-cowl-shall-be-Minnesota-School-Bus-Golden-Orange.--Dupont-#1051-or its-approved-equal.~~

(i) COOLING SYSTEM. No change.

(j) DRIVE SHAFT. No change.

(k) ELECTRICAL SYSTEM. No change.

(l) EXHAUST SYSTEM. No change.

(m) FENDERS, FRONT. No change.

(n) FRAME. No change.

(o) FRAME LENGTHS. No change.

(p) FUEL TANK. No change.

(q) GENERATOR OR ALTERNATOR. No change

(r) GOVERNOR. No change.

(s) HEATING SYSTEM. No change.

(t) HORN. No change.

(u) INSTRUMENTS AND INSTRUMENT PANEL. No change.

(v) OIL FILTER. No change.

(w) OPENINGS. No change.

(x) PASSENGER LOAD. No change.

(y) POWER AND GRADEABILITY. No change.

(z.1) SHOCK ABSORBERS. No change.

(z.2) SPRINGS. No change.

(z.3) STEERING GEAR. No change.

(z.4) TIRES AND RIMS. No change.

(z.5) TRANSMISSION. No change.

(z.6) UNDERCOATING AND/OR RUST PROOFING. No change.

(z.7) WEIGHT DISTRIBUTION. No change.

(z.8) WHEELS. No change.

(z.9) WARRANTY. No change.

EDU 262 SCHOOL BUS BODY

(a) AISLE. No change.
(b) BATTERY. No change.
(c) BODY SIZES. No change.
(d) BOOK RACKS. No change.
(e.1) BUMPER, FRONT. No change.
(e.2) BUMPER, REAR. No change.
(f) CEILING. No change.
(g) CHAINS. No change.

(h) COLOR

~~(1)--School-bus-body-including-head-and-cowl-shall-be-painted-uniform-color,-Minnesota-School-Bus-Golden-Orange,-Dupont-1051-or-its-approved-equal,-according-to specifications-available-from-General-Services-Administration.~~

~~(2)--Rear-bumper,-lettering-and-fenders-shall-be-black.~~

~~(3)--Rub-rails-shall-be-black.--See-items-(1),-(2),-(3),-and-Edu-262(a,4).~~

(i) CONSTRUCTION. No change.

(j) DEFROSTERS. No change.

(k) DOORS. No change.

(l) EMERGENCY WINDOW. No change.

(m) FIRE EXTINGUISHERS. No change.

(n) FIRST AID KIT. No change.

(o) FLOOR. No change.

(p) FLOOR COVERING. No change.

(q) HEATERS. No change.

(r) IDENTIFICATION. No change.

(s) INSIDE HEIGHT. No change.

(t) INSULATION. No change.

(u) INTERIOR. No change.

(v) LAMPS AND SIGNALS. No change.

(w) METAL TREATMENT. No change.

(x) MIRRORS.

(1) No change.
(2) No change.
(3) No change.
(4) No change.
(5) Cross-over mirror or its approved equal required on all new buses delivered after date of adoption.

(y) MOUNTING. No change.
(z.1) OVER-ALL LENGTH. No change.
(z.2) OVER-ALL WIDTH. No change.
(z.3) POSTS. No change.
(z.4) RUB RAILS. No change.
(z.5) SANDERS. No change.
(z.6) SEAT BELT FOR DRIVER. No change.
(z.7) SEATS. No change.
(z.8) STANCHIONS AND GUARD RAILS. No change.
(z.9) STEERING WHEEL. No change.
(z.10) STEPS. No change.
(z.11) STIRRUP STEPS. No change.

(z.12) STOP SIGNAL ARM. No change.

(1) No change.
(2) No change.

NOTE: No change.

(3) Option: Signal arm may include two alternating flashing red lamps which show both to the front and to the rear. (reflectorized background not required)

(z.13) STORAGE COMPARTMENT. No change.
(z.14) SUN SHIELD. No change.
(z.15) TAIL PIPE. No change.
(z.16) UNDERCOATING AND RUSTPROOFING. No change.
(z.17) VENTILATION. No change.
(z.18) WHEEL HOUSING. No change.
(z.19) WIDTH. No change.
(z.20) WINDSHIELD AND WINDOWS. No change.
(z.21) WINDSHIELD WASHERS. No change.
(z.22) WINDSHIELD WIPERS. No change.
(z.23) WIRING. No change.
(z.24) WARRANTY. No change.

EDU 263 ~~SMALL-MOTOR-BUSES-(VEHICLES-CARRYING-MORE-THAN-TWELVE-BUT-LESS-THAN-TWENTY-FOUR PUPILS).--(EFFECTIVE-DATE:--JULY-1,-1970.)~~

~~Minn.-Reg.-Edu-260-262-shall-apply-except-as-variations-from-these-standards-are approved-by-the-state-board-of-education.~~ (Repealed Minn. Reg. Edu 1972.)

CHAPTER FIFTEEN: EDU 280-299

CERTIFICATES, CLASSROOM AND SPECIAL CLASS TEACHERS

EDU 291 MINIMUM REQUIREMENTS FOR PREPARATION OF TEACHERS IN CERTAIN TEACHING FIELDS. No change.

(a) Science for grades 5-9 and grades 7-12.

~~(1)--The-prospective-teacher-of-science-shall-have:~~

~~(aa)--A-major-of-at-least-24-semester-(36-quarter)-hours-in-biology-or chemistry-or-physics-or-earth-science,-and-a-minor-of-at-least-18-semester-(27-quarter)-hours-in-another-area-of-science,-or-18-semester-(27-quarter)-hours-of-mathematics;-or~~

~~(bb)--A-broad-major-in-the-physical-or-earth-or-biological-sciences-of-at least-42-semester-(63-quarter)-hours.~~

~~(2)--Combined-programs-of-mathematics-and-science,-particularly-the-physical-sciences,-leading-to-a-major-in-the-one-field-shall-be-encouraged,-especially-for-the prospective-teacher-of-both-science-and-mathematics-in-the-small-secondary-school.--In combination-programs-of-mathematics-and-science,-or-several-sciences,-the-significant requirement-shall-be-that-credits-equivalent-to-a-minor-of-18-semester-(27-quarter) hours-be-presented-in-each-senior-high-school-science-subject-to-be-taught,-and-18 semester-(27-quarter)-hours-in-mathematics.~~

(1) For the purposes of this regulation the sciences shall comprise the following areas: earth science, including geology, astronomy and meteorology; physical science, including chemistry and physics; life sciences, including botany, zoology, and other appropriate realms of biology; broad area science, including basic elements of life, earth, and physical sciences.

(2) All candidates for certificates to teach science, which includes earth science, physical science, and life science and broad area science, shall hold a baccalaureate degree and have satisfactorily completed a program which has been approved by the state department of education for science teachers in grades 5-9 or in grades 7-12.

(3) All candidates recommended for certification as science teachers shall have satisfactorily completed programs which provide experiences that enable them to develop broad basic knowledge and skills in earth science, in life science, and in physical science. The broad base shall include no less than twenty percent of the total baccalaureate program distributed equitably across the areas listed in (1) above, and, in addition either:

(aa) Experiences which enable the candidate to acquire additional broad knowledge and skills in earth science, in life science, and in physical science to teach science in grades 5-9. These additional experiences shall be equivalent to no less than twenty percent of the total baccalaureate program and shall be distributed across the areas in approximately equal proportions.

OR

(bb) Experiences which enable the candidate to develop a high level of competency in at least one of the three major disciplines necessary to teach that special area of science in grades 7-12. These additional experiences shall be equivalent to no less than twenty percent of the total baccalaureate program.

(4) All candidates for certificates to teach in a specified area of science part-time shall have the experiences necessary to develop the broad basic competencies required of all science teachers plus at least the additional preparation in the specific area in which they desire to teach equivalent to that specified in (3)(aa) for that area; provided, however, that candidates for certificates as part-time teachers of either chemistry or physics have the experiences necessary to develop broad basic competencies plus sufficient additional preparation in either chemistry or physics such that their total preparation in the specific area in which they desire to teach constitutes at least ten percent of their total baccalaureate program.

(5) Evidence shall be provided to show that programs submitted for approval have been developed with participation from the college departments involved with the proposed teacher education programs, from elementary school teachers, secondary school teachers, and school administrators as well as from students and interested citizens.

(6) Programs submitted for approval shall include all of the following:

(aa) A rationale which sets forth the view of the institution with respect to the role of teachers of science.

(bb) Evidence that the program is based on a study conducted to determine the academic work which is necessary to prepare candidates to teach in the areas of science normally offered at the levels for which certification is being requested.

(cc) An enumeration of specific teacher competencies to be developed in the proposed program. Included among others shall be competencies in the following areas:

--personal human qualities that will facilitate interpersonal relationships and enhance student learning

--knowledge of the intellectual and philosophical nature of science

--knowledge and experience necessary to illustrate the cultural and historical significance of science to social conditions

--application of analytical methods of science in multidisciplinary approaches to studying and solving problems of science and of society

--knowledge and skill necessary to seek out and study new concepts, together with the ability to synthesize these concepts, meaningfully and to communicate them to persons for whom the ideas are also new

--the selection, adaptation, evaluation and use of strategies and materials for the teaching of science so that teaching-learning situations for which the teacher is responsible will be consistent with general knowledge about teaching and learning and will be appropriate both to the special needs of the learners and the special characteristics of the science disciplines.

(dd) A description of program components which include statements which relate individual program components to the competencies, knowledge and skills to be developed by candidates.

(ee) A plan for assessing the level of performance of each candidate recommended for certification which ascertains the individual candidate's development of the required competencies.

(7) The continuing certificate may be renewed according to general regulations of the state board of education pertaining to continuing education.

(8) This provision is effective July 1, 1978, for all applicants for entrance certificates.

(b) Mathematics. No change.

(c) English or language arts. No change.

(d) Social Studies in secondary schools.

~~The prospective teacher of social studies shall have:~~

~~(1) A broad major in social studies consisting of at least 40 semester (60 quarter) hours of work in the area, including at least one course in college history, geography, economics, political science, and sociology or anthropology, with a 24 semester (36 quarter) hour concentration in history or geography, or the other social studies~~

~~combined.--If the prospective teacher meets these requirements he should be fully certified as a social studies major or a major in any of the social sciences.~~

~~-OR~~

~~(2)--A minor in social studies, history, geography, political science, economics, or sociology consisting of:~~

~~(aa)--At least 24 semester (36 quarter) hours of credit in the social sciences.~~

~~(bb)--A concentration of 14 semester (21 quarter) hours of credit in history, geography, or the other social sciences combined.~~

~~(cc)--At least one course in history, geography, political science, economics, and sociology or anthropology.~~

(1) The social studies include the following areas of the social sciences: anthropology, economics, geography, history, political science, psychology, and sociology, as well as interdisciplinary studies involving the social sciences.

(2) All candidates for certificates to teach in the social studies, which include all fields within the social studies as well as interdisciplinary or broad area courses within the social studies, must hold a baccalaureate degree and have satisfactorily completed a program which has been approved by the state department of education. A minimum of one-third of the total baccalaureate program, or the equivalent, shall be devoted to the development and the demonstration of competencies specified in (3), which follows.

(3) All candidates recommended for certification shall have satisfactorily completed programs which provide for the development and evaluation of competencies in all of the areas which follow:

(aa) Achievement of pupil progress toward cognitive and affective goals identified for the candidate's social studies teaching.

(bb) Ability to demonstrate behaviours in classroom and other teaching situations which facilitate pupils' development toward cognitive and affective goals in the social studies.

(cc) Knowledge of all of the social sciences as disciplines, including ways of structuring, types of analytical questions, methods of advancing knowledge, major competing theories, the changing nature of fields, and ways of keeping current with developments in the fields, together with the ability to integrate and apply this knowledge to the development and evaluation of curriculum and instructional materials and to the candidate's work in the classroom.

(dd) Behavior which models that identified as goals for pupils.

(ee) Knowledge of principles of learning, including both cognitive and affective learning, adolescent psychology, individual differences, and social studies methods, curriculum, and materials of instruction, together with the ability to apply this knowledge to the development and evaluation of teaching plans and instructional materials as well in classroom teaching and other work with pupils.

(ff) Knowledge of ways of using community resources in teaching, of promoting good relationships between the school and the community, and of the professional role of the teacher beyond the classroom situation, together with the ability to apply this knowledge to work within the school.

(4) Evidence shall be provided to show that programs submitted for approval have been developed with appropriate participation from elementary school teachers, secondary school teachers, and administrators in schools which work with the training institutions as well as from students and interested citizens. Programs submitted for approval shall include all of the following:

(aa) A statement of rationale which sets forth the view of the institution with respect to the role of social studies teachers.

(bb) An enumeration of specific teacher competencies to be developed in the proposed program including competencies in each of the broad categories listed in (3), above.

(cc) A description of program components which includes statements which specifically relate individual components of the program to the competencies required of all prospective social studies teachers.

(dd) A plan for assessing the individual candidate's development of the required competencies.

(5) The issuance of the first continuing certificate is contingent upon:

(aa) The candidate's possession of a previously issued valid and appropriate entrance certificate, and

(bb) One year of successful experience in teaching social studies during the time that the applicant holds an appropriate entrance certificate.

(6) The continuing certificate may be renewed according to general regulations of the state board of education pertaining to continuing education.

(7) This provision is effective July 1, 1978, for all applicants for entrance certificates.

(e) Modern Foreign Language. No change.

(f) Vocational teachers. No change.

(g) Industrial arts, non-vocational agriculture and non-vocational home economics teachers. No change.

(h) Teachers of industrial education. This regulation applies to all persons who teach industrial education in grades 5-12.

(1) All candidates for certification to teach industrial education must hold a baccalaureate degree and have successfully completed a program of teacher education which has been approved by the state department of education.

(2) Programs submitted for approval shall include all of the following:

(aa) A list of program objectives regarding the development of technical knowledge and skill.

(bb) A list of program objectives regarding the development of educational knowledge and teaching competency.

(cc) A description of program components describing the activities that are designed to achieve the program objectives.

(dd) A description of the plan for assessing whether candidates for certification have developed the required knowledge and skills.

(ee) A description of the program of clinical experiences for student teachers and interns.

(3) The two program options shall include at least the minimum requirements as listed in sections (aa) and (bb) which follow:

(aa) A middle school industrial education teaching certificate (valid for teaching grades 5-9) may be granted upon the completion of an industrial education teacher education program in which the portions of the program dealing with .1 below constitute at least one-third of the total baccalaureate program and in which there are the following components:

.1 Development of technical skills and knowledge in the areas of graphic communications, manufacturing, energy, and construction together with career information, and a knowledge of the socio-economic aspects, of the cultural functions, and of the organizational strategies related to the areas mentioned above.

and

.2 The selection, adaptation, evaluation and use of strategies and materials for teaching of industrial education so that teaching-learning situations for which the teacher is responsible will be consistent with general knowledge about teaching and learning and will be appropriate both to the special needs of the learners and the special characteristics of industrial education.

and

.3 Completion of a supervised practicum teaching experience in middle school.

and

.4 A minimum of one thousand (1000) hours of industrial wage earning experience approved by the teacher education institution or the completion of a minimum of five hundred (500) hours of participation in an industrial internship supervised by the teacher education institution.

(bb) A secondary school industrial education teaching certificate (valid for teaching grades 9-12) may be granted upon the applicant's completion of an industrial education teacher education program in which the portions of the program dealing with .1 and .2 below constitutes at least one-third of the total baccalaureate program and in which there are the following components:

.1 The development of basic technical skills and knowledge in the areas of graphic communications, manufacturing, energy, and construction together with career information and a knowledge of the socio-economic aspects, of the cultural functions related to the areas mentioned above.

with

.2 A concentration in at least one of the above identified areas. A concentration implies participation in learning experiences designed to develop in-depth knowledge and technical skill.

and

.3 The selection, adaptation, evaluation and use of strategies and materials for the teaching of industrial education so that teaching-learning situations for which the teacher is responsible will be consistent with general knowledge about teaching and learning and will be appropriate both to the special needs of the learners and the special characteristics of industrial education.

and

.4 Completion of a supervised practicum teaching experience in a senior high school or secondary vocational center.

and

.5 A minimum of fifteen hundred (1500) hours of industrial wage earning experience in the area of concentration approved by the teacher education institution or the completion of a minimum of seven hundred fifty (750) hours of participation in an industrial internship supervised by the teacher education institution.

(4) Issuance of continuing (five-year) certificate.

(aa) Persons trained in Minnesota institutions with approved programs in industrial education may receive a continuing certificate by meeting requirements of appropriate regulations. (Edu 280 (a)(1))

(bb) Persons trained in another state in a regionally accredited institution may receive an entrance certificate, and are subject to the existing requirements for moving from an entrance to a continuing certificate (Edu 280 (a)(1)). These persons shall also have their pre-service training program reviewed by the state department of education and complete recommended work, if any is necessary, to make their training consistent with that described above before a continuing certificate may be granted. It is recommended that this review is made early in the entrance certificate period.

(5) Renewal of continuing (five-year) certificate.

(aa) The continuing certificate may be renewed according to regulations of the state board of education pertaining to continuing education. (Edu 540-559)

(6) This provision is effective July 1, 1978, for all applicants for entrance certificates.

NOTE: No change.

CHAPTER SEVENTEEN: EDU 320-329

CERTIFICATES, ADMINISTRATORS AND SUPERVISORS

Edu 320 Superintendents*. Repealed, reserved for future use.

~~*An applicant applying for a certificate as "superintendent" or "assistant superintendent" prior to September 1, 1967, must meet the requirements stated in See. Edu 320. On and after September 1, 1967, he must meet the requirements stated in See. Edu 321, and See. Edu 320 is repealed.~~

~~(a) Every superintendent of schools and every assistant superintendent of schools shall have a Superintendent's Certificate based upon:~~

~~(1) A teaching certificate valid in elementary or secondary schools.~~

~~(2) Additional professional preparation: A Master's degree in school administration and supervision or its equivalent will be required, which shall include, in either case, the following number of credits in approved courses on the graduate level beyond the Bachelor's degree:~~

~~(aa) At least 9 quarter hours in educational administration.~~

~~(bb) At least 6 quarter hours in elementary school curriculum, instruction and supervision, including not less than one course in supervision.~~

~~(cc) At least 6 quarter hours in secondary school curriculum, instruction and supervision, including not less than one course in supervision.~~

~~(3) Successful public school experience as follows: At least five years of public school experience which shall include:~~

~~(aa) At least one year as a teacher, supervisor, or principal in the elementary school field or 6 quarter hours in addition to those required above in elementary curriculum, supervision and instruction.~~

~~(bb) At least one year as teacher or supervisor or principal in the secondary school field or 6 quarter hours in addition to those required above in secondary school curriculum, supervision and instruction.~~

~~(cc) At least two years of experience in a position requiring administrative or supervisory responsibility.~~

~~(dd) The applicant must have devoted at least one period during the school day to administrative and supervisory duties. A position requiring administrative or supervisory responsibility shall be a position as superintendent, assistant superintendent, general supervisor, principal, or assistant principal.~~

Edu 321 Superintendents (Six-year Program). Repealed. Reserved for future use.

~~REPEAL.--following-the-effective-date-of-Section-Edu-321,-Section-Edu-320.--See Sec.-Edu-321-(d).~~

~~(a)--Every-superintendnet-of-schools-and-every-assistant-superintendent-of-schools-shall-hold-an-appropriate-certificate-based,-ultimately,-on-two-years-of-preparation beyond-the-baccalaureate-degree.~~

~~(b)--Standard-Administrator's-Certificate.--Requirements:~~

~~(1)--Preparation~~

~~(aa)--A-Master's-degree-in-general-school-administration-from-a-recognized-graduate-school-approved-for-the-preparation-of-school-administrators,-plus~~

~~(bb)--A-statement-from-an-institution-approved-for-the-preparation-of school-administrators-certifying-that-the-applicant-has-completed-all-but-twenty-one (or-less)-quarter-hours-of-credit-toward-an-approved-program-of-preparation-in-school-administration-leading-to-a-Specialist-or-equivalent-degree-with-emphasis-on-preparation-for-the-superintendency.~~

~~(2)--Experience.--Three-years-of-teaching-or-general-supervisory-experience-on-a-valid-certificate-for-the-position-in-which-the-experience-was-obtained.~~

~~(3)--Time-validity.--The-first-certificate-will-be-valid-for-two-years.--It--may-be-renewed-for-one-five-year-period-after-twelve-(12)-quarter-hours-of-credit-have been-earned-toward-meeting-the-requirements-of-a-professional-certificate.--Before-the eighth-year-in-school-administration-has-begun-a-Professional-Administrator's-Certificate-must-have-been-secured.~~

~~(c)--Professional-Administrator's-Certificate.--Requirements.~~

~~(1)--Preparation.--The-minimum-of-a-Specialist-or-equivalent-degree-in school-administration-earned-in-a-recognized-graduate-school-that-offers-a-program for-the-preparation-of-school-administrators-approved-by-the-state-board-of-education.~~

~~(2)--Experience.--Three-years-of-teaching-or-general-supervisory-experience-on-a-valid-certificate-for-the-position-in-which-the-experience-was-obtained,-or-the current-or-prior-holding-of-a-Standard-Administrator's-certificate-indicating-that-such required-experience-has-been-attained.~~

~~(d)--Effective-date.--Four-years-after-the-formal-adoption-of-this-regulation-by the-state-board-of-education.--(Effective-September-1,-1967.)-~~

Edu 322 Secondary School Principal*. Repealed, Reserved for future use."

~~*An-applicant-applying-for-certificate-as-"secondary-school-principal"-prior-to September-1,-1967-must-meet-the-requirements-stated-in-Sec.-Edu-322.--On-and-after September-1,-1967,-he-must-meet-the-requirements-stated-in-Sec.-Edu-324,-and-Sec.Edu 322-is-repealed.~~

~~(a)--The principal of a secondary school shall have a principal's certificate based upon:~~

~~(1)--A teaching certificate valid in any secondary school.--The preparation upon which this certificate is based should provide for broad contact with the fields of general education---English, history and social studies, science and mathematics, as well as some contact with non-academic fields.~~

~~(2)--Additional professional preparation and professional experience as provided herein.~~

~~(b)--The Standard Secondary Principal's Certificate valid in any secondary school may be issued to teachers otherwise qualified who fulfill the following requirements as to additional preparation and experience:~~

~~(1)--Professional preparation:--A Master's degree or forty-five quarter-(30 semester) hours of credit from a recognized graduate school, including the following:~~

~~(aa)--Twelve quarter-(eight semester) hours of graduate credit in administration, supervision and curriculum of secondary schools.~~

~~(bb)--Nine quarter-(6 semester) hours of graduate credit selected from not less than three of the following:~~

~~Guidance in Secondary Schools-(general course)~~
~~Psychology of Learning~~
~~Elementary School Curriculum~~
~~Tests and Measurements~~
~~Philosophy of Education~~
~~Audio-Visual Education~~

~~(2)--Sucessful experience:~~

~~(aa)--Three years in an accredited secondary school of which at least one year shall have been in a position requiring administrative or supervisory responsibility in an accredited secondary school.~~

~~(bb)--A position requiring administrative or supervisory responsibility shall be a position as a superintendent, assistant superintendent, general supervisor, principal or assistant principal.~~

~~(c)--The Provisional Secondary Principal's Certificate II valid in secondary schools with not more than twenty secondary school teachers including the superintendent and principal may be issued to teachers otherwise qualified for secondary schools who fulfill the following requirements as to professional preparation and experience.~~

~~(1)--Professional preparation:--Eighteen quarter-(twelve semester) hours of graduate credit from a recognized graduate school including the following areas:~~

~~(aa)--Not less than two courses in administration, supervision the curriculum of secondary schools.~~

~~(bb)--The balance of the requirement to be taken in the following areas:~~

~~Guidance in the Secondary Schools (general course)~~
~~Philosophy of Education~~
~~Tests and Measurements~~
~~Psychology of Learning~~

~~(2)--Successful experience:--At least two years in an accredited school.~~

~~(3)--Renewal requirements:--This certificate may be renewed for a five-year period upon presentation of credits showing nine quarter (six semester) hours in addition to those required in (c)(1) above.--Each subsequent renewal will require six quarter (four semester) hours of additional graduate credits earned within the preceding five years.~~

~~(d)--The Provisional Secondary Principal's Certificate I, valid in secondary schools with not more than ten secondary school teachers including the superintendent and principal, may be issued to teachers otherwise qualified who fulfill the following requirements:~~

~~(1)--Professional preparation:--Nine quarter (six semester) hours of graduate credit from a recognized graduate school selected from the following areas:~~

~~Guidance~~
~~Philosophy~~
~~Curriculum~~
~~Tests and Measurements~~

~~(2)--Sucessful experience:--At least one year in an accredited secondary school.~~

~~(3)--Renewal requirements:--This certificate may be renewed for a period of not more than five years and subsequent renewals will require nine quarter (six semester) hours of graduate credit.~~

Edu 323 Elementary School Principal* Repealed. Reserved for future use.

~~*An applicant applying for certificate as "elementary school principal" prior to September 1, 1967 must meet the requirements stated in Sec. Edu 323.--On and after September 1, 1967, he must meet the requirements stated Sec. Edu 324, and Sec. Edu 323 is repealed.~~

~~(a)--The principal of an elementary school requiring a certificated principal shall have a principal's certificate based upon:~~

~~(1)--A teaching certificate valid in any elementary school based on a four-year degree.~~

~~(aa) A teacher with a certificate valid in secondary schools may qualify for aan elementary principal's certificate in an elementary school that includes the seventh and eighth grades.~~

~~(2)--Additional professional training and professional experience as provided herein.~~

(b)--The-Elementary-Principal's-Certificate-II-valid-in-any-elementary-school.-

(1)--Professional-preparation:--A-Master's-degree-or-forty-five-quarter (thirty-semester)-hours-of-graduate-credit-from-recognized-graduate-school-including the-following:

(aa)--Twenty-four-quarter-hours-of-graduate-credit-in-school-administration,-supervision-and-curriculum-including-at-least-one-course-in-each-of-the-following:-

Elementary-School-Curriculum
Elementary-School-Supervision;-and
Elementary-School-Administration.

(bb)--Nine-quarter-hours-of-graduate-credit-selected-from-not-less-than three-of-the-following:

Psychology-of-Learning
Tests-and-Measurements
Philosophy-of-Education
Guidance--
High-School-Curriculum
Education-of-Exceptional-Children.

(2)--Successful-experience:--Three-years-of-experience-in-an-elementary-school.-

(c)--The-Provisional-Elementary-Principal's-Certificate-II:

(1)--Professional-preparation:--A-Bachelor's-degree-with-sixteen-quarter-hours-of-graduate-work-from-a-recognized-graduate-school-selected-from-(b)(1)(aa)-and-(bb) above.

(2)--Successful-experience:--At-least-two-years-of-experience-in-an-elementary school.

(3)--Renewal-requirements:--This-certificate-will-be-issued-for-two-years and-will-require-eight-quarter-hours-of-additional-graduate-credits-for-each-renewal until-the-full-requirements-of-a-Master's-degree-or-its-equivalent-have-been-met.-

(d)--The-Elementary-Principal's-Certificate-I-valid-in-elementary-schools-with-not more-than-fifteen-teachers-including-the-principal:

(1)--Professional-preparation:--A-degree-in-elementary-education-with-sixteen quarter-hours-of-college-credit-selected-from-(b)(1)(aa)-and-(bb)-or-their-equivalent.

(2)--Successful-experience:--At-least-two-years-of-experience-in-an-elementary-school.

(e)--The-Provisional-Elementary-Principal's-Certificate-I:

(1)--Professional-preparation:--A-valid-elementary-teaching-certificate-with-eight-quarter-hours-of-college-credit-for-each-renewal-until-the-requirements-under-(d) (1)-have-been-met.

~~(2)--Successful-experience:--At-least-one-year-of-experience-in-an-elementary school.~~

~~(3)--Renewal.--This-certificate-will-be-issued-for-two-years-and-will-require eight-quarter-hours-of-college-credit-for-each-renewal-until-the-requirements-under (d)(1)-have-been-met.~~

Edu 324 Elementary and Secondary School Principals (Six-year Program) Repealed.

Reserved for future use.

~~REPEAL,-following-the-effective-date-of-Sec.-Edu-324,-Sec.-Edu-322-and-Sec.-Edu-323. See-Sec.-Edu-324-(e).'~~

~~(a)--Every-elementary-and-secondary-school-principal-and-every-assistant-elementary-- and-secondary-school-principal-shall-hold-an-appropriate-certificate-based,-ultimately, on-two-years-of-preparation-beyond-the-baccalaureate-degree.~~

~~(b)--Standard-Administrator's-Certificate-(Principal's).--Requirements:~~

~~(1)--Preparation~~

~~(aa)--A-Master's-degree-in-school-administration-from-a-recognized-graduate-school-applicable-to-the-respective-principalship,-or~~

~~(bb)--A-statement-from-an-institution-approved-for-the-preparation-of administrators-certifying-that-the-applicant-has-completed-all-but-twenty-nine-(or-less) quarter-hours-of-credit-towards-an-approved-program-of-preparation-in-school-administration-leading-to-Specialist-or-equivalent-degree-with-emphasis-on-preparation-for the-respective-principalship.--~~

~~(2)--Experience.--Three-years-of-successful-teaching-or-supervisory-experience on-a-certificate-valid-for-the-position-in-which-the-experience-was-obtained.-#~~

~~(3)--Time-validity.--The-first-certificate-will-be-valid-for-two-years.--It may-be-renewed-for-one-five-year-period-after-twelve-(12)-quarter-hours-of-credit-have been-earned-in-work-applicable-onaa-professional-certificate.--Before-the-eighth-year of-school-administration-is-begun-a-Professional-Administrator's-Certificate-must-have been-secured.~~

~~(c)--Professional-Administrator's-Certificate-(Principal's).--Requirements:~~

~~(1)--Preparation.--The-minimum-of-a-Specialist-or-equivalent-degree-in-school administration-earned-in-a-recognized-graduate-school-that-offers-a-program-for-the preparation-of-school-administrators-approved-by-the-state-board-of-education.~~

~~(2)--Experience.--Three-years-of-successful-teaching-or-supervisory-experience-on-a-certificate-valid-for-the-position-in-which-the-experience-was-obtained,-or the-current-or-prior-holding-of-a-Standard-Administrator's-Certificate-indicating-that the-required-experience-has-been-attained.#~~

~~(d)--Limited-Administrator's-Certificate-(Principal's).--May-be-issued-under-conditions-stated-below:~~

~~(1)--Limitation.--Valid-only-in-an-elementary-school-of-ten-teachers-or-less.~~

~~(2)--Basis.--May-be-issued,-at-the-written-request-of-a-superintendent,-to a-teacher-who-holds-a-baccalaureate-degree-in-teacher-education.~~

~~(3)--Time-validity.--The-limited-certificate-is-valid-for-one-year.--It-may be-renewed-annually-after-eight-quarter-hours-of-graduate-credit,-applicable-to final-certification-in-administration,-have-been-earned-for-each-renewal.~~

~~(4)--Termination.--This-certificate-shall-be-terminated-September-1,-1971.~~

~~(e)--Effective-date.--Four-years-after-the-formal-adoption-of-this-regulation-by the-state-board-of-education--(Effective-September-1,-1967.)~~

~~#For-elementary-school-principals,-the-experience-must-be-at-the-elementary level.--For-secondary-school-principals-the-experience-must-be-at-the-secondary-level.~~

Edu 325 Supervisors. No change.

Edu 326 Junior College Administrator. No change.

Edu 327 Area Vocational-Technical School Administrator. No change.

Edu 328 County Superintendents. No change.

Edu 329 School Business Officers (Permissive)* No change.

(ALL NEW MATERIAL)

Edu 330 School Administrators

(a) This regulation is effective July 1, 1974, for all applicants for entrance certificates for school administration. School administrators include all persons who function as, or who are classified as, school superintendents and assistant superintendents, elementary school principals and assistant principals, secondary school principals and assistant principals.

(b) Certificates shall be issued separately for each of the following positions:

(1) Superintendent of schools
(2) Elementary school principal
(3) Secondary school principal

(c) All candidates for certification shall have satisfactorily completed a program in school administration appropriate for the certificate requested which is approved by the department of education and

(1) which results in a specialist or higher degree, or

(2) which results in the completion of a program consisting of a minimum of 45 quarter credits, or the equivalent, beyond a master's degree.

(d) Evidence shall be provided to the state department of education by those responsible for the training programs to show that competency-based programs submitted for approval have been developed with appropriate participation from school administrators, teachers, school board members, and citizens. All applicants for administrative certifications recommended by those responsible for training programs shall have competencies in all of the following areas: school administration, supervision, curriculum, and instruction

(e) All candidates shall have completed three years of successful teaching experience on a certificate valid for the position in which the experience was obtained. For elementary principals, the experience must be at the elementary level. For secondary principals, the experience must be at the secondary level.

(f) The issuance of the first continuing certificate is contingent upon:

(1) The candidate's possession of an issued valid and appropriate administrative entrance certificate, and

(2) One year of successful experience in the certificated administrative role during the time that the applicant holds an appropriate adminstrative entrance certificate.

(g) Persons holding standard or provisional certificates for one of the administrative roles, whose first certificate for this role was issued prior to September 1, 1967, may be issued a continuing administrative certificate upon the next renewal.

(h) The continuing certificate may be renewed according to general regulations of the state board of education pertaining to continuing education, except that the endorsement of a superintendent's certificate required by Edu 547, shall be verified by the clerk of the local board of education on behalf of the board of education.

(i) In order to provide means for persons holding standard administrator's certificates to phase into the requirements of Edu 330, Sections (a) through (h), the following provisions of Section (i) shall pertain until July 1, 1979, at which time Section (i) shall be deleted from Edu 330 without further action of the board of education.

(1) Persons holding standard certificates for one of the administrative roles whose first certificate for this role was issued after September 1, 1967, shall complete the requirements of Edu 330, Sections (a) through (h), by July 1, 1979, or on the next date when an applicant's certificate must be renewed if it falls after July 1, 1979.

(2) Any person whose standard certificate as a school administrator lapses after July 1, 1974, shall meet requirements of Edu 330, Sections (a) through (h).

Edu 331-339 Reserved for future use.

CHAPTER EIGHTEEN: EDU 340-359

CERTIFICATES OF QUALIFICATION, OTHER PROFESSIONAL EMPLOYEES

Edu 340 Counselors, Secondary School. No change.

Edu 340A Counselors, Elementary School. No change.

Edu 341 School Psychologist. No change.

Edu 342 School Social Worker. No change.

Edu 343 School Nurse. No change.

Edu 344 Audio-Visual Directors and Coordinators. No change.

Edu 345 Public School Athletic Coaches. No change.

Edu 345A Public School Coaches, Girls' Interscholastic Sports. ~~Effective September 1, 1972.~~ Effective July 1, 1975.

(a) No change.
(b) No change.
(c) No change.
(d) No change.

Edu 346 Recreation Personnel

Certification ~~of~~ as recreation personnel, ~~where professional preparation is required~~ may be granted to persons who ~~are recommended by a college or university maintaining the following approved or comparable program of preparation. Such recommendation shall attest to the completion of the program.~~

~~Legal Authority: M.S. 471.18. "In all cases where school funds or property are utilized, the state board of education shall: (1) establish minimum qualifications of local recreation directors and instructors..."~~

desire such certification and who have satisfactorily completed college or university programs which have been approved by the state department of education. Persons not desiring such certification shall meet the requirements of Edu 346(b).

(a) Recreation Directors and Instructors

(1) For the purpose of this regulation, the terms "director" and "instructor" may be used interchangeably.

~~(1)~~(2) A recreation director or instructor is a person who is employed ~~full time on a school year or calendar year basis~~ by a school board or cooperating agency to organize and direct the local recreation program.

~~NOTE: Minn. Reg. Edu 346(a)(1) was interpreted by some person as applying only to recreation directors who had written contracts. The amendment deletes the phrase "and who is under contract."~~

~~(2)~~(3) Requirements: A ~~bachelor's~~ baccalaureate degree with a college major in the field of recreation leadership.

~~(b)--Part-time-Recreation-Director~~

~~(1)--A-part-time-recreation-director-is-a-person-who-works-a-part-of-a-day-or-part-of-a-year,-i.e.-afternoons,-evenings,-summer-months,-or-any-period-less-than full-time-than-as-defined-in-(a)(1)-above-under-contract-with-a-school-board-or~~ coopera ~~cooperating-agency-to-organize-and-direct-a-recreation-program.~~

~~(2)--Requirements:~~

~~(aa)--When-the-person-is-a-certificated-teacher,-he-shall-have-earned not-less-than-8-to-9-quarter-credits-in-resident-or-extension-work,-including-preparation-in-each-of-the-following-areas:~~

~~Introduction-and-theory-of-leisure-and-recreation~~
~~Organization-and-administration-of-recreation~~
~~Recreational-leadership-or-recreational-fieldwork.~~

~~(bb)--When-the-person-is-not-a-certificated-teacher-but-is-a-student recreation-major-in-preparation,-he-shall-have-completed-at-least-6-semester-or-9-quarter-hours-of-professional-work-in-recreation,-including-the-minimum-requirement stated-under-(b)(2)(aa)-preceding.~~

~~(c)~~(b) Other Recreation ~~Instructor~~ Personnel which may include directors and instructors not desiring certification.

(1) ~~A-recreation-instructor-is-a-person-who-works-full-or-part-time-as-an instructor,-leader-or-specialist-in-some-area-of-a-recreation-program-under-the-direction-of-a-recreation-director-or-part-time-recreation-director.~~ Other recreation personnel work as specialists in various areas of recreation.

(2) Requirements: They ~~The-recreation-instructor~~ shall possess special abilities, qualities of leadership, and general fitness to work in the local recreation program ~~and-shall-be-certified-as-to-these-qualities,-upon-recommendation-of the-recreation-director,-to-the-state-supervisor-of-recreation,-department-of-education, in-the-annual-recreation-report-made-by-the-local-school-district.~~ Such personnel shall be approved by the local board of education and will not hold state certification.

~~(d)~~(c) Effective Date. The requirements under ~~See.~~ Edu 346 shall become effective on ~~September-1,-1965~~ July 1, 1973. ~~They-do-not-apply-to-recreation-personnel-employed prior-to-September-1,-1965.~~

Edu 347 Driver Education Teachers. No change.
Edu 348 Teacher Intern. No change.
Edu 349 Media Generalist. No change.
Edu 350 Media Supervisor. No change.
Edu 351-359 Reserved for future use.

CHAPTER TWENTY-EIGHT: EDU 540-559

ISSUANCE AND RENEWAL OF CONTINUING CERTIFICATES

Edu 540 Scope of chapter; definition

(a) The provisions of this chapter apply only to persons whose initial certification was contingent upon the possession of a baccalaureate or higher degree in education.

(b) As used in this chapter, the term "certificated person" or "certificated personnel" means person or persons holding a certificate, the obtaining of which was contingent upon the possession of a baccalaureate or higher degree in education.

(c) The provisions of this chapter shall not be interpreted to be in conflict with Minnesota Statutes or provisions in the Minnesota State Plan for Vocational-Technical Education relating to the certification of teachers.

Edu 541 Initial issuance of a continuing certificate

(a) A continuing certificate, valid for five years, ~~shall~~ may be issued to an applicant who holds a valid entrance certificate and who has met the requirements for the issuance of the continuing certificate as set forth in appropriate regulations of the state board of education.

(b) ~~A separate~~ Continuing ~~certificate~~ certification must be ~~obtained~~ maintained for each education ~~function~~ area which requires certification (d.g., elementary teacher, elementary principal, secondary counselor, and superintendent).

(c) A continuing certificate is not required for any person holding a life certificate issued prior to July 1, 1969.

Edu 542 Standards for renewal of continuing certificate. Pursuant to the procedures specified in this chapter, a valid continuing certificate may be renewed for a subsequent period of five years when the applicant has met the following requirement:

~~(a) The applicant shall present evidence of at least one school year, or the equivalent, of successful teaching or administrative experience under a valid Minnesota certificate which is appropriate for the function for which renewal is requested.~~

~~(b)~~ (a) The applicant shall present evidence of having been granted one hundred twenty renewal units (except as provided in Edu 544 (h)) during the five-year period immediately preceding the date on which the requested renewal is to be made effective.

~~(c) When requirements for an entrance certificate are changed, a person who at that time holds a valid continuing certificate for that education function shall use a substantial portion of the renewal units required under (b) above to work toward meeting the substance of the changed requirements; provided that if the particular regulation changing such requirements specifies that persons already certificated shall meet the new requirements, the applicant shall meet the new requirements in the manner and within the time specified in that regulation (these experiences to be counted as renewal units under (b) above).~~

Edu 543 Applicants who do not qualify for a continuing certificate.

(a) An applicant who does not qualify for issuance ~~or renewal~~ of a continuing certificate may be issued an entrance certificate if current requirements for the appropriate entrance certificate are met.

~~(a)~~ (1) An experienced applicant who transfers from another state and who does not hold a valid Minnesota certificate must obtain an entrance certificate.

~~(b)~~ (2) An experienced applicant who has not been active in education ~~for a period of time~~ so that certification has lapsed must obtain an entrance certificate.

~~(c)~~ (3) An applicant certificated for one education ~~function~~ area who wishes to engage in another education ~~function~~ area for which he is not presently certificated must obtain an entrance certificate for the ~~latter function~~ additional area or areas.

(b) An applicant who does not receive an endorsement from a local committee or a recommendation for an extension (not to exceed two years) shall not receive an entrance or continuing certificate in any area until an appeal has been satisfactorily resolved. Such cases may be appealed to the state committee in accordance with Edu 548.

Edu 544 Renewal Units

(a) Examples of experiences for which renewal units may be granted are listed below. It is recommended that prior approval of the experiences be obtained from the local committee, although evidence must subsequently be submitted to the committee showing that experiences for which prior approval has been granted have been satisfactorily completed. Renewal units must be earned in two or more of the following areas:

(1) College courses and related work

(2) Supervision of clinical experiences

(3) Attendance at professional meetings

(4) Attendance at lectures by persons with expertise in the areas for which certification is requested

(5) Systematic, purposeful observation during visits to schools

(6) Volunteer work in professional organizations or situations ~~having relevance~~ related to the ~~function~~ areas for which certification is requested

(7) Development of demonstrations or curriculum innovations for use with student teachers or in inservice programs

(8) Creative endeavor (art, music, writing) related to the individual's ~~professional function~~ certification

(9) Publication of professional articles in a professional journal in an appropriate field

(10) Travel ~~relevant~~ related to the professional certification areas ~~function.~~ Prior approval of this experience ~~must~~ shall be obtained

(11) Maintenance and evaluation of an annotated log or record of activities with a class or group

(12) Exchange situations to gain experience with students at another age, ability, socio-economic level or in another subject for which the teacher is qualified

(13) Attendance at and participation in inservice meetings with opportunity for staff members in various roles (college faculty, community persons) to work together

(14) Participation in inservice meetings to include active staff planning and involvement (demonstrations with student exhibits, explanation of special or new techniques)

(15) Direct involvement, individually or within a group, to research, plan and implement innovative educational practices

(16) Planning and production of television or other special programs for use in the schools

(17) Additional kinds of experiences may be approved. Among these may be experiences especially appropriate for a particular school district or a particular education ~~function~~ area.

(b) No change.

(c) Renewal unit credit may be granted ~~only~~ for experiences which are ~~relevant~~ related to the fields ~~and function~~ for which professional certification is being requested.

(d) No change.

(e) No change.

(f) No change.

(g) An applicant who seeks renewal of a continuing certificates for two or more ~~functions~~ areas ~~may apply earned renewal units toward more than one function with the approval of the local committee, provided that the requirements of Edu 542(a), 542(c), 544(e), 544(d) and 544(e) are fulfilled as to each certificate.~~ should allocate at least 30 renewal units to each of the certification areas for a total of no fewer than 120 units with priority given to work in areas where the candidate is employed during the certification period.

(h) In the first five years following the effective date of this chapter, renewal units shall be required as follows:

(1) Twenty units for renewal ~~during the first year after the effective date~~ of certificates expiring July 1, 1974.

(2) Forty units for renewal ~~during the second year after the effective date~~ of certificates expiring July 1, 1975.

(3) Sixty units for renewal ~~during the third year after the effective date~~ of certificates expiring July 1, 1976.

(4) Ninety units for renewal ~~during the fourth year after the effective date~~ of certificates expiring July 1, 1977.

(5) One hundred twenty units for renewal ~~during the fifth year after the effective date.~~ of certificates expiring July 1, 1978.

(i) In 1972, after local committees are elected, renewal units may be earned from that day forward. However, travel and other renewal units earned in the summer of 1972 may be approved by the local committee in the fall of 1972.

Edu 545 The state committee for programs leading to renewal of continuing certificates in education (state committee)

(a) No change.

(b) No change.

(c) No change.

(d) No change.

(e) No change.

(f) No change.

(g) The duties of the state committee are as follows:

(1) Set rules for its own operation in accordance with law.

(2) Annually review procedures and criteria for granting renewal units with the purpose of updating and improvement.

(3) Consider and decide appeals from decisions of local committees ~~and superintendents~~.

(4) Provide all pertinent information to the state board of education in cases of appeal to that board.

Edu 546 Local committees for the approval of programs to qualify for the renewal of continuing certificates in education (local committees)

(a) No change.

(b) No change.

(c) The superintendent of the district shall initiate the necessary proceedings for the establishment of the first local committee under this regulation, and ~~he~~ thereafter the chairman of the local committee shall submit to the state department of education, director of certification, verification of the membership of the duly established local committee.

(d) Members of the local committee shall be elected in May of each year for terms to begin the following September 1. The term of office of members of the local committee shall be two years, with terms staggered so that there will be three or four new members each year. The terms of the first members shall therefore be as follows:

2 Years: 2 ~~Non-administrators~~ Classroom Teachers, 1 Administrator, 1 Resident

1 Year: 2 ~~Non-administrators~~ Classroom Teachers, 1 Administrator

(e) The local committee shall hold its organizational meeting during September of each year. At the organizational meeting the local committee shall elect a chairman and secretary whose duties shall be those usual to the respective offices.

(1) Up to five days per month may be provided by the local school district to each local committee member to attend local committee meetings. In any event, time provided by the district should not exceed a reasonable estimate of the time required for local committee duties in that district.

(2) Clerical assistance may be provided by the local school district in sufficient amount to enable the local committee to comply with the record keeping and reporting required by the regulation.

(f) No change.

(g) The duties of the local committee are as follows:

(1) Set rules for its own operation in accordance with law.

(2) Determine the number of renewal units to be granted for experiences, and the accumulation of units to be allowed, in accordance with Edu 544.

(3) Within a reasonable time, act upon requests for recommendation for renewal of the continuing certificate, by determining whether the applicant has met the requirements of Edu 542(b).

(4) Endorse the application for renewal of the continuing certificate of each qualified applicant and return the endorsed applicaton to the applicant, who, ~~after having also obtained the endorsement of the superintendent in accordance with Edu 547,~~ will submit it to the state department of education, director of certification, in accordance with rules and policies of the certification section.

(5) Report all actions taken on applications for renewal of certificates to the state department of education, director of certification, and to the superintendent of the local school district.

(6) Provide supporting evidence to the state committee when an appeal is taken from a decision of the local committee.

(7) Provide information to appropriate personnel concerning the inservice needs of the district.

(8) Evaluate procedures and criteria for granting renewal units and make recommendations for modifications to the director, professions development section, state department of education, during February of each year. Recommendations will be referred to the state committee.

(h) No change.

(i) No change.

(j) Renewal units will be granted by the committee of the district where the applicant was employed at the time that the experience was completed. In the case of a person who has not been employed by a school district for a period of time, renewal units will be granted by the committee of the district where the applicant was ~~last~~ once employed; or where he currently resides if accepted by that local committee.

(k) No change.

(l) Option for subdivision of local committee.

(1) The local committee shall have the option of establishing subcommittees empowered to review requests for renewal units. Subcommittees may be established according to subject field, grade level, geographic location of school buildings, or other appropriate categories.

(2) Each subcommittee will make recommendations for granting renewal unitss to the local committee. It shall be the responsibility of the local committee to recommend renewal of certificates.

(3) The ~~superintendent of the district~~ chairman of the local committee shall report to the state department of education, director of certification, the membership of ~~the~~ subcommittees and the categories according to which they are established.

(m) No change.

(n) No change.

(o) Local school districts shall be responsible for the safekeeping of all records pertaining to the work of the local committee and such records shall be accessible to the local committee.

Edu 547 Endorsement by superintendent. ~~--A person seeking renewal of a certificate shall also submit the application to the superintendent of the district in which he is employed. The superintendent shall, within thirty days after receipt of the application, determine whether the applicant has met the requirements of Edu 542(a) and shall notify the applicant immediately of his decision. --He shall endorse the application of each applicant who has met the requirements, and shall return the endorsed application to the applicant, who, after having also obtained the endorsement of the local committee, will submit it to the state department of education, director of certification, in accordance with rules and policies of the certification section.~~

Repealed. Reserved for future use.

Edu 548 Right of appeal

(a) ~~If a local committee denies an application for the granting of renewal units or denies an application for the renewal of a continuing certificate, or if the superintendent denies an application under Edu 547,~~ In cases where the applicants have not been granted the required number of renewal units, the local committee shall not endorse the application for renewal of the continuing certificate, nor shall any other certificate be issued until such cases have been appealed to the state committee. In such cases, the applicant may appeal to the state committee within twenty days ~~of~~ after the decision ~~in question~~ of the local committee to withhold endorsement for renewal.

(b) The applicant making the appeal may submit written evidence in support of his appeal and he may appear ~~in person~~ before the state committee. The local committee ~~or superintendent~~ shall present written evidence supporting its ~~or his~~ decision. The local committee may send a representative to appear before the state committee ~~and a superintendent may appear or send a representative to appear before the state committee.~~ When an appeal is made by an administrator, the regular state committee shall have five administrators added to its membership appointed by School Administrators of Minnesota, an organization for all Minnesota administrators in education.

(c) If the decision of the local committee ~~or superintendent~~ is upheld by the state committee, the applicant may appeal to the state board of education within twenty days of the decision of the state committee.

Edu 549 Issuance of renewal of continuing certificates

(a) A renewal of a continuing certificate may be issued by the state department of education, certification section, upon receipt from the applicant of an application which has been favorably endorsed by the appropriate local committee. ~~and superintedent~~

(b) If an appeal is taken pursuant to Edu 548, and the certificate of the person making the appeal is due to expire during the pendency of the appeal, the person making the appeal shall be issued a provisional certificate, which shall be effective until such time as the appeal is finally resolved.

Edu 550 No change.

Edu 551 No change.

Edu 552-559 Reserved for future use.

CHAPTER THIRTY-TWO EDU 620-639

REGULATIONS RELATING TO EQUALITY OF EDUCATIONAL

OPPORTUNITY AND SCHOOL DESEGREGATION

(ALL NEW MATERIAL)

Edu 620 Policy

The educational system of the state owes a vastly greater responsibility to all school children than it presently accepts. The state board of education is obligated not merely to support districts in opening their doors to all comers, but to provide effective leadership in securing equal educational opportunity for all. The state's obligation to provide equal educational opportunity is satisfied only if through education the opportunity exists for the natural talents of each child to develop so that he may become the best person he is capable of becoming regardless of racial or socio-economic background.

Thus Minnesota laws relating to the public school system state in part, "State aid shall be for the following purposes: (1) To assist in providing equal educational opportunity for all the school children of the state; ..." (Minnesota Statutes 1971, Section 124.66).

The state board recognizes many causes for inequalities in educational opportunity and has identified two of these, racial and socio-economic segregation, as being most pressing for immediate alleviation.

Racial and socio-economic segregation in public schools, whatever their causes, have been documented through research as being educationally harmful to all children. They deny equal educational opportunity and encourage prejudice and racism. They present an inaccurate view of life as pupils prepare to live and work in a multi-racial society.

The state board of education recognizes its duty to aid in the elimination of racial and socio-economic segregation in Minnesota public schools and therefore adopts these regulations, the purpose of which is to direct and assist each school district in the identification of and the elimination of racial and socio-economic segregation which may exist in the public schools within the district.

The regulations which follow are designed to implement the policy of the state board as set forth in Educational Leadership Role for Department of Education and Board of Education in Providing Equal Educational Opportunity, November 9, 1970.

Edu 621 Definitions

For the purpose of Edu 620-639, the following words and phrases shall have the meanings ascribed them:

(a) "Equal educational opportunity" means the provision of educational proccesses where each child of school age residing within a school district has equal access

to the educational programs of the district essential to his needs and abilities regardless of racial or socio-economic background.

(b) The term "minority group students" means students who are Black-American, American-Indian, Spanish surnamed American, or Oriental Americans. The term "Spanish surnamed American" includes persons of Mexican, Puerto Rican or Spanish origin or ancestry.

(c) A "low-income family" is a family as determined by the commissioner on the basis of the most recent satisfactory data from the U.S. department of commerce, or as determined by the E.S.E.A. Title I programs, or a family receiving payments under the program of aid to families with dependent children.

(d) "Segregated public school" means a public school which has a student body consisting of 30% or more minority group students, or 30% or more students from low-income families, or 30% or more of a combination of minority group students and students from low-income families.

(e) "Comprehensive plan" means a school district plan that must include but not be limited to: staffing patterns; curriculum changes, recognition of multi-ethnic concerns and educational achievement of students, building programs, present and projected attendance patterns, staff preparation and projected in-service programs. Hereinafter "plan" shall be deemed to be the "comprehensive plan" as defined by this section.

(f) The mathematical ratio of 70/30 in (d) above shall be used as the standard for local school boards in the process of developing plans to remedy inequities caused by racial and socio-economic isolation in the district. Awareness of the racial and socio-economic composition of the whole school system should be a useful starting point in developing a local school desegregation plan that will meet the requirements of these regulations.

Notwithstanding the 70/30 ratio in (d) above, the commissioner may, where any of the following conditions exist, approve school desegregation plans that vary from the 70/30 ratio in (d) above by not more than 10% to 60/40:

(1) If to alleviate the isolation the transportation time required of students exceeds more than 1 hour round trip per day.

(2) If the local board can justify an educational reason to the state board from the comprehensive school desegregation plan submitted.

(3) If the ratio of students from low-income families for the whole district exceeds 30%.

Edu 622 Duties of local boards, penalty for failure to comply

(a) Each local board shall, in accordance with these regulations, submit data to the commissioner on the racial composition of the schools within its jurisdiction.

(b) Each local board shall, if segregation is found to exist in any of its schools, (1) submit to the commissioner a plan for the elimination of such segregation that will meet the requirements of Edu 620-639; (2) submit information to the commissioner on the progress of implementation of any plan which has been approved; and (3) implement in accordance with its schedule a plan which has been approved.

(c) The penalty for non-compliance with Edu 620-639 shall be the reduction of state aids pursuant to Minnesota Statutes 1971, Section 124.15.

Edu 623 Submission of data

(a) Each local board shall submit to the commissioner within 60 days of the effective date of these regulations and annually thereafter by October 1, of each year, such data as are required by subsection (b) of this section, to determine the existing racial composition of the enrollment of each school in the district. If a local board fails to submit such data by October 1, annually, the commissioner shall notify the board of non-compliance. A reasonable time of 15 days shall be allowed for compliance.

(b) Each local board shall submit a report showing the number of students enrolled which belong to each race and the number of certificated personnel employed which belong to each race for each of the schools under its jurisdiction. The information required to be submitted may be based upon sight count or any other method determined by the local board to be accurate. The clerk of the local board of education shall certify the accuracy of the report. The information on the number of students enrolled which belong to families of low-income, as defined by E.S.E.A. title I, for each school of the district shall be collected by the state department of education, division of administration. This information shall be used for both the Title I program and the school desegregation program. The information on the number of students enrolled on aid to families with dependent children shall be supplied to the department of education by the state department of public welfare as required by Minnesota Statutes 1971, section 124.17, subdivision 1 (4), and such information shall be for each school building within each district.

For purposes of this regulation no child shall be counted more than once even though he may be a member of more than one of the classifications above.

Edu 624 Submission of plan

(a) The commissioner shall examine the data which are submitted pursuant to Edu 623. Whenever the commissioner finds from the examination of such data that segregation exists as defined in Edu 620-639 in any public school, he shall in writing within 30 days after receipt of data notify the local board having jurisdiction over said school that such a finding has been made.

(b) The commissioner may after data has been submitted and examined, pursuant to Edu 623 and 624 determine from additional data received at any subsequent time that a condition of segregation exists and request action to correct the situation.

(c) Any local board receiving notification of the existence of segregation shall forthwith prepare a plan to eliminate such segregation and shall file a copy of such plan with the commissioner within 90 days after the receipt of the notification.

(d) If the local board fails to submit a plan within 90 days, the commissioner shall notify the local board of non-compliance. A reasonable time of 15 days shall be allowed for compliance.

Edu 625 Contents of plan: approval or rejection

(a) A plan submitted by a local board shall contain a detailed description of the actions to be taken. Each plan shall contain:

(1) an explicit commitment by the local board to fulfill the requirements of these regulations,

(2) a detailed description of the specific actions to be taken to correct racial and socio-economic isolation of students and faculty, showing the intended effect of each action proposed with respect to the entire plan, and each specific action proposed in the plan,

(3) a time table showing dates of initial implementation and completion.

(b) The implementation period shall not exceed 2 years. The plan shall specify the effect which each proposed action will have on the racial and socio-economic composition of each school within the district and shall include projections of the racial and socio-economic segregation of each school within the district which may be expected upon completion of the plan.

(c) In the formulation of plans to eliminate and prevent racial and socio-economic segregation in schools, local boards shall consider and employ methods that are educationally sound and administratively and economically feasible, including but not limited to: school pairings and groupings; grade reorganizations; alteration of school attendance zones and boundaries; pupil reassignments and such optional transfers as are consistent with these requirements; establishment of educational parks and plazas; rearrangements of school feeder patterns; voluntary metropolitan or inter-district cooperative plans; specialized or "magnet" schools; differentiated curricular or other program offerings at schools serving children predominately of different racial groups at the same grade level; reassignments of faculty, staff, and other personnel; affirmative recruitment, hiring, and assignment practices to insure that each system's personnel corps, as well as the faculty, staff, and other personnel at all attendance centers within systems, become and remain broadly representative racially.

(d) All decisions by local boards concerning selection of sites for new schools and additions to existing facilities shall take into account, and give maximum effect to, the requirements of eliminating and preventing racial and socio-economic segregation in schools. The commissioner will not approve sites for new school building construction or plans for addition to existing buildings when such approval will perpetuate or increase racial or socio-economic isolation. (Minnesota Statutes 1971, Section 121.15 authority for state board of education rules, Edu 421 schoolhouse plans, submission and approval and Edu 422 sites.)

(e) All plans to effect school desegregation and integration shall be equitable and non-discriminatory. Within the constraints imposed by feasibility and educational soundness, inconvenience or burdens occasioned by desegregation shall be shared by all and not borne disproportionately by pupils and parents of racially and economically identifiable groups.

(f) Local boards shall not adopt or maintain pupil grouping or classification practices which result in racial segregation of pupils within schools for a substantial portion of the school day.

(g) All plans shall include specific affirmative proposals to insure that the integration process provides an effective learning environment for all children based upon mutual cultural and personal respect among all groups. Such proposals may relate, for example, to curriculum revision, in-service training of personnel, and compensatory programs to enable pupils to overcome the adverse effects of segregation.

(h) All plans shall be subject to continuing review and evaluation by the local boards and shall provide that amendments to improve their effectiveness shall be adopted and implemented on a continuing basis; provided, however, that any proposed amendment whose implementation would result in resegregation of any school or classroom, shall not take effect until after it has been reviewed by the commissioner of education in the manner provided with respect to plans in (i) below. Submissions of proposed amendments shall be accompanied by materials setting forth the reasons underlying the proposals and their projected effects upon the racial and socio-economic composition of all affected schools and classrooms.

(i) The commissioner shall review any plan and/or amendment submitted under these provisions and shall determine whether it complies with the requirements of these regulations. If the commissioner determines that the plan will eliminate segregation as defined in Edu 620-639 in the schools of the district submitting the plan, and that the dates for implementation of the plan will not exceed 2 years, and that any proposed transportation to achieve desegregation is not restricted to minority students, he shall approve the plan and notify the state board and the local board within 30 days. The commissioner may provide to the local board of education such technical assistance and services as requested by the local board and deemed necessary by the commissioner in order to implement the plan. If the commissioner finds that the plan will not eliminate segregation as defined in Edu 620-639 in the schools of the district submitting the plan, or that the dates for implementation will exceed 2 years or that any transportation to achieve desegregation is restricted to minority students, he shall reject the plan.

(j) The commissioner shall notify the local board of the rejection of the **plan** within 30 days. The notice shall specify:

(1) the reasons for the rejection of the plan
(2) the revisions necessary to make the plan satisfactory,
(3) specify a period of 45 days in which the local board shall submit a revised plan.

(k) If no revised plan is received with 45 days, or if the revised plan fails to contain the revisions specified by the commissioner, or if the plan fails to meet the requirements of Edu 620-639 the commissioner shall notify the local board of action to be taken pursuant to Edu 622(c)

Edu 626 Submission of information on implementation of plan

If a local board has submitted a plan which has been approved by the commissioner, the local board shall submit to the commissioner at such times as he shall request, such information as he deems necessary concerning the implementation of the plan. If the local board fails to submit such information, the commissioner shall notify the local board of the non-compliance. A reasonable time of 15 days shall be allowed for correction of non-compliance.

Edu 627 Implementation of the plan

The commissioner shall examine the information requested pursuant to Edu 626. If he determines that there is any discrepancy between the schedule in the plan as approved and the progress which has been achieved in the implementation of the plan, he shall notify the local board of non-compliance. A reasonable time, which shall be determined by the commissioner according to the nature of the discrepancy, shall be allowed for correction of the discrepancy.

Edu 628 Appearance before the state board

Any school district aggrieved by a decision required of the commissioner by Edu 620-639 may serve a written request on the state board of education within 30 days of any such decision to appear before said board.

The appearance shall be made at the next regular state board meeting following receipt of such request. Following such appearance the board may in writing support, modify or reject the commissioner's decision. Any such notice served by a school district shall stay any proceeding pursuant to Minnesota Statutes 1971, section 124.15 to reduce state aids for non-compliance with Edu 620-639 until a determination by the board.

Edu 629 Notices

(a) Any notice to a local board which is required by these regulations shall be written and shall be sent by certified mail, to the superintendent, and to the clerk of the local board of the district at their respective business addresses. For the purpose of Edu 620-639, the business address of the clerk of the local board is deemed to be the main administrative office of the district.

(b) The content of any notice of non-compliance shall be such as is specified in Minnesota Statutes 1971, section 124.15, subdivision 3. The reasonable time for correction of non-compliance shall be such as specified in Edu 620-639.

Edu 630 No district exempt from Edu 623

At no time shall any local board be exempt from the reporting requirements of Edu 623.

Edu 631-639 Reserved for future use.

Ex. No. 1

RESOLVE

RESOLVED, that the State Board of Education shall call a hearing for the purpose of informing the public concerning proposed rules of the Board amending Minnesota Rules and Regulations, 1967 Edition and the 1969, 1970, 1971, 1972 and 1973 Supplements; and that the Commissioner of Education or his Deputy is authorized to sign an order and notice of such hearing to be conducted under rules of the Board. IT IS FURTHER RESOLVED that the hearing on these proposed rules shall be held on Friday, July 20, 1973, at 9:00 a.m. in the Auditorium, State Office Building, St. Paul, Minnesota 55155, if available, and if not available, then in a suitable place as determined by the Commissioner of Education.

Ex. No. 2

CERTIFICATE OF BOARD'S
AUTHORIZING RESOLUTION

I, Howard B. Casmey, do hereby certify that I am secretary of the state board of education, a board duly authorized under the laws of the State of Minnesota, and that the following is true, complete, and correct copy of a resolution adopted at a meeting of the state board of education duly and properly called and held on the 11th day of June, 1973; that a quorum was present at said meeting; and that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED, that the State Board of Education shall call a hearing for the purpose of informing the public concerning proposed rules of the Board amending Minnesota Rules and Regulations, 1967 Edition and the 1969, 1970, 1971, 1972 and 1973 Supplements; and that the Commissioner of Education or his Deputy is authorized to sign an order and notice of such hearing to be conducted under rules of the Board. IT IS FURTHER RESOLVED that the hearing on these proposed rules shall be held on Friday, July 20, 1973, at 9:00 a.m. in the Auditorium, State Office Building, St. Paul, Minnesota 55155, if available, and if not available, then in a suitable place as determined by the Commissioner of Education.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 18 day of June, 1973.

Howard B. Casmey
Secretary, State Board of Education

[illegible]
President, State Board of Education

State of Minnesota
Department of Education
Capitol Square, 550 Cedar Street
St. Paul, Minnesota 55101

Ex. No 3

STATE OF MINNESOTA
County of Ramsey

IN THE MATTER OF: The proposed adoption of rules of the state board of education amending "Minnesota Administrative Rules and Regulations -- Rules and Regulations of the State Board of Education," 1967 Edition and the 1969, 1970, 1971, 1972 and 1973 Supplements.

ORDER FOR HEARING

To effectively implement the rules and regulations of the Minnesota State Board of Education, the board deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in it by M.S. 1971.

NOW, THEREFORE, IT IS ORDERED this 18th day of June, 1973, that a public hearing on the proposed rules captioned above be held at the Auditorium, State Office Building, St. Paul, Minnesota 55155, July 20, 1973, commencing at 9:00 a.m. and continuing until all representatives of school districts, associations or other interested persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups of persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

STATE OF MINNESOTA
Department of Education

Commissioner of Education

State of Minnesota
Department of Education
Capitol Square, 550 Cedar Street
St. Paul, Minnesota 55101

Ex. No. 4

STATE OF MINNESOTA
County of Ramsey

IN THE MATTER OF: The proposed adoption of rules of the state board of education amending "Minnesota Administrative Rules and Regulations -- Rules and Regulations of the State Board of Education," 1967 Edition and the 1969, 1970, 1971, 1972 and 1973 Supplements.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1971 Section 15.0412, Subdivision 4, on the above entitled matter in the Auditorium, State Office Building, St. Paul, Minnesota 55155, on Friday, July 20, 1973 commencing at 9:00 a.m., and continuing until all representatives of school districts, associations or other interested persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

Copies of proposed rules are available to interested persons at the State Department of Education, 736 Capitol Square Building, St. Paul, Minnesota 55101. (Telephone: 612/296-4434).

NOTE: Copies of proposed rules, in accordance with state board of education policy, are sent to superintendents or heads of school districts.

STATE OF MINNESOTA
DEPARTMENT OF EDUCATION

Howard B. Casmey
COMMISSIONER OF EDUCATION

Ex. No 5

STATE OF MINNESOTA
County of Ramsey

CERTIFICATE

In the matter of the proposed adoption of rules of the state board of education amending and supplementing MINNESOTA ADMINISTRATIVE RULES AND REGULATIONS -- Rules and Regulations of the State Board of Education, 1967 Edition and the 1969, 1970, 1971 and 1972 Supplements:

I hereby certify that the attached 260 labels and 3 sheets constitute the complete list of persons, associations, and other interested groups who as of 3:00, o'clock a.m., this fourteenth day of June, 1973, have requested pursuant to M.S. 1967 Section 15.0412 Subd. 4, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Allen D. Erdahl
Secretary of State

By Bill Dean

Ex. No. 6

AFFIDAVIT OF MAILING

In the matter of the proposed adoption of rules of the state board of education amending and supplementing MINNESOTA ADMINISTRATIVE RULES AND REGULATIONS -- Rules and Regulations of the State Board of Education, 1967 Edition and the 1969, 1970, 1971 and 1972 Supplements:

Hugh Sharp, being first duly sworn, deposes and says:

That on the 20 day of June, 1973, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons listed on the attached sheet as presently being members of the Minnesota Legislature.

Hugh Sharp

Hugh Sharp
Research, State Aids, and
Statistics Section

Myrtle A. Benson

MYRTLE A. BENSON
Notary Public, Ramsey County, Minnesota
My Commission Expires June 14, 1977.

State of Minnesota

Department of Education
Capitol Square, 550 Cedar Street
St. Paul, Minnesota 55101

STATE OF MINNESOTA
County of Ramsey

IN THE MATTER OF: The proposed adoption of rules of the state board of education amending "Minnesota Administrative Rules and Regulations -- Rules and Regulations of the State Board of Education," 1967 Edition and the 1969, 1970, 1971, 1972 and 1973 Supplements.

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STATE OF MINNESOTA
DEPARTMENT OF EDUCATION

COMMISSIONER OF EDUCATION

Minnesota Administrative Rules and Regulations

Rules and Regulations of

THE STATE BOARD OF EDUCATION

PROPOSED AMENDMENTS TO: REGULATIONS OF THE BOARD OF EDUCATION OF THE STATE OF MINNESOTA

To Be Submitted At A

PUBLIC HEARING

July 20, 1973

A Public Hearing on Proposed New and Amended Regulations will be held on Friday, July 20, 1973, beginning at 9:00 a.m., in the Auditorium, State Office Building, St. Paul, Minnesota 55155.

* * * * * *

The official rules and regulations of the State Board of Education are contained in the 1967 Edition: "Minnesota Administrative Rules and Regulations", including the 1969, 1970, and 1971 Supplements, one copy of which has been sent to school heads of districts maintaining graded elementary and secondary schools and additional copies made available for purchase by the Documents Section, Department of Administration, 140 Centennial Building, St. Paul 55155.

Proposed amendments and proposed new regulations, "Minnesota Administrative Rules and Regulations" (EDUCATION) are contained herein.

STATE OF MINNESOTA -- DEPARTMENT OF EDUCATION

ST. PAUL, MINNESOTA 55101

MINNESOTA ADMINISTRATIVE REGULATIONS: EDUCATION

Proposed Amendments, State Board of Education
Rules for Public Hearing: July 20, 1973, St. Paul, Minn.

CONTENTS

Edu Section Number	
620-630	New. Establishes regulations relating to equality of educational opportunity and school desegregation.

MINNESOTA REGULATIONS EDU

Proposed New Regulations for Public Hearing, July 20, 1973

CHAPTER THIRTY-TWO: EDU 620-639

REGULATIONS RELATING TO
EQUALITY OF EDUCATIONAL OPPORTUNITY
AND SCHOOL DESEGREGATION

(ALL NEW MATERIAL)

EDU 620 Policy.

The State Board recognizes many causes for inequality in educational opportunity, among which is racial segregation.

The State Board agrees with the U. S. Senate Report of the Select Committee on Equal Educational Opportunities that, "the evidence, taken as a whole, strongly supports the value of integrated education, sensitively conducted, in improving academic achievement of disadvantaged children, and in increasing mutual understanding among students from all backgrounds."

The State Board recognizes its duty to aid in the elimination of racial segregation in Minnesota Public Schools and therefore adopts these regulations, the purpose of which is to direct and assist each school district in the identification of an the elimination of racial segregation which may exist in the public schools within the district.

The regulations which follow are designed to implement the policy of the State Board as set forth in Educational Leadership Role for Department of Education and Board of Education in Providing Equal Educational Opportunity, November 9, 1970.

Edu 621 Definitions

For the purpose of Edu 620-639, the following words and phrases shall have the meaning ascribed to them:

(a) "Equal Educational Opportunity" is defined as the provision of educational processes where each child of school age residing within a school district has equal access to the educational programs of the district essential to his needs and abilities regardless of racial or socio-economic background.

(b) The term "Minority Group Students" is defined as students who are Black American, American-Indian, Spanish surnamed American, or Oriental Americans. The term "Spanish surnamed American" includes persons of Mexican, Puerto Rican, or Spanish origin or ancestry.

(c) Segregation occurs when a public school has a student body of 30% or more minority group students.

Edu 622 Duties of Local Boards, Penalty for Failure to Comply

(a) Each local board shall, in accordance with these regulations, submit data to the Commissioner on the racial composition of each of the schools within its jurisdiction.

(b) Each local board shall, if segregation is found to exist in any of its schools (1) submit to the Commissioner a comprehensive plan for the elimination of such segregation that will meet the requirements of Edu 620-639; (2) submit information to the

Commissioner on the progress of implementation of any comprehensive plan which has been approved; and (3) implement in accordance with its schedule a comprehensive plan which has been approved.

(c) The penalty for non-compliance with Edu 620-639 shall be the reduction of state aids pursuant to Minnesota Statute 1971, Section 124.15.

Edu 623 Submission of Data

(a) Each local board shall submit to the Commissioner within 60 days of the effective date of these regulations and annually thereafter by November 15, of each year, such data as are required by subsection (b) of this section, to determine the existing racial composition of the enrollment of each school in the district. If a local board fails to submit such data by November 15, annually, the Commissioner shall notify the Board of non-compliance. A reasonable time of 15 days, shall be allowed for compliance.

(b) Each local board shall submit a report showing the number of students enrolled which belong to each race and the number of certificated personnel employed which belong to each race for each of the schools under its jurisdiction. The information required to be submitted may be based upon sight count or any other method determined by the local board to be accurate. The clerk of the local board of education shall certify the accuracy of the report.

Edu 624 Submission of Plan

(a) The Commissioner shall examine the data which are submitted pursuant to Edu 623. Whenever the Commissioner finds from the examination of such data that segregation exists in any public school, he shall in writing within 30 days after receipt of data notify the local board having jurisdiction over said school that such a finding has been made.

(b) The Commissioner may after data has been submitted and examined, pursuant to Edu 623 and 624 determine from additional data received at any subsequent time that a condition of segregation exists and request action to correct the situation.

(c) Any local board receiving notification of the existence of segregation shall forthwith prepare a comprehensive plan to eliminate such segregation and shall file a copy of such plan with the Commissioner within 90 days after the receipt of the notification.

(d) If the local board fails to submit a plan within 90 days, the Commissioner shall notify the local board of non-compliance. A reasonable time of 15 days, shall be allowed for compliance.

Edu 625 Contents of Plan: Approval or Rejection

(a) The 30 percent requirement of Edu 621 (c) shall be used as the standard for local school boards in the process of developing plans to remove racial segregation in the district.

Nothwithstanding the 30 percent standard, the Commissioner may, if the local board can justify an educational reason to the State Board from the comprehensive school desegregation plan submitted, approve school desegregation plans that vary from the 30 percent standard to not more than 40 percent.

(b) If to alleviate the isolation of minority group students, required transportation time would exceed more than 1 hour trip per day, then a standard may be determined by the Commissioner based on the data presented by the district for each such school within the district.

(c) The comprehensive plan, submitted pursuant to Edu 624(c), shall contain a detailed description of the actions to be taken by the local board to eliminate segregation. Each plan shall contain: (1) an explicit commitment by the local board to fulfill the requirements of these regulations, (2) a detailed description of the specific actions to be taken to correct racial segregation of students and faculty, showing the intended effect of each action proposed with respect to the entire plan, and each specific action proposed in the plan, (3) a time table showing dates of initial implementation and completion, (4) evidence that broad community participation and involvement was secured in the planning and development of the plan, and (5) specific affirmative proposals to insure that the integration process provides an effective learning environment for all children based upon mutual cultural and personal respect. The plan shall also include a narative description of changes in the staffing patterns of the school district, curriculum changes to meet the needs of students in a desegregated environment, any anticipated building or remodeling programs, present and projected attendance patterns, staff preparation or projected in-service training programs.

(d) The implementatation period shall not exceed 2 years. The plan shall specify the effect which each proposed action will have on the racial composition of each school within the district and shall include projections of the racial composition of each school within the district which may be expected upon completion of the plan.

(e) In the formulation of plans to eliminate and prevent racial segregation in schools, local boards shall consider and employ methods that are educationally sound and administratively and economically feasible. Such methods may include but are not limited to: school pairings and groupings; grade reorganization; alteration of school attendance zones and boundaries; pupil reassignments and such optional transfers as are consistent with these requirements; establishment of educational parks and plazas; rearrangements of school feeder patterns; voluntary metropolitan or inter-district cooperative plans; specialized or "magnet" schools; differentiated curricular or other program offerings at schools serving children predominately of different racial groups at the same grade level; reassignments of faculty, staff, and other personnel, affirmative recruitment, hiring, and assignment practices to insure that each system's personnel corps, as well as the faculty, staff, and other personnel at all attendance centers within systems, become and remain broadly representative racially.

(f) All decisions by local boards concerning selection of sites for new schools and additions to existing facilities shall take into account, and give maximum effect to, the requirements of eliminating and preventing racial as well as socio-economic segregation in schools. The Commissioner will not approve sites for new school building construction or plans for addition to existing buildings when such approval will perpetuate or increase racial segregation.

(g) All plans to effect school desegregation and integration shall be equitable and non-discriminatory. Within the constraints imposed by feasibility and educational soundness, inconvenience or burdens occasioned by desegregation shall be shared by all and not borne disproportionately by pupils and parents of minority group students.

(h) Local board shall not adopt or maintain pupil grouping or classification practices, such as tracking, which result in racial segregation of pupils within a given school.

(i) All plans shall be subject to continuing review and evaluation by the local boards and shall provide that amendments to improve their effectiveness shall be adopted and implemented on a continuing basis; provided, however, that the implementation of any proposed amendment which would result in resegregation of any school or classroom, shall not take effect until after it has been reviewed by the Commissioner of Education in the manner provided with respect to plans in (j) below. Submissions of proposed amendments shall be accompanied by materials setting forth the reasons underlying the proposals and their projected effects upon racial composition of all affected schools and classrooms.

(j) The Commissioner shall review any plan or amendment submitted under these provisions and shall determine whether it complies with the requirements of these regulations. If the Commissioner determines that the plan will eliminate segregation in the schools of the district submitting the plan, and that the dates for implementation of the plan will not exceed 2 years, and that any proposed transportation to achieve desegregation is not restricted to minority students, he shall approve the plan and notify the State Board and the local board within 30 days. The Commissioner may provide to the local board of education such technical assistance and services as requested by the local board and deemed necessary by the Commissioner in order to implement the plan. If the Commissioner finds that the plan will not eliminate segregation in the schools of the district submitting the plan, or that the dates for implementation will exceed 2 years or that any transportation to achieve desegregation is restricted to minority students, he shall reject the plan.

(k) The Commissioner shall notify the local board of the rejection of the plan within 30 days. The notice shall specify:

(1) the reasons for the rejection of the plan,
(2) the revisions necessary to make the plan satisfactory,
(3) specify a period of 45 days in which the local board shall submit a revised plan.

(l) If no revised plan is received within 45 days, or if the revised plan fails to contain the revisions specified by the Commissioner, or if the plan fails to meet the requirements of Edu 620-639 the Commissioner shall notify the local board of action to be taken pursuant Edu 622(c).

Edu 626 Submission of Information on Implementation of Plan

If a local board has submitted a plan which has been approved by the Commissioner, the local board shall submit to the Commissioner at such times as he shall request, such information as he deems necessary concerning the implementation of the plan. If the local board fails to submit such information, the Commissioner shall notify the local board of the non-compliance. A reasonable time of 15 days shall be allowed for correction of non-compliance.

Edu 627 Implementation of the Plan

The Commissioner shall examine the information requested pursuant to Edu 626. If he determines that there is any discrepancy between the schedule in the plan as approved and the progress which has been achieved in the implementation of the plan, he shall notify the local board of non-compliance. A reasonable time, which shall be determined by the Commissioner according to the nature of the discrepancy, shall be allowed for correction of the discrepancy.

Edu 628 Appearance Before the State Board

Any school district aggrieved by a decision required of the Commissioner by Edu 620-639 may serve a written request on the State Board of Education within 30 days of any such decision to appear before said Board.

The appearance shall be made at the next regular State Board meeting following receipt of such request. Following such appearance the Board may in writing support, modify or reject the Commissioner's decision. Any such notice served by a school district shall stay any proceeding pursuant to Minnesota Statute 1971, Section 124.15 to reduce state aids for non-compliance with Edu 620-639 until a determination by the Board.

Edu 629 Notices

(a) Any notice to a local board which is required by these regulations shall be written and shall be sent by certified mail, to the superintendent, and to the clerk of the local board of the district at their respective business addresses. For the purpose of Edu 620-639, the business address of the clerk of the local board is deemed to be the main administrative office of the district.

(b) The content of any notice of non-compliance shall be such as is specified in Minnesota Statute 1971, Section 124.15, Subdivision 3. The reasonable time for correction of non-compliance shall be such as specified in Edu 620-639.

Edu 630 No District Exempt From Edu 623

At no time shall any local board be exempt from the reporting requirements of Edu 623.

Edu 631-639 Reserved for future use.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE the
State Board of Education

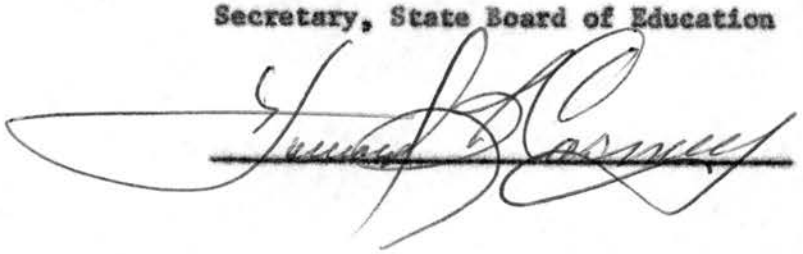
In the matter of proposed Rules
Relating to Edu 620-630

STATEMENT OF NEED

The above captioned rules are new rules proposed to the State Board of Education.

The need to adopt these rules arises because the State Board of Education did not receive the expected cooperation from all local school boards in the state in the identification and the elimination of school segregation as defined in the Board's guideline's relating to equality of educational opportunities and desegregation and intra-cultural and inter-cultural quality education adopted on the 14th of December, 1970. The State Board feels that these regulations are needed if it is to fulfill its constitutional responsibility to provide equal educational opportunities to all students in the public schools of the State of Minnesota.

Secretary, State Board of Education



STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE Louis M. Smerling, et al
State Board of Education

In the matter of the Proposed
Adoption of Rules of the State
Board of Education Governing
Adoption of EDU 620-639.

FINDING OF FACTS

The above entitled matter came on for hearing before the State Board of Education of the State of Minnesota on the 1st and 2nd days of December, 1972, at 9:00 A.M. in the auditorium, St. Paul Technical Vocational Institute, 235 Marshall Avenue, St. Paul, Minnesota and on July 20, 1973 at 9:00 A.M. in the auditorium of the State Office Building, St. Paul, Minnesota after proper notice required by M.S. 1971, Section 15.0412 was served upon all persons, associated and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon records, files and proceedings herein, we find the following:

1) It is the duty of the State to provide a general and uniform system of public schools.

2) State financial aids are granted to assist in providing equal educational opportunity for all the school children of the State as well as for other purposes.

3) Equal Educational Opportunity is the provision of educational processes where each child of school age residing within a school district has equal access to the educational programs of the district essential to his needs and abilities regardless of racial or socio-economic background.

4) Black-American, American-Indian, Spanish-surnamed, and Oriental children constitute distinct minorities in the State of Minnesota.

5) When minority group students are set aside in an educational setting, their achievement tends to suffer and they are denied equal educational opportunity.

6) When a concentration in a public school of more than 30% minority group students occurs, there is a denial of equal educational opportunity, absent other circumstances.

7) Under some circumstances, educational reasons may justify a concentration of not more than 40% minority group students in a public school.

8) Transportation in excess of one hour per day for the purpose of achieving racial balance is undesirable.

9) That the regulations proposed by the State Board of Education and heard on July 20, 1973 known as Edu. 620 and 639 inclusive are reasonable and are designed to provide a framework under which local districts can identify and eliminate racial segregation.

STATE OF MINNESOTA
Board of Education

Louis R. Sneeling

President, State Board of Education

CERTIFICATE OF BOARD'S

ADOPTION OF RULES RESOLUTION

I, Howard B. Casmey, do hereby certify that I am secretary of the State Board of Education, a board duly authorized under the laws of the State of Minnesota, and that the following is true, complete, and correct copy of a resolution adopted at a meeting of the Board of Education duly and properly called and held on the 10th day of September 1973; that a quorum was present at said meeting; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED that the rules amending and supplementing MINNESOTA ADMINISTRATIVE RULES AND REGULATIONS -- Rules and Regulations of the State Board of Education, 1967 Edition and 1969, 1970, 1971, 1972 and 1973 Supplements, identified as Minn. Reg. Edu: 620-630 be and hereby are approved and adopted pursuant to the authority vested in us by M.S. 1971, Sections 121.11; 124.14; 124.66; and that the commissioner of education be and hereby is authorized to sign an order adopting these rules.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 10th day of September, 1973.

Howard B. Casmey
Secretary, State Board of Education

Louis R. Sherling
Attest by one other Officer.