

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

Version 3
August 20, 2018

#504 Bd of Teaching

RULES REVIEW CHECKLIST

DATE RULES RECEIVED 2/5/79 Temporary Rule _____

Resubmitted and Received 3/22

DUE DATE 2/23/79 3/30

orally returned to agency

a. Returned to Agency w/o filing w/Secy of State 2/26 2/23 Memo
b. Approved 3/26 Date Sent Back to Agency _____

- -

1. Rules as Adopted ✓
2. Rules as Proposed ✓ ? Amended 3/22
3. Certificate of Board's Authorizing Resolution, where applicable ✓
4. Order for Hearing ✓
5. Notice of Hearing ✓
   (i) Sufficiency ✓
6. Secretary of State's List ✓
7. Certificate of Acquisition of Secretary of State's List ✓
8. Affidavit of Mailing ✓
   (i) At least 30 days prior to hearing ✓
9. Statement of Need and Evidence ✓
10. Hearing Examiner's Report ✓
11. Agency's Findings of Fact ✓
12. Certificate of Board's Resolution Adopting Rules, where applicable ✓
13. Order Adopting ✓
14. Report of Chief Hearing Examiner ✓
    (i) Finding of No Substantial Change ✓
    (ii) Permission to Incorporate by Reference, where applicable N.A.
15. Certificate of Compliance with Rulemaking Procedures ✓
16. Copy of Notice of Intent to Solicit Outside Opinion, where applicable N.A
17. Petition by Public, where applicable N.A.

STATE OF MINNESOTA
BOARD OF TEACHING

CERTIFICATE OF BOARD'S ADOPTION
OF RULES RESOLUTION

I, Margery H. Harris, do hereby certify that I am secretary of the Board of Teaching, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board on October 18, 1978, 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present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.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 in support of the adoption or amendment of rules presented for hearing by the Board of Teaching at the public hearing on May 20, 1978, the Board of Teaching adopts the Findings of Fact and Conclusions of Hearing Examiner Erickson dated June 20, 1978, with the exception that in support of the adoption or amendment of 5 MCAR § 3.106 the Board adopts separate Findings of Fact and Conclusions and authorizes Kenneth Peatross, Executive Secretary, to sign the separate Findings of Fact and Conclusions hereby adopted by the Board,
>
> And, that the rules relating to Teachers of Industrial Arts, School Nurse, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Which Are Approved to Prepare Teachers be and they hereby are approved and adopted, pursuant to authority vested in us by M.S. § 125.185, and that Kathryn Rayburn, Chairman of the Board of Teaching, be and hereby is authorized to sign an order adopting those rules."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 18th day of October, 1978.

Margery H. Harris
Secretary

ATTEST:

Joseph J. Moreau
Vice Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE PETER C. ERICKSON
HEARING EXAMINER
OFFICE OF HEARING EXAMINERS

IN THE MATTER OF: The proposed repeal and adoption of the rule of the Board of Teaching governing School Nurse

FINDING OF FACT AND CONCLUSION

The above entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Hearing Examiners at 9:00 a.m. on May 20, 1978, in Room 83 of the State Office Building, St. Paul, Minnesota.

Based upon the recommendations and proceedings herein, the Board of Teaching makes the following:

FINDING OF FACT

5 MCAR § 3.106 School Nurse provision G.3.b. shall read:

b. Satisfactory completion of at least three quarter hours, or the equivalent, of work in each of the following areas:

Child growth and development
Public health
Special education, and

a minimum of 12 quarter hours, or the equivalent, of additional work in two or more of the following fields:

Health curriculum
School health or school nursing
Public health
Special education
Educational psychology (not including the approved human relations program)

The Board finds that Educational psychology is a necessary and appropriate field of study as part of the preparation program leading to the licensure of school nurses.

The hearing record shows that confusion exists as to whether human relations (required of all persons recommended for licensure) is a part of educational psychology. To eliminate this confusion, the Board finds that the amended language of 5 MCAR § 3.106 as above cited is both reasonable and necessary, and reflects the intent of the Board in the promulgation of the provisions of 5 MCAR § 3.106.

CONCLUSION

The Board of Teaching concludes that the need for and reasonableness of the proposed amendment to 5 MCAR § 3.106 G.3.b. have been demonstrated by an affirmative presentation of facts. The Board further concludes that the appropriateness of the amendment is established as set forth in the finding as above cited.

STATE OF MINNESOTA
BOARD OF TEACHING

Kenneth L. Peatross

Kenneth L. Peatross, Executive Secretary
MINNESOTA BOARD OF TEACHING

AFFIDAVIT OF
HOWARD B. CASMEY

Howard B. Casmey, being first duly sworn on oath, deposes and says that:

1. He is the Minnesota Commissioner of Education and the Executive Officer and Secretary of the Minnesota Board of Education and he held this position on December 18, 1978.

2. On December 18, 1978, the Minnesota Board of Education approved the proposals of the Minnesota Board of Teaching to adopt or amend the rules entitled:

5 MCAR § 3.073

5 MCAR § 3.140

5 MCAR § 3.141

(Copy attached I).

FURTHER AFFIANT SAYETH NOT.

HOWARD B. CASMEY

Subscribed and sworn to before
me this 8 day of
January, 1979.

Luana Vadnais
Notary Public

LUANA VADNAIS
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires June 15, 1984

Minnesota Board of Teaching
Proposed Rules

5 MCAR § 3.073 ~~Teacher~~ Teachers of industrial ~~education~~ arts. This rule applies to all persons who teach industrial ~~education~~ arts in grades 5-12.

A. All candidates for licensure to teach industrial ~~education~~ arts must hold a baccalaureate degree and have successfully completed a program of teacher education which has been approved by the ~~state department of education~~ Minnesota board of teaching.

B. Programs submitted for approval shall include all of the following:

1. A list of program objectives regarding the development of technical knowledge and skill.

2. A list of program objectives regarding the development of educational knowledge and teaching competency.

3. A description of program components describing the activities that are designed to achieve the program objectives.

4. A description of the plan for assessing whether candidates for licensure have developed the required knowledge and skills.

5. A description of the program of clinical experiences for student teachers and interns.

C. The two program options shall include at least the minimum requirements as listed in sections 1. and 2., which follow:

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

a. Development of technical skills and knowledge in the areas of ~~graphic~~ communications, manufacturing, energy, ~~and~~ construction, and transportation, 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

b. The selection, adaptation, evaluation and use of strategies and materials for teaching of industrial ~~education~~ arts 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~~ arts. and

c. Completion of a supervised practicum teaching experience in ~~middle school~~ industrial arts. ~~and~~

~~d. 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~~.

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

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

b. 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

c. The selection, adaptation, evaluation and use of strategies and materials for the teaching of industrial ~~education~~ arts 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~~ arts. and

d. Completion of a supervised practicum teaching experience in a ~~senior high school or secondary vocational center~~ industrial arts. and

~~e. 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.~~

e. The provisions of this rule shall not limit teaching to the area of concentration only.

D. Programs may be approved which vary in curricular design provided that program components meet the requirements in A., B., C., above, and that these components provide education personnel who are recommended for licensure with the knowledge, skills, and understandings specified in rules for each licensure area. When the term competency is used, it is understood that other appropriate terms which refer to learning outcomes may be substituted. Examples of such terms are: knowledge, skills, and understandings.

~~D.~~ E. Issuance of continuing (five-year) license.

1. Persons trained in Minnesota institutions with approved programs in industrial ~~education~~ arts may receive a continuing license by meeting requirements of appropriate rules. (§ 3.001).

2. Persons trained in another state in a regionally accredited institution may receive an entrance license and are subject to the existing requirements for moving from an entrance to a continuing license. (§ 3.001). 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 license may be granted. It is recommended that this review is made early in the entrance license period.

E. F. Renewal of continuing (five-year) license. The continuing license may be renewed according to rules of the board of teaching pertaining to continuing education.

F. G. This provision is effective July 1, 1979, for all applicants for entrance licenses.

5 MCAR § 3.140 The approval of Minnesota institutions to prepare persons for teacher licensure. (All new material.)

A. Licenses to teach in Minnesota may be granted to persons who complete approved programs leading to teacher licensure in Minnesota institutions which are approved by the Minnesota board of teaching to prepare persons for teacher licensure in accordance with the provisions of this rule.

B. A Minnesota institution which is required to obtain authorization from the higher education coordinating board to grant degrees must provide evidence of such authorization prior to requesting approval from the board of teaching to prepare persons for teacher licensure. Such authorization must be maintained by the institution during the approval period granted by the board of teaching.

C. Each degree-granting Minnesota institution requesting approval to prepare persons for teacher licensure shall be evaluated for initial approval and thereafter shall be evaluated for continuing approval in accordance with the provisions of this rule.

D. Initial or continuing approval to prepare persons for teacher licensure may be granted by the board of teaching to an institution for a period of ten years. At least one year prior to the expiration of the approval period, the institution shall submit a request to the board of teaching for continuing approval and shall be evaluated in accordance with the provisions of this rule.

E. Each Minnesota institution requesting initial or continuing approval to prepare persons for teacher licensure shall forward from the chief administrative officer of that institution to the board of teaching a written report which shall be used to verify the capability of the institution to prepare persons for teacher licensure in Minnesota. This written report shall include:

1. A statement that the mission of the institution includes a commitment to the preparation of persons for teacher licensure.

2. Evidence that sufficient financial resources are allocated to support the institutional programs for preparing persons for teacher licensure.

3. Evidence that institutional requirements in liberal or general education for persons enrolled in programs leading to teacher licensure are equivalent to the requirements of persons enrolled in programs other than teacher licensure.

4. A description of institutional administrative organization which demonstrates that:

a. The control of teacher licensure programs is exercised by a defined administrative and instructional unit, such as a department, division, school, or college of education. Such defined unit has responsibility for planning, developing, coordinating, implementing, and evaluating teacher licensure programs.

b. The administrator of such defined unit is authorized to submit teacher licensure program proposals to the board of teaching for approval and is responsible for administering teacher licensure programs as approved by the board of teaching.

c. The administrator of such defined unit is authorized to recommend for teacher licensure those persons who have completed teacher licensure programs which have been approved for that Minnesota institution by the board of teaching.

d. The institution has a defined institutional policy-making body which is responsible for approving teacher licensure programs for submission to the board of teaching.

e. The institution establishes and maintains a teacher education committee to assist in the design, development, revision, and ongoing evaluation of teacher licensure programs within the institution. Such committee includes college personnel, licensed practicing teachers, school administrators, and interested citizens.

5. A description of the institutional student services, which demonstrates that:

a. The institution has established and maintains a process for admission and retention of persons in teacher licensure programs, including the application of specific criteria for admission and retention, and a defined student appeals process.

b. The institution has established and maintains complete, accurate, and current records of persons in teacher licensure programs which provide information to support decisions with respect to admission, retention, and recommendation for teacher licensure.

c. The institution has established and maintains an advisory system which provides assistance in planning programs of study for each person enrolled in teacher licensure programs.

d. The institution has established and maintains placement services, including maintenance of credentials, information regarding trends in employment, and information regarding employment opportunities.

6. Evidence that the institution assigns faculty qualified by academic preparation to support the teacher licensure programs offered by the institution.

7. Evidence that the qualifications and the teaching load of the faculty assigned to the professional education component of each teacher licensure program are equivalent to those established for all faculty within the institution.

8. Evidence that part-time and adjunct faculty assigned to each teacher licensure program are employed only when there is a need which is not represented on the full-time faculty, or when there is a need for temporary additional service, or to complement regular full-time faculty.

9. A description of the foundational component of professional education which demonstrates that persons enrolled in teacher licensure programs are provided instruction in the foundations of education and that such persons successfully complete the foundational component of professional education.

10. A description of the student teaching experience, identifying the documentation available which demonstrates that:

a. Persons enrolled in teacher licensure programs which require a student teaching experience complete such supervised experience in the licensure field and at the licensure level for which they are to be recommended for licensure.

b. Supervision of student teaching experiences is under the control and direction of faculty assigned to the professional education component of teacher licensure programs. Student teaching experiences are also supervised by practicing teachers who hold at least a continuing license, as defined in 5 MCAR § 3.001 and granted by the Minnesota board of teaching, in the licensure field and at the licensure level for which they supervise.

c. Student teaching experiences are evaluated by the persons enrolled in teacher licensure programs and by the faculty and practicing teachers who supervise the student teaching experiences.

11. Evidence that the physical resources are adequate to support the teacher licensure programs offered by the institution.

12. Evidence that the library, audio-visual, and curriculum materials are adequate to support the teacher licensure programs offered by the institution.

13. A description of the institutional procedures for the systematic evaluation of teacher licensure programs, including the periodic survey of graduates who have completed such programs.

14. Evidence that the results of the systematic evaluation of teacher licensure programs, including the periodic survey of graduates, are utilized in the development and possible modification of teacher licensure programs offered by the institution.

15. A description of long-range plans for teacher education projected by the institution.

F. Persons designated as evaluators by the board of teaching staff shall visit the institution for the purposes of verifying the accuracy and completeness of the written report prepared by the institution, writing a report of their findings, and making a recommendation to the board of teaching regarding approval status

of the institution. The evaluation team may include representatives from teacher preparing institutions, licensed practicing teachers, interested citizens, and state education agencies. The administrator of the defined administrative and instructional unit of the institution and the board of teaching staff shall negotiate team membership from a slate of possible evaluators provided by the board of teaching staff. If agreement is not reached regarding team membership, the board of teaching shall appoint the slate of team members. The size of the team and the expertise of the members shall be appropriate for the kinds, size, and complexity of programs. Evaluation team visits shall be scheduled in consultation with the institution. Expenses of evaluators shall be reimbursed in accordance with Minnesota state rules. Other expenses, such as those incidental to preparing reports, arranging meetings, and providing workrooms for the team while on campus shall be the responsibility of the institution.

G. The written report of findings and the recommendation of the evaluators shall be forwarded to the institution and to the board of teaching. Within 30 days from the mailing date of the evaluators' report, the institution may submit to the board of teaching additional information or arguments in support of its request. Based upon the written report prepared by the institution, and the written report of findings and the recommendation of the evaluators, the board of teaching shall:

1. Grant initial approval, or

2. Grant continuing approval, or

3. Grant conditional approval, state the conditions, and establish time lines for meeting the stated conditions, or

4. Disapprove the institution, state the reasons for disapproval, and, if needed, stipulate a termination date which shall accommodate persons currently enrolled in teacher licensure programs.

H. If an institution is conditionally approved to prepare persons for teacher licensure, the board of teaching shall reconsider the approval status of the institution upon verification by the executive secretary of the board of teaching that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval shall be withdrawn.

I. The board of teaching may revoke or suspend the approval of an institution to prepare persons for teacher licensure when the board of teaching determines that an approved institution no longer meets the provisions of this rule.

J. Decisions by the board of teaching regarding approval status of an institution to prepare persons for teacher licensure may be appealed by the institution pursuant to Minn. Stat. chapter 15.

5 MCAR § 3.141 The approval of teacher licensure programs in Minnesota institutions which are approved to prepare teachers. (All new material.)

A. Institutions which have been approved by the Minnesota board of teaching to prepare persons for teacher licensure may request approval of teacher licensure programs. Such programs shall be evaluated for initial approval and thereafter shall be audited for continuing approval in accordance with the provisions of this rule.

B. Each institution shall forward from the administrator of the defined administrative and instructional unit of that institution to the board of teaching a program description for each teacher licensure program for which approval is requested. The teacher licensure program description shall include:

1. A statement which verifies the institutional commitment to the teacher licensure program.

2. A description of the organizational structure of the institution and procedures for implementing the teacher licensure program.

3. A description of the teaching role for which persons who enroll in the licensure program are being prepared.

4. An enumeration of the specific knowledge, skills, and understandings to be achieved by persons completing the teacher licensure program.

5. A description of the teacher licensure program which relates individual program components to the knowledge, skills, and understandings to be achieved by persons completing the teacher licensure program.

6. A description of the systematic procedure for evaluation of the teacher licensure program which assures that all requirements for teacher licensure have been met by all persons recommended for teacher licensure.

7. A specific identification of the plans for assessing the performance of each person who is to be judged as having successfully completed the teacher licensure program.

8. Evidence that the teacher licensure program forwarded for approval has been developed with participation from the college departments involved with the teacher licensure program, licensed practicing teachers, school administrators, and interested citizens.

9. A description of the procedures to establish and maintain an interral process for systematic evaluation of the teacher licensure program.

C. Each program description forwarded to the board of teaching by an institution for each teacher licensure program for which approval is requested shall include evidence that:

1. Rules of the board of teaching governing the teacher licensure program are met.

2. Persons enrolled in the teacher licensure program are required to be provided instruction in methods of teaching and in the foundations of education. Such persons are also required to successfully complete a series of planned, supervised, and evaluated pre-student teaching and student teaching experiences for which specific learning objectives have been established. Instruction in methods of teaching and student teaching experiences shall be in the licensure field and at the licensure level for which those persons completing teacher licensure programs are to be recommended for teacher licensure. The student teaching requirement applies only to persons completing a program to be recommended for entrance licensure.

3. Necessary faculty and physical resources are allocated to implement and maintain the teacher licensure program. Faculty shall be assigned to the component of professional education for which they have academic preparation and teaching experience. In addition, faculty assigned to provide instruction in methods of teaching and supervise student teaching experiences in the teacher licensure program shall have teaching experience at the licensure level of the licensure program. Classroom teachers who supervise student teaching experiences shall hold at least a continuing license, as defined in 5 MCAR § 3.001 and granted by the Minnesota board of teaching, in the licensure field and at the licensure level for which they supervise.

D. Before initial approval for the teacher licensure program is granted, the board of teaching staff or persons designated as auditors by the board of teaching staff may visit the institution to examine the teacher licensure program for the purpose of verifying the program description and making a recommendation regarding approval status. During the operation of an approved teacher licensure program, an audit visit to verify that the approved program meets the provisions of this

rule may be arranged in consultation with the institution. Auditors shall forward a written report of their findings to the executive secretary of the board of teaching and to the institution.

E. The board of teaching staff, or persons designated as auditors by the board of teaching staff, in consultation with the institution shall make audit visits on a five-year cycle to verify program descriptions and to make a recommendation regarding approval status of each teacher licensure program. Expenses of auditors shall be reimbursed in accordance with Minnesota state rules.

F. Based upon appraisal of the program descriptions prepared by the institution and the written report of the auditors, the board of teaching shall:

1. Grant initial approval, or

2. Grant continuing approval, or

3. Grant conditional approval, state the conditions, and establish time lines for meeting the stated conditions, or

4. Disapprove the teacher licensure program, state the reasons for disapproval, and, if needed, stipulate a termination date which will accommodate persons currently enrolled in said program.

G. If a teacher licensure program is conditionally approved, the board of teaching shall reconsider the approval status of the teacher licensure program upon verification by the executive secretary of the board of teaching that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval shall be withdrawn.

H. Teacher licensure programs which vary in curricular design may be approved provided that program components meet the requirements of board of teaching rules for each teacher licensure program, and that these components are designed to provide persons completing each teacher licensure program with the knowledge,

skills, and understandings which are enumerated in those rules.

I. When an institution makes revisions in an approved teacher licensure program, the administrator of the defined administrative and instructional unit of that institution shall forward to the executive secretary of the board of teaching a written description of the teacher licensure program revision. An audit shall be made to verify that the revised teacher licensure program continues to meet rules of the board of teaching. Each verified teacher licensure program revision shall become an amendment to the approved teacher licensure program.

J. The board of teaching may revoke or suspend the approval of a teacher licensure program when the board of teaching determines that an approved teacher licensure program no longer meets the provisions of this rule.

K. Decisions by the board of teaching regarding approval status of a teacher licensure program may be appealed by the institution pursuant to Minn. Stat. chapter 15.

MINNESOTA BOARD OF TEACHING

607 CAPITOL SQUARE BUILDING
550 CEDAR STREET
ST. PAUL, MINNESOTA 55101
(612) 296-2415

KENNETH L. PEATROSS
EXECUTIVE SECRETARY

KATHRYN C. RAYBURN, Chairman
513 - 32nd Street Northeast
Rochester, Minnesota 55901

JOSEPH J. MOREN, Vice-Chairman
304 East 32nd Street
Hibbing, Minnesota 55746

MARGERY H. HARRIS, Secretary
4624 Colfax Avenue South
Minneapolis, Minnesota 55409

ROBERT J. CASANOVA
982 South Market
Shakopee, Minnesota 55379

WILLIAM E. GARDNER
104 Burton Hall
University of Minnesota
Minneapolis, Minnesota 55455

LOWELL GILLETT
St. Cloud State University
St. Cloud, Minnesota 56301

EDWARD HUDOBA
United Labor Center
312 Central Avenue - Room 356
Minneapolis, Minnesota 55414

LUCILLE L. KAINU
590 Highway 33 North
Cloquet, Minnesota 55720

JO MALMSTEN
5350 Shady Hills Circle
Shorewood, Minnesota 55331

MARIE McNEFF
Augsburg College
Minneapolis, Minnesota 55454

CARL H. NEVILS
20200 Vance Street
Elk River, Minnesota 55330

ADDIE PERL
2240 Drew Avenue South
Minneapolis, Minnesota 55416

EDWARD A. RAPP
9955 Grouse Street Northwest
Coon Rapids, Minnesota 55433

AARON RUPERT
1409 West Minnehaha Avenue
St. Paul, Minnesota 55104

SISTER MARY DENISE VILLAUME
2475 Dodd Road
St. Paul, Minnesota 55120

NOREEN WELCH
209 North Estey Avenue
LuVerne, Minnesota 56156

DOLORES WINDINGSTAD
Route #1, Box 41
Dawson, Minnesota 56232

TO : Lee Sheehy
Special Assistant Attorney General

FROM : Kenneth L. Peatross, Executive Secretary
MINNESOTA BOARD OF TEACHING

K Peatross

DATE : March 21, 1979

SUBJECT: In the matter of 5 MCAR §§ 3.073, 3.140, 3.141

Pursuant to the rules of the Office of the Attorney General, I hereby resubmit for final approval by the Office of the Attorney General the above captioned rules of the Board of Teaching heard at public hearing on May 20, 1978. Attached are three copies of the rules as proposed, three copies of the rules as adopted by the Minnesota Board of Teaching and approved by the Minnesota Board of Education, and the Order Adopting Rules.

These rules have been revised by the Board of Teaching in compliance with the recommendations contained in your correspondence dated February 23, 1979.

Following your review of the above captioned rules, I shall appreciate notification from you of the approval status.

If you have any questions with respect to the rules herewith resubmitted for final approval, please do not hesitate to call me.

KLP/nad

Attachments

cc: Donald J. Mueting
Special Assistant Attorney General

RECEIVED
MAR 22 1979
AL
GENCIES

OUR FILE NO. 504

ADMIN 1000 (Rev. 1/78)

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : Kenneth L. Peatross
Executive Secretary
Minnesota Board of Teaching

DATE: February 23, 1979

FROM : Lee E. Sheehy
Special Assistant
Attorney General

PHONE: 296-1288

SUBJECT: In the Matter of the Proposed Adoption of 5 MCAR § 3.073, 3.140, and 3.141

The above-captioned rules have not been approved by this office or filed with the Secretary of State for the reasons enumerated below. After agency consideration of these reasons and appropriate action, if any, the rules may be resubmitted to this office for review and approval. At such time, please insure that the original of the rules as adopted and the original of the Order Adopting is resubmitted.

The rules have not been approved for the following reasons:

1. Confusion over the actual text of the rules as adopted exists in the record submitted to this office. While the text attached to Commissioner Casmey's affidavit would appear to be the text of adopted rules from your memorandum, it is entitled "Proposed Rules." Further, if the text accompanying the Casmey affidavit is the adopted text, then the agency failed to include a copy of the proposed rules submitted to this office. If the proposed and adopted rules are identical, this fact should be communicated to this office in the initial transmittal of the record. This confusion must be clarified and properly designated copies of both adopted and proposed rules must be submitted.

2. § 3.073 D: Use of the word "may" affords the agency unbridled discretion. The rule also by use of the word "may" fails to apprise the public of all criteria upon which the agency decision will be made. The word "shall" must be used.

3. § 3.141 H: This provision suffers from the same defect discussed in Item No. 2 above.

If you have any questions, do not hesitate to call me.

LES:mb

Enclosure

cc: Duane Harves
Donald J. Mueting

Minnesota Board of Teaching
Adopted Rules

5 MCAR § 3.073 ~~Teacher~~ Teachers of industrial ~~education~~ arts. This rule applies to all persons who teach industrial ~~education~~ arts in grades 5-12.

A. All candidates for licensure to teach industrial ~~education~~ arts must hold a baccalaureate degree and have successfully completed a program of teacher education which has been approved by the ~~state department of education~~ Minnesota board of teaching.

B. Programs submitted for approval shall include all of the following:

1. A list of program objectives regarding the development of technical knowledge and skill.

2. A list of program objectives regarding the development of educational knowledge and teaching competency.

3. A description of program components describing the activities that are designed to achieve the program objectives.

4. A description of the plan for assessing whether candidates for licensure have developed the required knowledge and skills.

5. A description of the program of clinical experiences for student teachers and interns.

C. The two program options shall include at least the minimum requirements as listed in sections 1. and 2., which follow:

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

a. Development of technical skills and knowledge in the areas of ~~graphic~~ communications, manufacturing, energy, ~~and~~ construction, and transportation, 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

b. The selection, adaptation, evaluation and use of strategies and materials for teaching of industrial ~~education~~ arts 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~~ arts. and

c. Completion of a supervised practicum teaching experience in ~~middle school~~ industrial arts. ~~and~~

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

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

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

b. 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

c. The selection, adaptation, evaluation and use of strategies and materials for the teaching of industrial ~~education~~ arts 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~~ arts. and

d. Completion of a supervised practicum teaching experience in a ~~senior high school or secondary vocational center~~ industrial arts. and

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

e. The provisions of this rule shall not limit teaching to the area of concentration only.

D. Programs shall be approved which vary in curricular design provided that program components meet the requirements in A., B., C., above, and that these components provide education personnel who are recommended for licensure with the knowledge, skills, and understandings specified in rules for each licensure area. When the term competency is used, it is understood that other appropriate terms which refer to learning outcomes may be substituted. Examples of such terms are: knowledge, skills, and understandings.

~~B.~~ E. Issuance of continuing (five-year) license.

1. Persons trained in Minnesota institutions with approved programs in industrial ~~education~~ arts may receive a continuing license by meeting requirements of appropriate rules. (§ 3.001).

2. Persons trained in another state in a regionally accredited institution may receive an entrance license and are subject to the existing requirements for moving from an entrance to a continuing license. (§ 3.001). 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 license may be granted. It is recommended that this review is made early in the entrance license period.

E. F. Renewal of continuing (five-year) license. The continuing license may be renewed according to rules of the board of teaching pertaining to continuing education.

F. G. This provision is effective July 1, 1979, for all applicants for entrance licenses.

5 MCAR § 3.140 The approval of Minnesota institutions to prepare persons for teacher licensure. (All new material.)

A. Licenses to teach in Minnesota may be granted to persons who complete approved programs leading to teacher licensure in Minnesota institutions which are approved by the Minnesota board of teaching to prepare persons for teacher licensure in accordance with the provisions of this rule.

B. A Minnesota institution which is required to obtain authorization from the higher education coordinating board to grant degrees must provide evidence of such authorization prior to requesting approval from the board of teaching to prepare persons for teacher licensure. Such authorization must be maintained by the institution during the approval period granted by the board of teaching.

C. Each degree-granting Minnesota institution requesting approval to prepare persons for teacher licensure shall be evaluated for initial approval and thereafter shall be evaluated for continuing approval in accordance with the provisions of this rule.

D. Initial or continuing approval to prepare persons for teacher licensure may be granted by the board of teaching to an institution for a period of ten years. At least one year prior to the expiration of the approval period, the institution shall submit a request to the board of teaching for continuing approval and shall be evaluated in accordance with the provisions of this rule.

E. Each Minnesota institution requesting initial or continuing approval to prepare persons for teacher licensure shall forward from the chief administrative officer of that institution to the board of teaching a written report which shall be used to verify the capability of the institution to prepare persons for teacher licensure in Minnesota. This written report shall include:

1. A statement that the mission of the institution includes a commitment to the preparation of persons for teacher licensure.

2. Evidence that sufficient financial resources are allocated to support the institutional programs for preparing persons for teacher licensure.

3. Evidence that institutional requirements in liberal or general education for persons enrolled in programs leading to teacher licensure are equivalent to the requirements of persons enrolled in programs other than teacher licensure.

4. A description of institutional administrative organization which demonstrates that:

a. The control of teacher licensure programs is exercised by a defined administrative and instructional unit, such as a department, division, school, or college of education. Such defined unit has responsibility for planning, developing, coordinating, implementing, and evaluating teacher licensure programs.

b. The administrator of such defined unit is authorized to submit teacher licensure program proposals to the board of teaching for approval and is responsible for administering teacher licensure programs as approved by the board of teaching.

c. The administrator of such defined unit is authorized to recommend for teacher licensure those persons who have completed teacher licensure programs which have been approved for that Minnesota institution by the board of teaching.

d. The institution has a defined institutional policy-making body which is responsible for approving teacher licensure programs for submission to the board of teaching.

e. The institution establishes and maintains a teacher education committee to assist in the design, development, revision, and ongoing evaluation of teacher licensure programs within the institution. Such committee includes college personnel, licensed practicing teachers, school administrators, and interested citizens.

5. A description of the institutional student services, which demonstrates that:

a. The institution has established and maintains a process for admission and retention of persons in teacher licensure programs, including the application of specific criteria for admission and retention, and a defined student appeals process.

b. The institution has established and maintains complete, accurate, and current records of persons in teacher licensure programs which provide information to support decisions with respect to admission, retention, and recommendation for teacher licensure.

c. The institution has established and maintains an advisory system which provides assistance in planning programs of study for each person enrolled in teacher licensure programs.

d. The institution has established and maintains placement services, including maintenance of credentials, information regarding trends in employment, and information regarding employment opportunities.

6. Evidence that the institution assigns faculty qualified by academic preparation to support the teacher licensure programs offered by the institution.

7. Evidence that the qualifications and the teaching load of the faculty assigned to the professional education component of each teacher licensure program are equivalent to those established for all faculty within the institution.

8. Evidence that part-time and adjunct faculty assigned to each teacher licensure program are employed only when there is a need which is not represented on the full-time faculty, or when there is a need for temporary additional service, or to complement regular full-time faculty.

9. A description of the foundational component of professional education which demonstrates that persons enrolled in teacher licensure programs are provided instruction in the foundations of education and that such persons successfully complete the foundational component of professional education.

10. A description of the student teaching experience, identifying the documentation available which demonstrates that:

a. Persons enrolled in teacher licensure programs which require a student teaching experience complete such supervised experience in the licensure field and at the licensure level for which they are to be recommended for licensure.

b. Supervision of student teaching experiences is under the control and direction of faculty assigned to the professional education component of teacher licensure programs. Student teaching experiences are also supervised by practicing teachers who hold at least a continuing license, as defined in 5 MCAR § 3.001 and granted by the Minnesota board of teaching, in the licensure field and at the licensure level for which they supervise.

c. Student teaching experiences are evaluated by the persons enrolled in teacher licensure programs and by the faculty and practicing teachers who supervise the student teaching experiences.

11. Evidence that the physical resources are adequate to support the teacher licensure programs offered by the institution.

12. Evidence that the library, audio-visual, and curriculum materials are adequate to support the teacher licensure programs offered by the institution.

13. A description of the institutional procedures for the systematic evaluation of teacher licensure programs, including the periodic survey of graduates who have completed such programs.

14. Evidence that the results of the systematic evaluation of teacher licensure programs, including the periodic survey of graduates, are utilized in the development and possible modification of teacher licensure programs offered by the institution.

15. A description of long-range plans for teacher education projected by the institution.

F. Persons designated as evaluators by the board of teaching staff shall visit the institution for the purposes of verifying the accuracy and completeness of the written report prepared by the institution, writing a report of their findings, and making a recommendation to the board of teaching regarding approval status

of the institution. The evaluation team may include representatives from teacher preparing institutions, licensed practicing teachers, interested citizens, and state education agencies. The administrator of the defined administrative and instructional unit of the institution and the board of teaching staff shall negotiate team membership from a slate of possible evaluators provided by the board of teaching staff. If agreement is not reached regarding team membership, the board of teaching shall appoint the slate of team members. The size of the team and the expertise of the members shall be appropriate for the kinds, size, and complexity of programs. Evaluation team visits shall be scheduled in consultation with the institution. Expenses of evaluators shall be reimbursed in accordance with Minnesota state rules. Other expenses, such as those incidental to preparing reports, arranging meetings, and providing workrooms for the team while on campus shall be the responsibility of the institution.

G. The written report of findings and the recommendation of the evaluators shall be forwarded to the institution and to the board of teaching. Within 30 days from the mailing date of the evaluators' report, the institution may submit to the board of teaching additional information or arguments in support of its request. Based upon the written report prepared by the institution, and the written report of findings and the recommendation of the evaluators, the board of teaching shall:

1. Grant initial approval, or

2. Grant continuing approval, or

3. Grant conditional approval, state the conditions, and establish time lines for meeting the stated conditions, or

4. Disapprove the institution, state the reasons for disapproval, and, if needed, stipulate a termination date which shall accommodate persons currently enrolled in teacher licensure programs.

H. If an institution is conditionally approved to prepare persons for teacher licensure, the board of teaching shall reconsider the approval status of the institution upon verification by the executive secretary of the board of teaching that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval shall be withdrawn.

I. The board of teaching may revoke or suspend the approval of an institution to prepare persons for teacher licensure when the board of teaching determines that an approved institution no longer meets the provisions of this rule.

J. Decisions by the board of teaching regarding approval status of an institution to prepare persons for teacher licensure may be appealed by the institution pursuant to Minn. Stat. chapter 15.

5 MCAR § 3.141 The approval of teacher licensure programs in Minnesota institutions which are approved to prepare teachers. (All new material.)

A. Institutions which have been approved by the Minnesota board of teaching to prepare persons for teacher licensure may request approval of teacher licensure programs. Such programs shall be evaluated for initial approval and thereafter shall be audited for continuing approval in accordance with the provisions of this rule.

B. Each institution shall forward from the administrator of the defined administrative and instructional unit of that institution to the board of teaching a program description for each teacher licensure program for which approval is requested. The teacher licensure program description shall include:

1. A statement which verifies the institutional commitment to the teacher licensure program.

2. A description of the organizational structure of the institution and procedures for implementing the teacher licensure program.

3. A description of the teaching role for which persons who enroll in the licensure program are being prepared.

4. An enumeration of the specific knowledge, skills, and understandings to be achieved by persons completing the teacher licensure program.

5. A description of the teacher licensure program which relates individual program components to the knowledge, skills, and understandings to be achieved by persons completing the teacher licensure program.

6. A description of the systematic procedure for evaluation of the teacher licensure program which assures that all requirements for teacher licensure have been met by all persons recommended for teacher licensure.

7. A specific identification of the plans for assessing the performance of each person who is to be judged as having successfully completed the teacher licensure program.

8. Evidence that the teacher licensure program forwarded for approval has been developed with participation from the college departments involved with the teacher licensure program, licensed practicing teachers, school administrators, and interested citizens.

9. A description of the procedures to establish and maintain an interral process for systematic evaluation of the teacher licensure program.

C. Each program description forwarded to the board of teaching by an institution for each teacher licensure program for which approval is requested shall include evidence that:

1. Rules of the board of teaching governing the teacher licensure program are met.

2. Persons enrolled in the teacher licensure program are required to be provided instruction in methods of teaching and in the foundations of education. Such persons are also required to successfully complete a series of planned, supervised, and evaluated pre-student teaching and student teaching experiences for which specific learning objectives have been established. Instruction in methods of teaching and student teaching experiences shall be in the licensure field and at the licensure level for which those persons completing teacher licensure programs are to be recommended for teacher licensure. The student teaching requirement applies only to persons completing a program to be recommended for entrance licensure.

3. Necessary faculty and physical resources are allocated to implement and maintain the teacher licensure program. Faculty shall be assigned to the component of professional education for which they have academic preparation and teaching experience. In addition, faculty assigned to provide instruction in methods of teaching and supervise student teaching experiences in the teacher licensure program shall have teaching experience at the licensure level of the licensure program. Classroom teachers who supervise student teaching experiences shall hold at least a continuing license, as defined in 5 MCAR § 3.001 and granted by the Minnesota board of teaching, in the licensure field and at the licensure level for which they supervise.

D. Before initial approval for the teacher licensure program is granted, the board of teaching staff or persons designated as auditors by the board of teaching staff may visit the institution to examine the teacher licensure program for the purpose of verifying the program description and making a recommendation regarding approval status. During the operation of an approved teacher licensure program, an audit visit to verify that the approved program meets the provisions of this

rule may be arranged in consultation with the institution. Auditors shall forward a written report of their findings to the executive secretary of the board of teaching and to the institution.

E. The board of teaching staff, or persons designated as auditors by the board of teaching staff, in consultation with the institution shall make audit visits on a five-year cycle to verify program descriptions and to make a recommendation regarding approval status of each teacher licensure program. Expenses of auditors shall be reimbursed in accordance with Minnesota state rules.

F. Based upon appraisal of the program descriptions prepared by the institution and the written report of the auditors, the board of teaching shall:

1. Grant initial approval, or

2. Grant continuing approval, or

3. Grant conditional approval, state the conditions, and establish time lines for meeting the stated conditions, or

4. Disapprove the teacher licensure program, state the reasons for disapproval, and, if needed, stipulate a termination date which will accommodate persons currently enrolled in said program.

G. If a teacher licensure program is conditionally approved, the board of teaching shall reconsider the approval status of the teacher licensure program upon verification by the executive secretary of the board of teaching that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval shall be withdrawn.

H. Teacher licensure programs which vary in curricular design shall be approved provided that program components meet the requirements of board of teaching rules for each teacher licensure program, and that these components are designed to provide persons completing each teacher licensure program with the knowledge,

skills, and understandings which are enumerated in those rules.

I. When an institution makes revisions in an approved teacher licensure program, the administrator of the defined administrative and instructional unit of that institution shall forward to the executive secretary of the board of teaching a written description of the teacher licensure program revision. An audit shall be made to verify that the revised teacher licensure program continues to meet rules of the board of teaching. Each verified teacher licensure program revision shall become an amendment to the approved teacher licensure program.

J. The board of teaching may revoke or suspend the approval of a teacher licensure program when the board of teaching determines that an approved teacher licensure program no longer meets the provisions of this rule.

K. Decisions by the board of teaching regarding approval status of a teacher licensure program may be appealed by the institution pursuant to Minn. Stat. chapter 15.

APPROVED AS TO FORM AND LEGALITY

MAR. 26 1979

MAR. 26 1979 19

WARREN SPANNAUS, ATTORNEY GENERAL

BY Lee E. Thuy

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 26 1979
Joan Anderson Growe
Secretary of State
10:30 AM

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS
ROOM 300 — 1745 UNIVERSITY AVENUE
ST. PAUL, MINNESOTA 55104
(612) 296-6910

June 20, 1978

Mr. Kenneth Peatross
Executive Director
Board of Teaching
6th Floor, Capitol Square Building
St. Paul, Minnesota - 55155

RE: In the Matter of the Proposed Adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers.
HE Docket No. BT-78-003-PE

Dear Mr. Peatross:

I enclose herewith and serve upon you the Report of the Hearing Examiner in the above-entitled matter together with the official record, and I am closing our file in this case.

Yours very truly,

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

PCE/eag
Encs.
CC:1 - Mr. Donald Mueting, Special Assistant Attorney General
CC:2 - Dr. George B. Droubie
CC:3 - Dr. Gregory Waddick

AN EQUAL OPPORTUNITY EMPLOYER

STATE OF MINNESOTA)
(ss.
COUNTY OF RAMSEY)

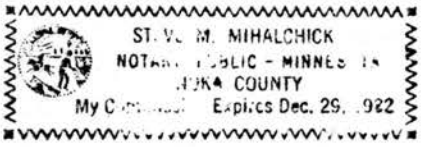
AFFIDAVIT OF SERVICE

Eileen A. Gaiovnik , being first duly sworn, deposes and says that on the 21st day of June , 197 , at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Report of Hearing Examiner upon the Board of Teaching by handing to and leaving the same with Nancy Dippel .

Eileen A Gaiovnik

Subscribed and sworn to before me
this 21st day of June , 1978.





Mr. Kenneth Peatross
Executive Director
Board of Teaching
6th Floor, Capitol Square Building
St. Paul, Minnesota - 55155

Mr. Donald Mueting
Special Assistant Attorney General
Room 303, Capitol Square Building
St. Paul, Minnesota - 55155

Dr. George B. Droubie
Department of Education
6th Floor, Capitol Square Building
St. Paul, Minnesota - 55155

Dr. Gregory Waddick
Department of Education
7th Floor, Capitol Square Building
St. Paul, Minnesota - 55155

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE BOARD OF TEACHING

In the Matter of the Proposed Adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the State Office of Hearing Examiners at 9:00 a.m. on Saturday, May 20, 1978 in Room 83 of the State Office Building, Saint Paul, Minnesota.

Donald Mueting, Special Assistant Attorney General, appeared as counsel on behalf of the Board of Teaching. Fourteen members of the Board were present. Dr. Gregory Waddick and Dr. George Droubie appeared and testified on behalf of the Department of Education.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

The Board of Teaching shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall clearly indicate any changes made to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his report to the Board on the issues of substantial changes in the rule and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Board of Teaching shall be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

1. On March 20, 1978, the Board filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Order for Hearing;
(c) A proposed Notice of Hearing; and
(d) A Statement of the estimated length and number of people attending the hearing.

2. On April 17, 1978, a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 1897.

3. On April 19, 1978, the Board mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On April 27, 1978, the Board filed the following documents:

(a) The Order for Hearing;
(b) The Notice of Hearing as mailed;
(c) The Affidavit of Receipt of the Secretary of State's list;
(d) The Affidavit of Mailing;
(e) The Secretary of State's Certificate and list;
(f) The Statement of Need;
(g) The Statement of Evidence, including the names of witnesses to be called; and
(h) The names of Board personnel who will represent the agency.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open through June 9, 1978, for the receipt of written comments and statements.

6. Statutory authority to promulgate the proposed rules is contained in Minn. Stat. § 125.185 (1976).

7. The proposed amendments to 5 MCAR § 3.073, Rules Governing Teachers of Industrial Education, fit into six basic areas:

(a) the title, Industrial Education, has been changed to Industrial Arts to reflect the general education emphasis which exists at the secondary level;

(b) student teaching requirements have been

changed to allow licensure at both the middle school and secondary levels by completing the appropriate course requirements plus a supervised practicum at either level;

(c) clarification of the secondary licensure requirements to clarify that teachers may teach in any of five areas of concentration;

(d) "transportation" has been added as a required area of concentration as current industrial arts programs typically include transportation as a component of the program;

(e) language to permit alternative curricular designs to bring the rule into conformity with other secondary teaching rules;

(f) deletion of the paid work experience requirement because there is no demonstrable relationship between this experience and the ability to teach and the courses are not intended to provide vocational preparation.

A. The Department of Education, the MEA and the MFT all supported the proposed amendments to § 3.073.

B. The University of Minnesota, Division of Industrial Education, commented as follows regarding the deletion of the work experience requirement:

> Our primary objection in the proposed rule changes is to the deletion of the industrial wage earning experience for industrial education teachers. The content of industrial education is drawn from the technology, occupations, and organization of industry. It therefore is logical and reasonable to require industrial wage earning experience of industrial (arts) education teachers. No other subject field in the school system draws its content from industry to the extent that industrial (arts) education does. Knowledge of industry is a necessary attribute for industrial (arts) education teachers and industrial wage earning experience is the only way in which the knowledge of some aspects of industry can be developed. Skills with the tools, equipment, processes and materials of industry needed by industrial (arts) education teachers can be acquired in instructional laboratories. However, the interrelationships among individuals, the qualitative standards, pressures of time and economy that are experienced in industry cannot be simulated adequately outside of the industrial environment. Reports by our students enrolled in supervised industrial experience courses have supplied evidence of the benefits they have recognized.

C. Marson Rinkenberger, industrial occupations curriculum consultant, commented that if the title is changed to "industrial arts", there would be a discrepancy in the Minnesota

Industrial Arts Association Constitution which refers to "industrial education". Mr. Rinkenberger also stated that work experience is a necessary element in the education of all industrial arts teachers.

D. Mr. Robert G. Bell, Industrial Education Instructor at Prior Lake High School, commented at length regarding the deletion of the work experience requirement. He stated:

> The sole purpose for including a work experience component in this licensure rule is to improve the ability of Industrial Arts teachers to teach about industry, by having worked in an appropriate industrial situation. The work experience component is confused by many Industrial Arts teachers in some or all of the following ways: (1) It is confused with the industrial work experience, which is necessary for vocational licensure; 2) It is erroneously assumed to apply to teachers who are currently teaching; 3) It is equated with some alleged ability to teach Industrial Arts without possessing a baccalaureate degree; 4) It is erroneously equated with teacher seniority concerns; 5) It is cited as an attempt to make Industrial Arts and Vocational Education the same thing; 6) It allegedly will make five-year preparation programs out of the traditional four-year program of preparation for teaching; 7) It has allegedly been "laid-on" undergraduate students at some point near the end of their college preparation.

Mr. Bell commented that a major study of industrial arts issues is currently in process and that it would be foolish to make a major decision on licensure prior to the completion of the study.

E. Many comments were received which expressed general support of the proposed amendments with the following exceptions:

(1) This should apply only to the new college graduates and not to those already teaching in Industrial Arts.
(2) The level of certification should be K-12.
(3) All Industrial Arts teachers must hold a baccalaureate degree in Industrial Arts and hold a valid Minnesota Teaching License.
(4) Any person being hired with proper certification must be placed on the same seniority list, in the proper place according to teaching experience, along with all other Industrial Arts teachers.
(5) Delete the cluster concept as stated and return to the desigation of specific courses.

F. The Examiner finds that the proposed amendments to 5 MCAR § 3.073 are both needed and reasonable. The Examiner can not make major policy decisions for the Board, i.e., whether or not to have a work experience requirement. Those kinds of decisions are delegated to the Board by the Legislature and are made

in the rule drafting process. The scope of the Examiner's authority is to determine if there is statutory authority to promulgate the proposed rules and whether or not the rules are both needed and reasonable. Decisions on policy alternatives are within the Board's discretion as long as the policy chosen is reasonable. See Minn. Stat. § 15.052, subd. 3.

8. The Board proposed to repeal existing 5 MCAR § 3.107, Rules Governing School Nurse, and adopt a new rule in place thereof. The Board supported the need for and reasonableness of the new rule as follows:

> Because the present licensure structure for public school nurses is permissive and therefore it does not insure that persons employed in public schools as nurses meet minimally acceptable standards necessary to protect and promote the health and well-being of Minnesota school children; and
>
> Because parents, students, and teachers are entitled to the assurance that persons employed by a school district who use the title "nurse, school nurse, licensed school nurse, or public health nurse," meet standards of training and preparation in order to render adequate health care services and to meet the health needs of Minnesota school children; and
>
> Because 215 school nurses who do not meet minimally acceptable standards as proposed and are currently providing services to Minnesota school children need an opportunity to meet requirements for training and preparation necessary to provide comprehensive school health services for Minnesota school children; and
>
> Because Minnesota school districts must be assured that persons they employ as nurses are educationally qualified to implement a comprehensive school health program; and
>
> Because persons employed as school nurses must be qualified to implement health components mandated in Federal and State laws and in rules promulgated by the Minnesota Board of Education, the Minnesota Department of Public Welfare, the Minnesota Department of Health, and federal legislation contained in Title 19, Early and Periodic Screening Diagnosis and Treatment, Early and Periodic Screening and Preschool Screening.

Also, the Board proposed the following amendments to the new rule:

> A. The Board of Teaching ~~may~~ shall grant licenses as school nurse to applicants who meet the requirements of § 3.106 which follow. All persons employed as nurses by school districts shall hold a valid Minnesota license as a school nurse.

B. A license as school nurse, valid for two years, ~~may~~ shall be granted to an applicant who provides evidence to the Director of Teacher Licensure that the following requirements have been met.

C. Issuance of the first five-year license.

1. An applicant holding a valid two-year license as a school nurse ~~may~~ shall be granted a five-year license after one year of successful experience.

D. The five-year continuing license ~~may~~ shall be renewed according to the rules of the Board of Teaching pertaining to continuing education.

G. In order to provide for registered nurses serving as school nurses at the time this rule is adopted, a license as school nurse, valid for two years, ~~may~~ shall be granted to an applicant who fulfills the following requirements:

G.

3. The first five-year license ~~may~~ shall be issued:

G.

4. The first five-year license ~~may~~ shall be issued to applicants who have completed a. and b., above. If the applicant has been unable to complete requirements set forth in b., above, during the period of the initial two-year license, not more than one additional two-year license ~~may~~ shall be granted during which time requirements must be met or licensure as a school nurse shall lapse until such time as requirements are met.

G.

5. The five-year continuing license ~~may~~ shall be renewed according to rules of the Board of Teaching pertaining to continuing education.

F. Effective date: July 1, ~~1980~~ 1981.

G.

2. Evidence of employment as a school nurse, while holding a license to practice as a registered nurse, in Minnesota schools for at least two years of full-time service, or the equivalent, during the seven years immediately preceding July 1, ~~1980~~ 1981.

G.

6. In order to retain licensure as a school nurse, current registration as a registered nurse ~~or certification as a Minnesota public health nurse~~ must be maintained at all times. Lapse of such registration ~~or certification~~ shall be grounds for revocation of licensure as a school nurse.

G.

7. The provisions of section G. shall ~~pertain~~ be in effect until July 1, ~~1982~~ 1983, when section G. shall be deleted from § 3.106

without further action by the Board of Teaching and all applicants shall, from that date forward, qualify for licensure as a school nurse under § 3.106 A., B., C., D., and E.

The Board asserts that the replacement of the word "may" with shall is necessary to place an affirmative standard on the Board. Also, the board contends that the date changes are necessary to enable persons currently employed as school nurses more time in which to meet the requirements. The "certification" language in G.6. is deleted because it is not needed.

A. The Department of Education proposed to amend § 3.106 as follows:

> . . . a minimum of ~~21~~ 12 quarter hours, or the equivalent, of additional work in two or more of the following fields:
>
> Health curriculum
> School health or school nursing
> Public health
> Special education, and
> ~~Educational psychology~~
>
> c. Completion of a human relations program approved by the board of teaching.
>
> 4. The first five-year license may be issued to applicants who have completed a., ~~and~~ b., and c., above. If an applicant has been unable to complete requirements set forth in b. and c., above, during the period of the initial . . .

The Department contends that the proposed 30-quarter-hour credit requirement is excessive and unreasonable; that a 21-quarter-hour requirement is unreasonable. The Department stated that there was some confusion as to whether human relations is subsumed under educational psychology, so the new requirement is added.

B. The present rule governing school nurses includes the sentence, "Nothing in this section shall prohibit a school board from hiring non-licensed registered nurses to provide nurse services under the direction of the superintendent or of a licensed school nurse." Many comments proposed that this sentence be retained in the new rule. It was argued that: (1) daily, onsite nursing care will be lost for many schools if RNs are no longer able to function as school nurses; (2) school districts will not be able to afford the more highly salaried PHNs; (3) ill-equipped health-aides will replace RNs in many schools

as the only available medical provider; (4) out-state school districts will not be able to fill the licensed school nurse vacancies with PHNs; and (5) there must first be legislation which mandates a certain level of school nursing care or health maintenance with the necessary funding before higher qualifications, and concomitant higher salaries, are imposed.

Ms. Helen Hilsen proposed that the following language be inserted into the new rule and commented as follows:

> "Nothing in this section shall prohibit a school board from hiring non-licensed registered nurses to provide nurse services under the direction of a licensed school nurse."
>
> This section should remain in the law for the following reasons:
>
> 1. Individual school boards should have the right to decide how its district is best able to provide health care. To require by force of law, standards too unrealistic could mean, in some instances, no health care at all.
>
> 2. Registered nurses under the direction of a certified public health nurse are able to and do administer competent, consistent, professional health care and guidance on a daily basis.

The Columbia Heights School Board argued:

> Also, if it is to be assumed that the 300 presently unlicensed school nurses will go back within the next few years and meet necessary licensure requirements, that assumption is just not realistic. Most school nurses are in the field because they genuinely enjoy working with young people, but to have to meet a credit requirement could cause such nurses to seek other types of employment. Finally, at a time when many school districts are experiencing declining enrollments and most school districts are feeling a financial pinch, the additional requirements could escalate the costs of nursing services since they could bring about greater demands for salary. Licensure could even be used as justification for nurses' membership in teacher unions and thus placement on the salary schedule adopted for teachers. According to an MEA interview release concerning nursing licensure, a conservative estimate is that the licensure could cost fifteen to twenty million dollars across the State of Minnesota. Certainly such a cost could cause nursing services to be diminished in districts which already have them and do nothing to encourage other districts to become involved.

Ms. Mildred Carlson, RN and school nurse in Bloomington, stated:

To mandate the hiring of only public health licensed nurses in the schools will only down-grade the kind and quality of daily "hands on" care we can give, due to the higher salaries they would receive than that paid to RNs. This would leave only a health aide to do the screenings and other services to the sick or injured child, as the PHN would have to serve more than one school, and could not be available for all the crises which develop daily. Surely a health aide does not have the background to differentiate a diabetic coma from insulin shock, or the many other health emergencies that can develop, and know what to do, or what resources to contact.

C. Mr. Lowell D. Larson, Director of Personnel and Administration for the Richfield Public Schools, commented in support of the proposed rule as follows:

The Richfield School District continues to employ public health nurses. We believe a public health nurse is necessary in the schools for the following reasons:

1. Teaming and staffing requires personnel with specific education preparation. All other personnel in the team are licensed. The licensed public health school nurse has a baccalaureate degree plus extra work in child growth and development, special education, educational psychology, and other related areas. The nurse has a significant role in the assessment to student needs.

2. State and federal laws require school districts to seek out, identify and service the handicapped. Licensed public health school nurses have educational preparation in special education and child growth and development.

3. There is a continuing concern for children with chemical abuse problems, mental health problems, venereal disease, teenage pregnancies and child abuse. Licensed public health school nurses have educational preparation in educational psychology, child growth and development and community health, which helps them to be effective in dealing with these problems.

4. A public health nurse has experience and training to act as a liaison person between home, school and community in promoting effective community health practices.

Ms. Helen Tyler, Assistant Director for Student Services in the Minneapolis Public Schools, also commented in support of the proposed rule as follows:

I supervise the School Social Work staff in the Minneapolis Public Schools, a staff that in my thirty years of experience has always worked very closely with school nurses. Our close as-

> sociation has developed deep respect for the contributions made by qualified school nurses as student services teams assess and plan programs for individual children, as they review school policies and environments that affect children and as they implement strategies to prevent the development of physical and emotional problems.
>
> Obviously, these activities require a school nurse, fully trained as a public health nurse with a special understanding of the relationship between health and boys and girls in the educational setting. School Social Workers consider the highly specialized contributions of the school nurse in any of these activities to be essential to the achievement of the goal, whether it is for an individual child or for all children in a school.

Ms. Eleanor Thelander testified that approximately 600 to 650 PHNs will be graduating from eleven Minnesota colleges on a yearly basis.

D. Ms. Wanda Miller commented on behalf of the School Nurse Organization of Minnesota that efficient delivery of health care services does not require the service of a registered nurse in every school. That:

> A health aide with current first aid training and under the direction of a licensed school nurse provides efficient emergency care for injuries and illness, and supervises children during minor illness until they are able to be transported to their home at a cost effective level. She is, at the same time, the most cost effective person to provide clerical duties for the school health service.

E. In December, 1976, essentially the same rule as is now proposed went to hearing before this Examiner. In a report issued February 4, 1977 (BT-77-001-PE), the rule was rejected as being unreasonable because it was not shown that registered nurses could not function satisfactorily as school nurses or that the supply of PHNs would meet the demand for nursing services. In the instant matter, the record shows that: (a) the demands now placed on a school nurse require a public health education; and (b) an adequate number of PHNs are graduating every year to meet the job vacancy requirements. The Examiner concludes that the proposed rule, as amended by the Board in Finding 8, and the Department of Education in Finding 8.A., is both needed and reasonable. Implementation of this rule may, however, result in the lessening of actual nursing services provided by school districts. It may prove to be imperative that

the legislature examine both the need for additional funding and the necessity for requiring a certain level of on-site nursing services.

9. The Board proposed to repeal existing 5 MCAR § 3.108, Rules Governing Public School Athletic Coaches, and adopt a new rule in place thereof. The Board supported the need for and reasonableness of the new rule as follows:

> Because the existing rule governs the licensure of head coaches only, and
>
> Because the existing rule governs the licensure of head coaches in only six specified interscholastic sports at the secondary school level, and
>
> Because the existing rule was last amended in 1963 while the scope of the interscholastic sports programs in elementary and secondary schools has changed, and
>
> Because head varsity coaches must be competent to prevent avoidable injury and provide emergency care in case of an injury, and
>
> Because head varsity coaching requires an understanding of the anatomical structure and physiological function of the body systems regarding conditioning and performance, and
>
> Because head varsity coaches need to thoroughly understand the techniques and strategies of coaching in order to develop the full potential of the athlete, and
>
> Because the emotional factors regarding the environment of the practice and game field, and the emotions of the athlete regarding competition needs to be understood and accommodated by the coach, and
>
> Because head varsity coaches need to understand the role that athletics have in the educational process of the athletes and of the student body. A proper philosophy regarding athletics is needed to make this experience enriching for all who are directly or indirectly involved, and
>
> Because rules and regulations of the Minnesota State High School League, and state and federal laws have an impact regarding the conduct of interscholastic sports; scheduling of facilities equally for both sexes is necessary; and budgets have to be carefully administered. Knowledgeable coaches need to assist athletic directors in these areas, and
>
> Because coaches in preparation programs need to have a practicum experience to provide them with an opportunity to apply the competencies developed in the classroom.
>
> The level of preparation and competency for all other coaches of interscholastic sports are not as high as the head varsity coach. The head varsity coach is responsible for the supervision or direction of those coaches who assist. However, all other coaches of interscholastic sports need some special preparation and competencies.

Because assistant coaches must be competent to prevent avoidable injury and provide emergency care in case of an injury, and

Because assistant coaches need to thoroughly understand the techniques and strategies of coaching in order to develop the full potential of the athlete, and

Because the emotional factors regarding the environment of the practice and game field, and the emotions of the athlete regarding competition needs to be understood and accommodated by the coach, and

Because assistant coaches need to understand the role that athletics have in the educational process of the athlete and the student body. A proper philosophy regarding athletics is needed to make this experience enriching for all directly or indirectly involved, and

Because licensure of coaches of interscholastic sports has been a concern of Minnesota educators since 1956. A statewide survey by the State Supervisor of Health, Physical Education and Safety revealed a need for special preparation of men coaches. A health and physical education advisory committee of the State Board of Education recommended in 1968 that women coaches be licensed as well. The proposed rule provides for uniform standards of licensure for men and women coaches.

The Board also proposed the following clerical amendment to the new rule:

K.

2. One complete athletic season of experience in a coaching an interscholastic sport during the time that the applicant holds the entrance license as a coach.

A. The Department of Education commented on proposed § 3.108 as follows:

(1) Licensure of individuals in grades K - 6 seems unnecessary since, to the best of our knowledge, interscholastic sports as described within the rule do not exist at that level. We therefore propose that the K - 6 licensure feature should be purged until such time, if ever, licensure needs should exist at that level.

(2) In regard to licensure grades 7 - 12, the Department feels the proposed license requirements for head varsity coaches to be appropriate and to operate in the best interests of pupils to be involved in such programming.

(3) In regard to non-varsity head or assistant coaches, it is felt that the necessity of such individuals holding both a baccalaureate and a teaching license is excessive, considering the responsibilities which such individuals discharge in connection with coaching, particularly in outstate areas. Based upon our understanding that 300 people would be affected by applicability of this proposed rule and might be expected to terminate their coaching responsibilities rather than pursue the additional baccalaureate coursework and licensure necessary to be qualified assistant coaches, which

could result in the termination of inter-scholastic sports opportunities for secondary pupils in this state, licensable by way of accumulating a minimum of 6 credits in first aid, prevention and cause of athletic injuries, and such related training as applicable to their level of functioning.

Such individuals should then operate under the direct supervision of the head licensed coach spoken to in Item No. 2. preceding.

(4) In reference to the alternate route to licensure, Item J, pages 12-13, we propose in connection with Item No. 2 such committees should be representative of individuals associated with colleges with approved coaching programs.

The Department proposed the following amended language:

5 MCAR § 3.108 Coaches of interscholastic sports in ~~the elementary and~~ secondary schools.

A. Each person employed as a coach of interscholastic sports, 7-12, full-time or part-time, shall hold a valid coaching license. There shall be two classes of licenses:

1. Head varsity coach. The coach who has the primary responsibility for a senior high school varsity interscholastic sport.

2. Non-varsity head or assistant coaches. All coaches other than head varsity coaches including varsity assistants and head or assistant coaches of interscholastic sports in all other levels, 7-12.

* * *

C. Each candidate for an entrance head varsity coaching license must have a baccalaureate degree, have a valid Minnesota teaching license as an elementary or secondary school classroom teacher, and have satisfactorily completed a program to prepare coaches which has been approved by the board of teaching.

* * *

J.2. Evidence shall be provided to show that the program submitted for approval has been developed in cooperation with the local continuing education/relicensure committee as well as with the participation of elementary and secondary school teachers, licensed coaches, administrators, college departments with approved coaching programs, and interested citizens in the district or districts which are requesting the approved program.

a. To qualify for head varsity coach licensure, a teacher shall complete a minimum of 120 clock hours of instruction plus 40 clock hours of supervised field experience. Such instruction and field experience shall be consistent with the minimum requirements set forth in E., above.

b. To qualify for non-varsity head or assistant coach licensure, a person shall complete a minimum of 60 clock hours of instruction. Such instruction shall be consistent with the minimum requirements set forth in F., above.

* * *

K. The issuance of the first continuing license as head varsity coach is contingent upon:

1. The candidate's possession of a valid entrance license as a head varsity coach, and

2. One complete athletic season of experience in a coaching interscholastic sport during the time that the applicant holds the entrance license as a head varsity coach.

L. The continuing license as head varsity coach may be renewed according to the rules of the board of teaching pertaining to continuing education.

M. Notwithstanding the rule governing human relations, a person may be issued successive entrance licenses as a non-varsity head or assistant coach upon completion of one athletic season of experience in coaching an interscholastic sport during the time that the applicant holds the entrance license as a non-varsity head or assistant coach.

N. The provisions of this rule are effective July 1, ~~1979~~ 1980, for applicants for all coaching licenses.

O. Persons who hold a coaching license which is valid on the effective date of this rule shall, upon application on or before the expiration of the license, be issued a license as a head varsity coach.

The Department contends that the change in effective date from 1979 to 1980 is necessary to provide adequate time for those persons affected by the rule, particularly non-varsity head and assistant coaches, to meet the requirements of the rule.

B. The MEA proposed the following amendments to the rule:

First, in Section M, page 14, we suggest that the effective date be changed to July 1, 1984. This change would be in line with the phase-in time period allowed for most rules promulgated by this Board and the State Board of Education. Most new rules are given a five year time period to enable colleges to prepare programs, applicants to meet the requirements, and districts to make necessary adjustments. In light of the many difficulties that school districts are now experiencing in obtaining competent coaches and providing co-curricular activities for their students, we believe that such a delay in implementation would be not only fair but reasonable.

Further, in relation to the same needs identified above, we suggest a new Section N, page 14, which would read: "Any coach who is a licensed teacher and who can demonstrate that he or she has completed five years of coaching experience prior to July 1, 1984, and has completed six credit hours or 60 clock hours

in first aid and the care and prevention of athletic injuries shall, upon application, be issued a license in one of the two classes for which he or she qualifies."

Our rationale in proposing this "grandpersoning" amendment is to allow, again, both teachers and districts an opportunity to prepare for the 1984 implementation date. Because of the reported 200 to 300 non-teachers who are currently coaching in the state, we believe that a "phase-in" period is needed in order to prevent cutbacks in co-curricular programs.

Further, we believe that most teacher assistant coaches will continue to coach for the next five years if they know they will be "grandpersoned" in with a license. Otherwise, we have heard from many that they will give up coaching, thus causing possible cutbacks in student activities.

Finally, we believe that with this "grandpersoning" amendment districts will be more likely to hire a "teacher" as a teacher rather than as a coach during the next five years, if districts have reasonable assurance of keeping their coaching staff. We see this, also, as a protection to the students who will profit from a teacher first and a coach second, not the other way around. If districts are forced to look at a candidate's coaching credentials before looking at their teaching skills, the needs of the students of the state will not be properly met.

C. The Minnesota State High School League commented as follows:

The Minnesota State High School League supports the concept of establishing appropriate standards for the licensure of coaches which will enable schools to employ competent and capable individuals to coach their interschool athletic programs.

The League supports the following position relative to the proposed rules, 5 MCAR 3.108, COACHES OF INTERSCHOLASTIC SPORTS IN THE ELEMENTARY AND SECONDARY SCHOOLS:

1. that there shall be only one class of license, required only of head varsity coaches of a senior high interscholastic sport;

2. that no certification be required of non-varsity head or assistant coaches, K-12; and

3. that a grandpersoning clause be provided for those now employed as head varsity coaches.

The decades of the 1960's and 70's have placed new and larger obstacles in the path of school-sponsored athletic activities:

(1) the explosion of the girls athletic program since 1970, as illustrated in Attachment A, created an unprecedented demand for additional coaches;

(2) the financial problems facing all schools have resulted in declining budgets, declining enrollments and teacher layoffs. It has meant the loss of the youngest members of the teaching staff who were a major resource for coaching assignments;

(3) maturation of teachers: many coaches, after a number of years of service, decide to leave the coaching field, while remaining on the faculty as teachers;

(4) incentive: compensation for coaching is not sufficiently attractive to serve as incentive for young teachers to accept the additional responsibilities of coaching beyond that of their required teaching assignments;

(5) non-faculty coaches: schools have preferred to employ coaches who are members of their teaching staffs, but that ideal moves further from reality with each succeeding year. Unemployed teachers do not maintain their certification when they determine that they may not be able to secure a position in education. Requiring extra hours adds another obstacle in the recruitment of the unemployed teachers.

* * *

Thus, the league endorses the changes which were recommended by the Hearing Examiner in 1976 and adopted by the Board of Teaching, i.e., the reduction from 18 to 12 hours for the head varsity coach, which is a reasonable minimum standard. However, the second class of license proposed for non-varsity head or assistant coaches must be eliminated. Schools should be allowed to continue to employ and supervise individuals as assistant coaches who do not possess a teaching license or coaching license. Further, the provision of a grandpersoning clause would aid the schools to continue the seven (7) boys sports in which certification is proposed and the ten (10) girls sports for which certification has never been required for head coaches.

Many school districts throughout the entire state commented in support of the League position.

D. The Minnesota Association of School Administrators commented as follows:

There are many reasons for not requiring twelve quarter hours for head coaches and no requirements for assistant coaches.

1. The layoff process in the school districts is making it extremely difficult to keep coaches from within the faculty.

2. The question of increasing requirements when there is lack of supply does not make sense either.

3. One must examine the fact that many of the things can be taught in inservice programs in the schools, and I would emphasize particularly first aid and some of the other safety procedures for coaches.

4. I would suggest that if there is going to be any change in certification requirements that it apply only to head coaches at the varsity level and let them be responsible for making sure that their assistants at the junior

high and other levels have the training necessary. Most of the school districts in Minnesota are not large systems. One person can know all of the other coaches in the system and can make sure that these people have the requirements necessary in terms of first aid and general coaching background.

E. The Minnesota Association of Secondary School Principals commented as follows:

> It is our feeling that even though the requirements from the original proposal have been lowered somewhat, that any requirement for coaches; certification which goes beyond 12 quarter hours for head coaches, with no requirements for assistant coaches, and which eliminates grandpersoning, is not acceptable in the Minnesota schools today simply because it will not work.
>
> The requirements proposed herein that pertain to assistant coaches and to non-varsity coaches would pose an extreme hardship on all of the extra-mural and intramural activities in the school systems of the state. The blunt truth is that there just are not enough people interested in coaching these activities at the present time and should we pose additional requirements on them in order to become qualified to do this type of work, these programs will die for lack of available adult supervision.

F. Mounds View Public Schools recommended that a variance provision be added to the rule to allow for the usage of unlicensed coaches when no licensed coaches are available. The amendment reads:

> 5 MCAR 3.108 Add new provision "0" which reads as follows:
>
> ". . . In the event a fully licensed coach as heretofore described is not available to coach an interscholastic sport, application for variance may be made to the Director, Teacher Licensing and Placement, who is authorized to grant variances and who shall report all authorized variances to the Board of Teaching. . ."

G. Dr. Donald Draayer, Superintendent of the Minnetonka School District, commented on behalf of the Association of Metropolitan School Districts and the Lake Conference Athletic Association in support of the variance provision and the elimination of the teaching license requirement for all coaches. Dr. Draayer commented further:

> Yet another concern is the proposed requirement that a fully licensed non-varsity head or assistant coach must have at least 6 quarter hours or the equivalent in specific areas. The first aid expectation is reasonable but the other areas of expertise called for are not, relative to the fact the assistant is under the general supervision of a head coach and that the number of people who will be able to meet the require-

ments in the near future are too few relative to coaching vacancies. The consequence will be discontinuance of interscholastic sport opportunities for children. Therefore, the following amendment is recommended in the proposed coaching rules:

> 5. MCAR 3.108 Delete Section F. and replace with the following: "....All candidates recommended for non-varsity head or assistant coaching entrance licensure shall have satisfactorily completed a program approved by the Board of Teaching which provides for the development and evaluation of competencies in first aid and the care and prevention of athletic injuries...."

Still another concern is the proposed requirement that a fully licensed coach have 40 clock hours of supervised field experience. Most coaching candidates have personal experience in the sport and have gained sufficient knowledge and insights to coach without the 40 clock hours of supervised field experience. Again, the proposed requirement will eliminate many otherwise qualified individuals from being eligible for licensure. The consequence will be too few people to fill coaching vacancies. Therefore, the following amendments are recommended in the proposed coaching rules:

> 5 MCAR 3.108 Section E. Subd. 2 Field Experience should be changed to read: "....Satisfactory completion of a supervised field experience in coaching consisting of no fewer than 40 clock hours or comparable field experience...." (Underlined is new.)
>
> 5 MCAR 3.108 Section J. Subd. 2.a should be changed to read: "....To qualify for head varsity coach licensure, a teacher shall complete a minimum of 120 clock hours of instruction plus obtain 40 clock hours of supervised field experience or provide evidence of comparable field experience." (Underlined is new.)

To summarize, the proposed coaching licensure rules aim toward the ideal in an era when budgets are increasingly tight, personnel layoffs are increasing, coaching vacancies are increasing (due to new girls' sports and staff maturity), and the numbers of applicants for vacant positions are decreasing. Those proposing rule changes must take into account the impact of rule changes on the programs in local districts.. The good to be accomplished by more formalized, elongated training proposed for coaching will be more than offset at this time by the difficulties created in recruitment, by added budget pressures, and with public outcry due to discontinued interscholastic programs for students.

Dr. Draayer compiled statistics which show that the Lake Conference currently has 342 coaching vacancies for the 1978-79 school year of which 248 must be filled by someone from outside of the school district.

Ms. Judy Rohde testified on behalf of the North St. Paul coaches in support of an amendment to the "supervised field ex-

perience" language. She stated that it would be very unlikely for a person who is presently coaching to be able to get 40 hours of supervised experience.

H. The Minnesota School Boards Association commented as follows:

> In expanding upon its general remarks, MSBA wishes to express its concurrence with the recommendations made in the Minority Report of the Task Force to Study Programs Leading to Certification of Coaches.
>
> The Minority Report not only demonstrates a knowledge of operational problems faced by school districts, but also exhibits an ability to determine a level of harmony between idealistic philosophy and realistic implementation. MSBA believes the Minority Report recommendations to be the minimal acceptable position school districts can operate within if interscholastic sports are to continue as they presently exist.
>
> The Minority Report requested that three major revisions be made:
>
> 1. That the number of quarter hours required to obtain a Class A (Head Varsity) coaching license be set at 12 rather than 18.
>
> 2. That the Class B (Non-Varsity head or assistant coaches) license be eliminated from the proposed rules.
>
> 3. That the grandpersoning clause be modified to include interscholastic head coaches currently coaching or having coached within the past three years, without a coaching license and with three years of coaching experience.

I. Dr. Lowell Gillett, member of the Board of Teaching, proposed that the rule be amended as follows:

> 1. Head varsity coaches would be required to hold a bacclaureate degree, have a valid teaching license, and have satisfactorily completed an approved program to prepare coaches consisting of a minimum of 12 credits plus field experience.
>
> 2. Other head coaches would be required to hold a baccalaureate degree, have a valid teaching license, and have satisfactorily completed an approved program consisting of a minimum of 6 credits including first aid and the care and prevention of athletic injuries.
>
> 3. Assistant coaches would not be required to meet specific licensure requirements but would function under the direct on-site supervision of a licensed coach.
>
> 4. A grandparenting clause would permit licensed teachers who have demonstrated successful coaching experience to qualify for licensure.
>
> -- The impact of these proposed changes would be to place the primary responsibility for each sport in

the hands of a licensed teacher who has also met the licensure requirements as a coach.

J. Robert Collison, Athletic Director of the Richfield Public Schools, commented as follows:

> Richfield Public Schools is now in a cycle of declining enrollment and has lost one-third of the high school students and a larger percentage of the junior high and elementary students. There has been a corresponding reduction in faculty, most of whom are the younger staff members who would normally work in the co-curricular sports program.
>
> At the same time that declining enrollment has exerted its negative influence on staffing in the athletic area, the rapid evolution of the girls program has occurred and virtually doubled the number of coaching positions.
>
> These two conflicting trends have made it necessary for Richfield Public Schools to hire one-third of the coaches from outside the teaching staff and the coaching losses for next year have created a situation where almost one-half of the coaches will come from outside the teaching staff. (47 positions)
>
> Because of the great need to fill coaching positions, it is important to the Richfield School District that the proposed licensure Not Be implemented at this time. Richfield Schools does support the concept of coaching licensure but does not wish to accept it when it would force the elimination of programs that are beneficial to our students.

K. On the basis of the comments set forth above, and many more similar concerns contained in the record, the Examiner concludes that § 3.108, as proposed, is unreasonable. Implementation of the rule would result in the elimination of many athletic programs in public schools statewide after the July 1, 1979 effective date because of the reasons stated above.

The Examiner finds, however, that the rule could be made reasonable with the following, non-substantial amendments: (1) the clerical amendment proposed by the Board in Finding 9; (2) all of the amendments proposed by the Department of Education in Finding 9.A with the exception of the effective date which should become July 1, 1982; (3) the addition of a grandpersoning clause as suggested by the MEA in Finding 9.B to read "Any head varsity, non-varsity head or assistant coach who can demonstrate that he or she has completed three years of coaching experience in the five years prior to July 1, 1982, and has completed . . . for which he or she qualifies." This clause would allow successful, non-teacher assistant and non-varsity head coaches to con-

tinue coaching providing they obtained the first-aid courses; and (4) the amendment to the supervised field experience provisions proposed by Dr. Draayer in Finding 9.G.

The proposed variance provision is much too vague and indefinite. No objective standards are set out regarding either "availability" or qualifications.

10. The Board proposed to adopt 5 MCAR § 3.130, Rules Governing the Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, and 5 MCAR § 3.131, Rules Governing the Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers. Both of these new rules are necessary to allow for the audit and review of Minnesota institutions and the programs they offer to prepare teachers for licensure.

The Board proposed the following clarifying amendments to the rules:

--That the following corrections be made in the proposed rules:

5 MCAR ~~§ 3.130~~ § 3.140
5 MCAR ~~§ 3.131~~ § 3.141

--That the following clarification be made in 5 MCAR § 3.130 Rules Governing The Approval Of Minnesota Institutions To Prepare Persons For Teacher Licensure, which is cited on pages 14-19 of the proposed rules for hearing:

10.

b. Supervision of student teaching experiences is under the control and direction of faculty assigned to the professional education component of teacher licensure programs. Student teaching experiences are also supervised by practicing teachers who hold at least a continuing license, as defined in 5 MCAR § 3.001 and granted by the Minnesota Board of Teaching, in the licensure field and at the licensure level for which they supervise.

--That the following clarification be made in 5 MCAR § 3.131 Rules Governing The Approval of Teacher Licensure Programs In Minnesota Institutions Which Are Approved To Prepare Teachers, which is cited on pages 19-23 of the proposed rules for hearing:

C.

3. Necessary faculty and physical resources are allocated to implement and maintain the teacher licensure program. Faculty shall be assigned to the component of professional education for which they have academic preparation and teaching experience. In

addition, faculty assigned to provide instruction in methods of teaching and supervise student teaching experiences in the teacher licensure program shall have teaching experience at the licensure level of the licensure program. Classroom teachers who supervise student teaching experiences shall hold at least a continuing license, as defined in 5 MCAR § 3.001 and granted by the Minnesota Board of Teaching, in the licensure field and at the licensure level for which they supervise.

The Examiner suggests, in addition, for the sake of clarity, that § 3.131 K. be amended to read, "Decisions by the board . . . may be appealed by the institution pursuant to Minn. Stat. Chapter 15."

The Examiner concludes that proposed §§ 3.130 and 3.131, as amended above, are both needed and reasonable.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

1. Due, timely and adequate legal notice of the hearing was properly served and filed by the Board of Teaching. All other substantive and procedural requirements of statute or rule have been complied with.

2. Pursuant to Minn. Stat. § 15.052, subd. 3, it is the duty of the Hearing Examiner to: ". . . (4) make a report on each proposed agency action . . . taking notice of the degree to which the agency has (i) documented its statutory authority to take the proposed action, (ii) fulfilled all relevant, substantive and procedural requirements of law or rule, and (iii) demonstrated the need for and reasonableness of its proposed action with an affirmative presentation of facts."

3. The Board has documented its statutory authority to promulgate the proposed rules.

4. The Board has demonstrated the need for and reasonableness of the proposed rules, with the exception noted in Finding 9, with an affirmative presentation of facts.

5. The Examiner concludes that none of the amendments he has suggested to the proposed rules constitute a substantial change.

Based upon the foregoing Conclusions, the Examiner makes the following:

RECOMMENDATION

That the Board of Teaching adopt the proposed rules as recommended to be amended in this Report.

Dated this 20th day of June, 1978.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

STATE OF MINNESOTA)
(ss.
COUNTY OF RAMSEY)

AFFIDAVIT OF SERVICE

Eileen A. Gaiovnik, being first duly sworn, deposes and says that on the 22nd day of June 1978, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Amended Report of Hearing Examiner BT-78-003-PE

unstamped, by placing in the designated tray to be collected by messenger for delivery to the central mailing station as required by Minn. Stat., § 16.54 (1974), a true and correct copy thereof on all persons at the addresses shown on the attached mailing list.

Eileen A. Gaiovnik

Subscribed and sworn to before me
this 22nd day of June, 1978.

Sandra A. Haven

SANDRA A. HAVEN
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires July 29, 1983

Mr. Kenneth Peatross
Executive Director
Board of Teaching
6th Floor, Capitol Square Building
St. Paul, Minnesota - 55155

Mr. Donald Mueting
Special Assistant Attorney General
Room 303, Capitol Square Building
St. Paul, Minnesota - 55155

Dr. George B. Droubie
Department of Education
6th Floor, Capitol Square Building
St. Paul, Minnesota - 55155

Dr. Gregory Waddick
Department of Education
7th Floor, Capitol Square Building
St. Paul, Minnesota - 55155

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINER

FOR THE BOARD OF TEACHING

In the Matter of the Proposed Adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers.

AMENDED REPORT OF HEARING EXAMINER

Please be advised that Finding 8.A. on page 7 in the Report of the above-entitled matter is corrected to read as follows:

A. The Department of Education proposed to amend § 3.106 as follows:

> . . . a minimum of ~~21~~ 12 quarter hours, or the equivalent, of additional work in two or more of the following fields:
>
> Health curriculum
> School health or school nursing
> Public health
> Special education, and
> ~~Educational psychology~~
>
> c. Completion of a human relations program approved by the board of teaching.
>
> 4. The first five-year license may be issued to applicants who have completed a., ~~and~~ b., and c., above. If an applicant has been unable to complete requirements set forth in b. and c., above, during the period of the initial . . .

The Department contends that the proposed 30-quarter-hour credit requirement is excessive and unreasonable; that a 21-quarter-hour requirement is reasonable. The Department stated that there was some confusion as to whether human relations is subsumed under educational psychology, so the new requirement is added.

Dated this 22nd day of June, 1978.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE PETER ERICKSON
HEARING EXAMINER
OFFICE OF HEARING EXAMINERS

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers

STATEMENT OF NEED

Some of the above captioned rules are amendments to existing rules and others are new rules of the Board of Teaching. The last time any of the above captioned rules were amended was 1973.

THE BOARD OF TEACHING PROPOSES TO AMEND 5 MCAR § 3.073 RULES GOVERNING TEACHERS OF INDUSTRIAL EDUCATION:

The changes proposed for 5 MCAR § 3.073 are essentially in six basic areas:

--change of title from Industrial Education to Industrial Arts,

--a change in the student teaching requirement,

--clarification of the language relating to secondary school teaching,

--addition of transportation as an area of knowledge to be required in the preparation program,

--language to specifically permit alternative curricular designs, and

--deletion of the paid work experience requirement.

The change of title from Industrial Education to Industrial Arts is proposed in order to reflect the general education emphasis which exists at the secondary level. In the terminology of the field, it is our understanding that

Board EXHIBIT NO. BT 8

DATE 5-26-78

NANCY J. DUEHN

"industrial education" is a generic term that includes both "industrial arts" or general education and "vocational-industrial" or the preparation for specific vocations. Teachers licensed under 5 MCAR § 3.073 will teach in secondary general education programs and are not approved under this rule to teach in vocational programs, therefore, the appropriate title for the license is deemed to be "industrial arts."

There are two levels of licensure included in the rule, middle school grades 5-9 and secondary school grades 9-12. Under the changes proposed, applicants may qualify for licensure at both levels by completing the appropriate course requirements plus a supervised practicum teaching experience at either level. Testimony presented to the Board indicates that an extended teaching experience at one level is of greater value than two distinct experiences at different levels and will permit greater opportunity to provide appropriate supervised teaching experiences in the public schools.

An additional statement has been added in section C. 2. e. to clarify that industrial arts teachers in grades 9-12 may teach in any of the five broad areas of concentration communications, manufacturing, energy, construction, and transportation.

With respect to the addition of "transportation" as a required field of study, it appears that there is common agreement that industrial arts programs as they are currently structured typically include transportation as an integrated component in the program. For a teacher to be thoroughly prepared to teach in this field, professional practitioners and teacher educators have determined that preparation in "transportation" is an essential component of the program and should be identified in the rule.

The amendment relative to alternative programs is designed to bring the industrial arts rule into conformity with other secondary teaching rules. At the last hearing the Board presented identical language for the rules governing

science, social studies, and human relations. This amendment clarifies the intent of the Board that colleges and universities which prepare teachers should have the flexibility necessary to implement varying approaches to the preparation of teachers, to initiate innovations, and to conduct the experimentation necessary to insure a continuing infusion of new ideas into the preparation of teachers.

The Board proposes to delete the work experience requirement from the present rule for the following reasons:

1. The programs of industrial arts which are a part of school curricula are designed as a contribution to the general education of students. These courses do not and should not provide vocational preparation. Only a minor proportion of the students who take these courses will enter the industrial trades and occupations. Because industrial arts is not a preparation for a career, the relationship between the skills and concepts included in industrial arts curricula and the skills and concepts which are a part of vocational preparation is limited.

2. To include work experience as a requirement for licensure, there must be a clear, direct, and demonstratable relationship between this experience and the ability to perform the teaching function. No such relationship has been identified and no evidence of this need has been provided to the Board.

3. There is concern that the requirement of paid work experience will prove discriminatory against those persons in society who have the least opportunity to obtain employment, and hence the experience required. Clearly, a work experience requirement has the potential for a negative impact on members of minority groups.

4. Removal of the work experience requirement will make the industrial arts rule consistent with those rules which govern preparation in all other secondary teaching fields. No other secondary teaching license contains a work experience requirement.

THE BOARD OF TEACHING PROPOSES TO REPEAL EXISTING 5 MCAR § 3.106 RULES GOVERNING SCHOOL NURSE AND ADOPT PROPOSED 5 MCAR § 3.106 RULES GOVERNING SCHOOL NURSE:

Because the present licensure structure for public school nurses is permissive and therefore it does not insure that persons employed in public schools as nurses meet minimally acceptable standards necessary to protect and promote the health and well being of Minnesota school children, and

Because parents, students, and teachers are entitled to the assurance that persons employed by a school district who use the title "nurse, school nurse, licensed school nurse, or public health nurse," meet standards of training and preparation in order to render adequate health care services and to meet the health needs of Minnesota school children, and

Because 215 school nurses who do not meet minimally acceptable standards as proposed and are currently providing services to Minnesota school children need an opportunity to meet requirements for training and preparation necessary to provide comprehensive school health services for Minnesota school children, and

Because Minnesota school districts must be assured that persons they employ as nurses are educationally qualified to implement a comprehensive school health program, and

Because persons employed as school nurses must be qualified to implement health components mandated in Federal and State laws and in rules promulgated by the Minnesota Board of Education, the Minnesota Department of Public Welfare, the Minnesota Department of Health, and federal legislation contained in Title 19, Early and Periodic Screening Diagnosis and Treatment, Early and Periodic Screening and Preschool Screening.

THE BOARD OF TEACHING PROPOSES TO REPEAL EXISTING 5 MCAR § 3.108 RULES GOVERNING PUBLIC SCHOOL ATHLETIC COACHES AND ADOPT PROPOSED 5 MCAR § 3.108 RULES GOVERNING COACHES OF INTERSCHOLASTIC SPORTS IN THE ELEMENTARY AND SECONDARY SCHOOLS:

Because the existing rule governs the licensure of head coaches only, and

Because the existing rule governs the licensure of head coaches in only six specified interscholastic sports at the secondary school level, and

Because the existing rule was last amended in 1963 while the scope of the interscholastic sports programs in elementary and secondary schools has changed, and

Because head varsity coaches must be competent to prevent avoidable injury and provide emergency care in case of an injury, and

Because head varsity coaching requires an understanding of the anatomical structure and physiological function of the body systems regarding conditioning and performance, and

Because head varsity coaches need to thoroughly understand the techniques and strategies of coaching in order to develop the full potential of the athlete, and

Because the emotional factors regarding the environment of the practice and game field, and the emotions of the athlete regarding competition needs to be understood and accommodated by the coach, and

Because head varsity coaches need to understand the role that athletics have in the educational process of the athletes and of the student body. A proper philosophy regarding athletics is needed to make this experience enriching for all who are directly or indirectly involved, and

Because rules and regulations of the Minnesota State High School League, and state and federal laws have an impact regarding the conduct of interscholastic sports; scheduling of facilities equally for both sexes is necessary; and budgets have to be carefully administered. Knowledgeable coaches need to assist athletic directors in these areas, and

Because coaches in preparation programs need to have a practicum experience to provide them with an opportunity to apply the competencies developed in the classroom.

The level of preparation and competency for all other coaches of interscholastic sports are not as high as the head varsity coach. The head varsity coach is responsible for the supervision or direction of those coaches who assist. However, all other coaches of interscholastic sports need some special preparation and competencies.

Because assistant coaches must be competent to prevent avoidable injury and provide emergency care in case of an injury, and

Because assistant coaches need to thoroughly understand the techniques and strategies of coaching in order to develop the full potential of the athlete, and

Because the emotional factors regarding the environment of the practice and game field, and the emotions of the athlete regarding competition needs to be understood and accommodated by the coach, and

Because assistant coaches need to understand the role that athletics have in the educational process of the athlete and the student body. A proper philosophy regarding athletics is needed to make this experience enriching for all directly or indirectly involved, and

Because licensure of coaches of interscholastic sports has been a concern of Minnesota educators since 1956. A statewide survey by the State Supervisor

of Health, Physical Education and Safety revealed a need for special preparation of men coaches. A health and physical education advisory committee of the State Board of Education recommended in 1968 that women coaches be licensed as well. The proposed rule provides for uniform standards of licensure for men and women coaches.

THE BOARD OF TEACHING PROPOSES TO ADOPT PROPOSED 5 MCAR § 3.130 RULES GOVERNING THE APPROVAL OF MINNESOTA INSTITUTIONS TO PREPARE PERSONS FOR TEACHER LICENSURE:

Because no rule presently exists governing the standards and procedures for approval by the Minnesota Board of Teaching of Minnesota institutions to prepare persons for teacher licensure, and

Because the authority to recommend persons for teacher licensure is granted by the Board of Teaching to institutions which are approved by the Board of Teaching to prepare teachers, and

Because there are presently 25 institutions in Minnesota which prepare persons for teacher licensure, and

Because the systematic review and evaluation of institutions will ensure the capability of such institutions to prepare persons for teacher licensure, and

Because the components required by this rule to be maintained by institutions are recognized nationally as essential in order to adequately prepare persons for teacher licensure, and

Because the rule establishes a process to administer the evaluation and approval of Minnesota institutions to prepare persons for teacher licensure, and

Because the rule provides an avenue of appeal for institutions which are denied approval.

THE BOARD OF TEACHING PROPOSES TO ADOPT PROPOSED 5 MCAR § 3.131 RULES GOVERNING THE APPROVAL OF TEACHER LICENSURE PROGRAMS IN MINNESOTA INSTITUTIONS WHICH ARE APPROVED TO PREPARE TEACHERS:

Because no rule presently exists governing the procedures for approval of teacher licensure programs in Minnesota institutions which are approved by the Board of Teaching to prepare teachers, and

Because licenses to teach in Minnesota are granted by the Board of Teaching to persons who complete programs approved by the Board of Teaching which lead to teacher licensure, and

Because there are presently 25 institutions in Minnesota, each of which maintain programs leading to teacher licensure in one or more of the 45 teacher licensure areas established by licensure rules of the Board of Teaching, and

Because the systematic review and auditing of each teacher licensure program will ensure that each teacher licensure program meets rules established by the Board of Teaching governing that licensure program, and

Because the rule establishes a process to administer the auditing and approval of teacher licensure programs, and

Because the rule provides an avenue of appeal for institutions which are denied approval of teacher licensure programs.

Kenneth L. Peatross

Kenneth L. Peatross, Executive Secretary
MINNESOTA BOARD OF TEACHING

Date: 4/20/78

MINNESOTA BOARD OF TEACHING
607 CAPITOL SQUARE BUILDING
550 CEDAR STREET
ST. PAUL, MINNESOTA 55101
(612) 296-2415

KENNETH L. PEATROSS
EXECUTIVE SECRETARY

KATHRYN C. RAYBURN, Chairman
513 - 32nd Street Northeast
Rochester, Minnesota 55901

JOSEPH J. MOREN, Vice-Chairman
304 East 32nd Street
Hibbing, Minnesota 55746

MARGERY H. HARRIS, Secretary
4624 Colfax Avenue South
Minneapolis, Minnesota 55409

ROBERT J. CASANOVA
982 South Market
Shakopee, Minnesota 55379

WILLIAM E. GARDNER
104 Burton Hall
University of Minnesota
Minneapolis, Minnesota 55455

LOWELL GILLETT
St. Cloud State University
St. Cloud, Minnesota 56301

EDWARD HUDOBA
United Labor Center
312 Central Avenue - Room 356
Minneapolis, Minnesota 55414

LUCILLE L. KAINU
590 Highway 33 North
Cloquet, Minnesota 55720

JO MALMSTEN
5350 Shady Hills Circle
Shorewood, Minnesota 55331

MARIE McNEFF
Augsburg College
Minneapolis, Minnesota 55454

CARL H. NEVILS
20200 Vance Street
Elk River, Minnesota 55330

ADDIE PERL
2240 Drew Avenue South
Minneapolis, Minnesota 55416

EDWARD A. RAPP
9955 Grouse Street Northwest
Coon Rapids, Minnesota 55433

AARON RUPERT
1409 West Minnehaha Avenue
St. Paul, Minnesota 55104

SISTER MARY DENISE VILLAUME
2475 Dodd Road
St. Paul, Minnesota 55120

NOREEN WELCH
209 North Estey Avenue
LuVerne, Minnesota 56156

DOLORES WINDINGSTAD
Route #1, Box 41
Dawson, Minnesota 56232

February 5, 1979

Mr. Lee Sheehy
Special Assistant Attorney General
Room G-19K
Administration Building
St. Paul, Minnesota 55155

Dear Mr. Sheehy:

Pursuant to the rules of the Office of the Attorney General, I hereby submit for final approval by the Office of the Attorney General rules of the Minnesota Board of Teaching heard at public hearing on May 20, 1978, which have been adopted by the Minnesota Board of Teaching and approved by the Minnesota Board of Education.

The rules submitted for final approval are attached to the Affidavit of Howard B. Casmey.

The rules have been adopted by the Board of Teaching in compliance with the recommendations of the Chief Hearing Examiner.

The completed hearing record is also enclosed pursuant to the requirements of the Office of the Attorney General.

Sincerely,

Kenneth L. Peatross

Kenneth L. Peatross, Executive Secretary
MINNESOTA BOARD OF TEACHING

KLP/nad

Enclosures

cc: Donald J. Mueting
Special Assistant Attorney General

Duane R. Harves
Chief Hearing Examiner

AN EQUAL OPPORTUNITY EMPLOYER

MINNESOTA BOARD OF TEACHING
607 CAPITOL SQUARE BUILDING
550 CEDAR STREET
ST. PAUL, MINNESOTA 55101
(612) 296-2415

KENNETH L. PEATROSS
EXECUTIVE SECRETARY

KATHRYN C. RAYBURN, Chairman
513 - 32nd Street Northeast
Rochester, Minnesota 55901

JOSEPH J. MOREN, Vice-Chairman
304 East 32nd Street
Hibbing, Minnesota 55746

MARGERY H. HARRIS, Secretary
4624 Colfax Avenue South
Minneapolis, Minnesota 55409

ROBERT J. CASANOVA
982 South Market
Shakopee, Minnesota 55379

WILLIAM E. GARDNER
104 Burton Hall
University of Minnesota
Minneapolis, Minnesota 55455

LOWELL GILLETT
St. Cloud State University
St. Cloud, Minnesota 56301

EDWARD HUDOBA
United Labor Center
312 Central Avenue - Room 356
Minneapolis, Minnesota 55414

LUCILLE L. KAINU
590 Highway 33 North
Cloquet, Minnesota 55720

JO MALMSTEN
5350 Shady Hills Circle
Shorewood, Minnesota 55331

MARIE McNEFF
Augsburg College
Minneapolis, Minnesota 55454

CARL H. NEVILS
20200 Vance Street
Elk River, Minnesota 55330

ADDIE PERL
2240 Drew Avenue South
Minneapolis, Minnesota 55416

EDWARD A. RAPP
9955 Grouse Street Northwest
Coon Rapids, Minnesota 55433

AARON RUPERT
1409 West Minnehaha Avenue
St. Paul, Minnesota 55104

SISTER MARY DENISE VILLAUME
2475 Dodd Road
St. Paul, Minnesota 55120

NOREEN WELCH
209 North Estey Avenue
LuVerne, Minnesota 56156

DOLORES WINDINGSTAD
Route #1, Box 41
Dawson, Minnesota 56232

TO : Peter C. Erickson
Hearing Examiner

FROM : Kenneth L. Peatross, Executive Secretary
MINNESOTA BOARD OF TEACHING

K Peatross

DATE : May 12, 1978

SUBJECT: Board of Teaching Licensure Rule Hearing
May 20, 1978

This is to advise you that notice of the proposed adoption, amendment or repeal of rules governing teacher licensure in Minnesota together with proposed rules scheduled for public hearing on May 20, 1978, were published in the April 17, 1978, edition of the Minnesota State Register.

The Board of Teaching will propose the following motions at the public hearing:

--That the following corrections be made in proposed 5 MCAR § 3.106 Rules Governing The Licensure Of School Nurses, which is cited on pages 5-8 of the proposed rules for hearing:

A. The Board of Teaching ~~may~~ shall grant licenses as school nurse to applicants who meet the requirements of § 3.106 which follow. All persons employed as nurses by school districts shall hold a valid Minnesota license as a school nurse.

B. A license as school nurse, valid for two years, ~~may~~ shall be granted to an applicant who provides evidence to the Director of Teacher Licensure that the following requirements have been met.

C. Issuance of the first five-year license.

1. An applicant holding a valid two-year license as a school nurse ~~may~~ shall be granted a five-year license after one year of successful experience.

EXHIBIT NO. BT 10

DATE 5-20-78

NANCY J. DUEHN

D. The five-year continuing license ~~may~~ shall be renewed according to the rules of the Board of Teaching pertaining to continuing education.

G. In order to provide for registered nurses serving as school nurses at the time this rule is adopted, a license as school nurse, valid for two years, ~~may~~ shall be granted to an applicant who fulfills the following requirements:

G.
3. The first five-year license ~~may~~ shall be issued:

G.
4. The first five-year license ~~may~~ shall be issued to applicants who have completed a. and b., above. If the applicant has been unable to complete requirements set forth in b., above, during the period of the initial two-year license, not more than one additional two-year license ~~may~~ shall be granted during which time requirements must be met or licensure as a school nurse shall lapse until such time as requirements are met.

G.
5. The five-year continuing license ~~may~~ shall be renewed according to rules of the Board of Teaching pertaining to continuing education.

F. Effective date: July 1, ~~1980~~ 1981.

G.
2. Evidence of employment as a school nurse, while holding a license to practice as a registered nurse, in Minnesota schools for at least two years of full-time service, or the equivalent, during the seven years immediately preceding July 1, ~~1980~~ 1981.

G.
6. In order to retain licensure as a school nurse, current registration as a registered nurse ~~or certification as a Minnesota public health nurse~~ must be maintained at all times. Lapse of such registration ~~or certification~~ shall be grounds for revocation of licensure as a school nurse.

G.
7. The provisions of section G. shall ~~pertain~~ be in effect until July 1, ~~1982~~ 1983, when section G. shall be deleted from § 3.106 without further action by the Board of Teaching and all applicants shall, from that date forward, qualify for licensure as a school nurse under § 3.106 A., B., C., D., and E.

--That the following chapter be incorporated into Minnesota Code of Agency Rules - Board of Teaching - Licensure Rules: Chapter Ten: Institutional and Program Approval. This incorporation will precede the rules which begin on page 14 of the proposed rules for hearing.

--That the following corrections be made in the proposed rules:

5 MCAR ~~§ 3.130~~ § 3.140

5 MCAR ~~§ 3.131~~ § 3.141

These rules are cited on page 14 and page 19 of the proposed rules for hearing.

--That the following clarification be made in 5 MCAR § 3.130 Rules Governing The Approval Of Minnesota Institutions To Prepare Persons For Teacher Licensure, which is cited on pages 14-19 of the proposed rules for hearing:

10.

b. Supervision of student teaching experiences is under the control and direction of faculty assigned to the professional education component of teacher licensure programs. Student teaching experiences are also supervised by practicing teachers who hold at least a continuing license, as defined in 5 MCAR § 3.001 and granted by the Minnesota Board of Teaching, in the licensure field and at the licensure level for which they supervise.

--That the following clarification be made in 5 MCAR § 3.131 Rules Governing The Approval Of Teacher Licensure Programs In Minnesota Institutions Which Are Approved To Prepare Teachers, which is cited on pages 19-23 of the proposed rules for hearing:

C.

3. Necessary faculty and physical resources are allocated to implement and maintain the teacher licensure program. Faculty shall be assigned to the component of professional education for which they have academic preparation and teaching experience. In addition, faculty assigned to provide instruction in methods of teaching and supervise student teaching experiences in the teacher licensure program shall have teaching experience at the licensure level of the licensure program. Classroom teachers who supervise student teaching experiences shall hold at least a continuing license, as defined in 5 MCAR § 3.001 and granted by the Minnesota Board of Teaching, in the licensure field and at the licensure level for which they supervise.

--That the following clarification be made in 5 MCAR § 3.108 Rules Governing The Licensure Of Coaches Of Interscholastic Sports In The Elementary And Secondary Schools, which is cited on pages 9-14 of the proposed rules for hearing:

K.

2. One complete athletic season of experience in a coaching an interscholastic sport during the time that the applicant holds the entrance license as a coach.

RECEIVED
MAY 26 1978
OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55155

WARREN SPANNAUS
ATTORNEY GENERAL

TELEPHONE
(612) 296-6196

M E M O R A N D U M

Date: May 25, 1978

To: Peter C. Erickson
Hearing Examiner

From: Donald J. Mueting
Special Assistant
Attorney General

Subject: Board of Teaching Rule Making Authority

Pursuant to your request for further specificity regarding the Board of Teaching's authority to promulgate rules, I hereby submit the following statutory references for your information.

Minn. Stat. § 125.185 (1976)
Minn. Stat. §§ 15.0411-15.0412 (1976)

DJM:li

cc: Kenneth Peatross

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

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

Donald J. Mueting
SPECIAL ASSISTANT ATTORNEY GENERAL

Dated: 2/5/77

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS
ROOM 300 – 1745 UNIVERSITY AVENUE
ST. PAUL, MINNESOTA 55104
(612) 296-6910

January 25, 1979

Mr. Kenneth L. Peatross
Executive Secretary
Minnesota Board of Teaching
607 Capitol Square Building
St. Paul, Minnesota 55101

Re: BT-78-003-PE

Dear Mr. Peatross:

Enclosed please find the Report of the Chief Hearing Examiner on the issue of substantial change, pursuant to Minn. Stat. § 15.052, Subd. 4.

Yours very truly,

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

DRH:sh
Enc.

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE BOARD OF TEACHING

IN THE MATTER OF THE PROPOSED ADOPTION, AMENDMENT, OR REPEAL OF RULES OF THE BOARD OF TEACHING GOVERNING TEACHERS OF INDUSTRIAL EDUCATION, SCHOOL NURSE, COACHES OF INTERSCHOLASTIC SPORTS IN THE ELEMENTARY AND SECONDARY SCHOOLS, THE APPROVAL OF MINNESOTA INSTITUTIONS TO PREPARE PERSONS FOR TEACHER LICENSURE, THE APPROVAL OF TEACHER LICENSURE PROGRAMS IN MINNESOTA INSTITUTIONS WHICH ARE APPROVED TO PREPARE TEACHERS.)

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on May 20, 1978, before Peter C. Erickson, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Board of Teaching on June 20, 1978; and

WHEREAS, the Board of Teaching has now determined to adopt rules governing teachers of industrial education, the approval of Minnesota institutions to prepare persons for teacher licensure, and the approval of teacher licensure programs in Minnesota institutions which are approved to prepare teachers, pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Board of Teachings has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Board of Teaching has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Board of Teaching has the responsibility of submitting the complete hearing record and the rules as adopted by the Board to the Attorney General, notifying all persons who requested to be informed that the hearing record has been submitted to the Attorney General, and publishing in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 25th day of January, 1979.

DUANE R. HARVES
Chief Hearing Examiner

MINNESOTA BOARD OF TEACHING

607 CAPITOL SQUARE BUILDING
550 CEDAR STREET
ST. PAUL, MINNESOTA 55101
(612) 296-2415

KENNETH L. PEATROSS
EXECUTIVE SECRETARY

KATHRYN C. RAYBURN, Chairman
513 - 32nd Street Northeast
Rochester, Minnesota 55901

JOSEPH J. MOREN, Vice-Chairman
304 East 32nd Street
Hibbing, Minnesota 55746

MARGERY H. HARRIS, Secretary
4624 Colfax Avenue South
Minneapolis, Minnesota 55409

ROBERT J. CASANOVA
982 South Market
Shakopee, Minnesota 55379

WILLIAM E. GARDNER
104 Burton Hall
University of Minnesota
Minneapolis, Minnesota 55455

LOWELL GILLETT
St. Cloud State University
St. Cloud, Minnesota 56301

EDWARD HUDOBA
United Labor Center
312 Central Avenue - Room 356
Minneapolis, Minnesota 55414

LUCILLE L. KAINU
590 Highway 33 North
Cloquet, Minnesota 55720

JO MALMSTEN
5350 Shady Hills Circle
Shorewood, Minnesota 55331

MARIE McNEFF
Augsburg College
Minneapolis, Minnesota 55454

CARL H. NEVILS
20200 Vance Street
Elk River, Minnesota 55330

ADDIE PERL
2240 Drew Avenue South
Minneapolis, Minnesota 55416

EDWARD A. RAPP
9955 Grouse Street Northwest
Coon Rapids, Minnesota 55433

AARON RUPERT
1409 West Minnehaha Avenue
St. Paul, Minnesota 55104

SISTER MARY DENISE VILLAUME
2475 Dodd Road
St. Paul, Minnesota 55120

NOREEN WELCH
209 North Estey Avenue
LuVerne, Minnesota 56156

DOLORES WINDINGSTAD
Route #1, Box 41
Dawson, Minnesota 56232

TO : Peter C. Erickson
Hearing Examiner

K. Peatross

FROM : Kenneth L. Peatross, Executive Secretary
MINNESOTA BOARD OF TEACHING

RECEIVED
MAR 20 1978
OFFICE OF HEARING EXAMINERS

DATE : March 20, 1978

SUBJECT: Hearing Documents
May 20, 1978, Public Hearing

Attached for your review are the following documents relating to a licensure rule public hearing scheduled by the Board of Teaching for May 20, 1978:

- --Notice of hearing
- --Order for hearing
- --A statement of the number of persons expected to attend the hearing and the estimated length of time necessary to conduct the hearing
- --Certificate of Board's authorizing resolution
- --Proposed rules

Subsequent hearing documents shall be submitted to your office for review according to the procedures set forth in the rules of the Office of the Hearing Examiner.

KLP/nad

Attachments

cc: G. Droubie
D. Mueting
V. Valletta
G. Waddick
J. Wain

CERTIFICATE OF BOARD'S AUTHORIZING RESOLUTION

I, KATHRYN C. RAYBURN, do hereby certify that I am the Chairman of the Minnesota Board of Teaching, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board duly and properly called and held on the 17th day of March, 1978, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified:

RESOLVED that Kenneth L. Peatross, Executive Secretary of the Minnesota Board of Teaching, be and hereby is granted the authority and directed to call a hearing for the purpose of promulgating rules of the Board, including the enactment, amendment, or repeal of rules relating to: Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers, as well as perform any and all acts incident thereto, including but without being limited thereto, signing an order for hearing and notice of hearing, as well as securing a hearing examiner for all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 17th day of March, 1978.

Kathryn C. Rayburn
Chairman, Minnesota Board of Teaching

Joseph L. Nixon
Attest by one other officer

EXHIBIT NO. BT 1
DATE 5-30-78
NANCY J. DUEHN

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE PETER ERICKSON
HEARING EXAMINER
OFFICE OF HEARING EXAMINER

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers

ORDER FOR HEARING

The Board of Teaching deems it necessary to consider adoption, amendment, or repeal of the proposed rules captioned above pursuant to the authority vested in the Board by Minnesota Statutes, Chapter 15, as amended, and Minnesota Statutes, Chapter 125, as amended.

NOW, THEREFORE, IT IS ORDERED on this 20th day of March, 1978, that a public hearing on the proposed rules captioned above be held in the State Office Building, Auditorium, St. Paul, Minnesota 55101, on Saturday, May 20, 1978, commencing at 9:00 a.m., and continuing until all representatives of associations or other interested groups or 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 or persons who have registered their names with the Secretary of State for that purpose.

IT IS FURTHUR ORDERED that the notice of said hearing be published in the State Register.

Board's EXHIBIT NO. BT 2

DATE 5-20-78

NANCY J. DUEHN

STATE OF MINNESOTA
BOARD OF TEACHING

BY Kenneth L. Peatross

Kenneth L. Peatross, Executive Secretary

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE PETER ERICKSON
HEARING EXAMINER
OFFICE OF HEARING EXAMINER

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers

The Board of Teaching deems it necessary to consider adoption, amendment, or repeal of the proposed rules captioned above pursuant to the authority vested in the Board by Minnesota Statutes, Chapter 15, as amended, and Minnesota Statutes, Chapter 125, as amended.

The public hearing on the proposed rules captioned above will be held on Saturday, May 20, 1978, commencing at 9:00 a.m.

It is estimated that the public hearing will continue until 4:00 p.m. on the date cited above and that approximately 250 to 300 persons will be in attendance.

STATE OF MINNESOTA
BOARD OF TEACHING

BY Kenneth L Peatross
Kenneth L. Peatross, Executive Secretary

Board EXHIBIT NO. BT 4

DATE 5-20-78

NANCY J. DUEHN

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE PETER ERICKSON
HEARING EXAMINER
OFFICE OF HEARING EXAMINER

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minn. Stat. Section 15.0412 subd. 4 (Supp. 1977), in the above-entitled matter in the State Office Building, Auditorium, St. Paul, Minnesota 55101 on Saturday, May 20, 1978, commencing at 9:00 a.m. and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Written material may be submitted without appearing at the hearing and may be submitted and recorded in the hearing record for five (5) days after the public hearing ends.

The Board proposes to adopt, amend, or repeal rules governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers. The authority of the Board to promulgate the proposed rules is found in Minn. Stat., chs. 15 and 125, as amended. A copy of the proposed amendments and repeals is attached hereto.

Board's EXHIBIT NO. BT 3

DATE 5-20-78

NANCY J. DUEHN

Notice of Hearing

Under Minn. Stat. Sections 10A.01 subd. 11 and 10A.03 (1976) any individual engaged for pay or other consideration for the purpose of representing persons or associations attempting to influence administrative action, such as the promulgation of these rules, must register with the State Ethical Practices Board as a lobbyist within five (5) days of the commencement of such activity by the individual.

Public comment will be accepted after presentation of each of the proposed rules.

Copies of the proposed rules are now available and may be obtained by writing to:

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

Additional copies of the proposed rules will be available at the door on the date of the hearing.

STATE OF MINNESOTA
BOARD OF TEACHING

BY Kenneth L. Peatross

Kenneth L. Peatross, Executive Secretary

STATE OF MINNESOTA

COUNTY OF RAMSEY

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers

CERTIFICATE

I hereby certify that the attached 2 Sheets, 481 labels constitute the complete list of persons, associations, and other interested groups who as of 1:00 o'clock P.m., this 13th day of April 1978, have requested pursuant to Minn. Stat. § 15.0412 (1976) 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.

SECRETARY OF STATE

By Cheri L. Mattson

Board EXHIBIT NO. BT 5

DATE 5-20-78

NANCY J. DUEHN

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE PETER ERICKSON
HEARING EXAMINER
OFFICE OF HEARING EXAMINER

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers

AFFIDAVIT

Nancy A. Dippel, being first duly sworn on oath deposes and says:

1. That she is the secretary for the Board of Teaching of the State of Minnesota.

2. That on the 13th day of April, 1978, she went to the Office of the Secretary of State for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minn. Stat. § 15.0412 (1976).

3. That on the 13th day of April, in response to the above request, the Secretary of State provided her with a list of 481 labels and two pages of names and addresses which constitutes the complete list of persons, associations, and

Brown's EXHIBIT NO. BT6
DATE 5-30-78
NANCY J. DUEHN

other interested groups who as of 1:00 o'clock p.m. on the 13th day of April, 1978, had requested that their names be placed on file for the purposes set out in paragraph 2 above.

FURTHER AFFIANT SAYETH NOT.

Nancy A. Dippel

Subscribed and sworn to before me this 14th day of April, 1978.

Notary Public

LUANA VADNAIS
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires June 16, 1984

STATE OF MINNESOTA

COUNTY OF RAMSEY

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers

AFFIDAVIT OF MAILING

Nancy A. Dippel, being first duly sworn, deposes and says:

That on the 19th day of April, 1978, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United State 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.

Nancy A. Dippel
NANCY A. DIPPEL

Subscribed and sworn to before me this 19th day of April, 1978.

Luana Vadnais
Notary Public

LUANA VADNAIS
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Comm. Expires June 16, 1984

Board EXHIBIT NO. BT 7

DATE 5-20-78

NANCY J. DUEHN

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE PETER ERICKSON
HEARING EXAMINER
OFFICE OF HEARING EXAMINER

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Arts, School Nurse, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Which Are Approved to Prepare Teachers

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Board of Teaching of the State of Minnesota on the 20th day of May, 1978, at 9:00 a.m. in the State Office Building Auditorium, St. Paul, Minnesota, after proper notice required by M.S. 1976, 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 and the reasonableness thereof.

NOW THEREFORE, IT IS ORDERED that the existing rule identified as 5 MCAR § 3.106 School Nurse is hereby repealed and the rules identified as 5 MCAR § 3.073 Teachers of Industrial Arts, 5 MCAR § 3.106 School Nurse, 5 MCAR § 3.140 The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, 5 MCAR § 3.141 The Approval of Teacher Licensure Programs in Minnesota Institutions Which

Are Approved to Prepare Teachers, are adopted or amended this 18th day of October, 1978, pursuant to the authority vested in the Board of Teaching.

STATE OF MINNESOTA
BOARD OF TEACHING

Kathryn C. Rayburn, Chairman

Joseph J. Moren, Vice Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE PETER ERICKSON
HEARING EXAMINER
OFFICE OF HEARING EXAMINERS

IN THE MATTER OF: The proposed adoption, amendment, or repeal of rules of the Board of Teaching governing Teachers of Industrial Education, School Nurse, Coaches of Interscholastic Sports in the Elementary and Secondary Schools, The Approval of Minnesota Institutions to Prepare Persons for Teacher Licensure, The Approval of Teacher Licensure Programs in Minnesota Institutions which are Approved to Prepare Teachers

STATEMENT OF EVIDENCE

In addition to the STATEMENT OF NEED which is available for inspection or purchase at the Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota 55104 and in support thereof, the Board of Teaching will introduce the following evidence and will call the following expert witnesses to testify:

5 MCAR § 3.073 RULES GOVERNING TEACHERS OF INDUSTRIAL EDUCATION:

Lowell Gillett, Member
Minnesota Board of Teaching
St. Cloud, Minnesota

Lowell Gillett will testify providing justification for the proposed amendment of the rule and will demonstrate that the provisions of the rule are reasona- and establish standards of licensure for teachers of industrial education which will assure the public that teachers so licensed possess the necessary qualifications to perform the teaching tasks required of a teacher of industrial education.

5 MCAR § 3.106 RULES GOVERNING SCHOOL NURSE:

Lucille Kainu, Member
Minnesota Board of Teaching
Cloquet, Minnesota

Lucille Kainu will establish that the repeal of the existing rule and adoption of the proposed rule are justified and reasonable in terms of licensure standards for school nurses. Health care services are part of the educational program of Minnesota schools, therefore, standards of licensure must be established in order to assure parents and students that licensed nurses are competent and qualified to render health care services.

Board's EXHIBIT NO. BT 9

DATE 5-26-78

NANCY J. DUEHN

5 MCAR § 3.108 RULES GOVERNING COACHES OF INTERSCHOLASTIC SPORTS IN THE ELEMENTARY AND SECONDARY SCHOOLS:

Kathryn Rayburn, Chairman
Minnesota Board of Teaching
Rochester, Minnesota

Kathryn Rayburn will establish that the repeal of the existing rule and adoption of the proposed rule are justified and reasonable in terms of licensure standards for school coaches. Interscholastic sports are an integral part of the instructional program of Minnesota schools, therefore, standards of licensure must be established in order to assure parents and students that licensed coaches are competent and qualified to perform coaching tasks while insuring the health, safety, and well-being of Minnesota school students.

5 MCAR § 3.130 RULES GOVERNING THE APPROVAL OF MINNESOTA INSTITUTIONS TO PREPARE PERSONS FOR TEACHER LICENSURE AND 5 MCAR § 3.131 RULES GOVERNING THE APPROVAL OF TEACHER LICENSURE PROGRAMS IN MINNESOTA INSTITUTIONS WHICH ARE APPROVED TO PREPARE TEACHERS:

Edward Rapp, Member
Minnesota Board of Teaching
Coon Rapids, Minnesota

Edward Rapp will testify providing justification for the proposed rules governing institutional and program approval.

Edward Rapp will testify that teacher licensure in Minnesota is based on a system of institutional and program approval.

Edward Rapp will establish that the rules are justified and reasonable and that the existing void in institutional and program approval rules does not provide an adequate basis for establishing and maintaining preparation programs for teachers in Minnesota teacher preparing institutions.

The Board of Teaching will cite the following statutes:

1. M.S. 125.185
2. M.S. 214.06

Kenneth L. Peatross

Kenneth L. Peatross, Executive Secretary
MINNESOTA BOARD OF TEACHING

Date: 4/20/78