

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 691

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 4/17
DATE FOR REVIEW [redacted] 4/27
DATE DUE 5/1

Adopted w/a hearing ____
Adopted w/o a hearing X
Temporary rule ____

Approved 4/29 Disapproved ____ Returned to Agency 4/29

Resubmitted ____ Due ____
Approved ____ Disapproved ____ Returned to Agency ____

Date filed w/Secretary of State 4/29

✓ Rule as Adopted

✓ Rule as Proposed attached to Notice of rulemaking

✓ Order Adopting 4.14.81

✓ Notice of Intent to Solicit Outside Opinion
2.11.80 – 9.29.80

✓ Order for rulemaking
____ Date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency

✓ Affidavit of Mailing Notice of rulemaking
2.11.81 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
2.16.81 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

N/A Chief Hearing Examiner's Report(s)
____ Approving H.E.'s Report
____ Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (~~includes transcript or tape, exhibits~~, comments received by agency, requests for a hearing, and other relevant materials)
attached to F. of F.

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

N/A Notice of Submission to the Attorney General

none requested – see transmittal memo.

ADMIN 1000 (Rev. 1/78)
SF-00006-01

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : HOWARD B. CASMEY
Secretary
State Board of Education

DATE: 4/29/81

ATTN : LOIS E. STEINHAUS
Education Statistics Section

FROM : JERRY S. ANDERSON
Special Assistant
Attorney General

PHONE: 6-4692

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel (5 MCAR §§ 1.0523-1.05361)

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register; this must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State to the last page of the rules;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

JSA/gy

Enc.

cc: Duane Harves
Susan Robertson

State of Minnesota
State Board of Education

In the Matter of the Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel (5 MCAR §§ 1.0523-1.05361)

ORDER ADOPTING RULES

Notice of the Board's intent to adopt the above-entitled rules without a public hearing was published in the State Register on February 16, 1981, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minn. Stat. § 15.0412, subd. 4 on February 11, 1981. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than seven written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above-captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as 5 MCAR §§ 1.0523-1.05361 are adopted this 14th day of April, 1981, pursuant to authority vested in the Board by Minn. Stat. §§ 121.11, subd. 12, and 125.05, subd. 1 (1980).

STATE OF MINNESOTA

Secretary, State Board of Education

AG. copy

copy showing change see p. 20

Rules as Adopted

Chapter Twenty-Seven A: Licensure of Supervisory and Support Personnel: Issuance, Suspension, and Revocation

5 MCAR § 1.0523 Issuance and renewal of licenses.

A. Licenses valid for supervision, counseling, nursing, and coaching in Minnesota schools shall be granted to persons who meet all requirements of applicable statutes and rules and who complete programs approved by the Commissioner of Education leading to licensure in Minnesota institutions which are approved by the Minnesota Board of Teaching pursuant to 5 MCAR § 3.140 to prepare persons for licensure.

B. An applicant must qualify separately for each licensure area for which application is made and provide evidence of satisfactory completion of a program in such licensure area which has been approved by the Commissioner of Education.

C. All licenses shall be issued and/or renewed in accordance with criteria established in Rules of the State Board of Education and shall be valid for the period of time specified in this rule.

D. All licenses shall bear the date of issuance and shall expire the specified number of years from the July 1 nearest the date licensure was approved. Applications for renewal shall be accepted by the Commissioner of Education after January 1 of the year of expiration; provided, however, that the renewal period shall commence on July 1 of the year of expiration. After July 1 in the year of expiration, all licenses not renewed shall be deemed expired and no longer valid.

E. Each application for the issuance and/or renewal of a license shall be accompanied by a processing fee in the amount of $20.00. The processing fee shall be nonrefundable for applicants not qualifying for a license, except the fee is refundable when the applicant for a license already holds the license for which application is made and that license does not expire in the year the application is submitted.

F. The initial license which shall be issued in any licensure area is an entrance license, valid for two years, except as provided in provisions H. and I. of this rule.

G. When one school year of experience is not completed prior to the expiration of an entrance license, another entrance license in that licensure area shall be issued upon application. If an entrance license in any licensure area is allowed to lapse, it shall be renewed, upon application, until the applicant has had one school year of experience while holding a valid entrance license after which time an applicant must qualify for a continuing license.

H. An applicant who completes at least one school year of experience in a licensure area while holding an entrance license shall be issued a continuing license, valid for five years. When a licensure area is added to a continuing license already in force, a continuing license is issued, and the expiration date becomes that already established for the continuing license in force.

I. An applicant who holds a life license who subsequently completes an approved program in an additional licensure area shall be issued a continuing license, valid for five years for the additional licensure area.

J. A continuing license, valid for five years, shall be renewed upon application according to renewal provisions enumerated in the specific licensure Rules of the State Board of Education for the license being renewed.

K. Except as provided in 5 MCAR § 1.05361 D., if a continuing license in any area is allowed to lapse, one of the following shall be issued:

1. A continuing license based upon verification that the applicant has met renewal requirements during the five-year period immediately preceding the application, or

2. A continuing license based upon evidence that the applicant has earned at least 12 quarter or 8 semester hours of credit in the licensure area for which application is being made, which have been earned during the five-year period immediately preceding the application, or

3. A one-year renewal of the lapsed continuing license based upon evidence that the applicant has been offered a position contingent upon holding a valid license. In order to qualify for a continuing license at the end of one year, the applicant shall provide evidence that renewal requirements have been met or that at least 12 quarter or 8 semester hours of credit have been earned in the licensure area for which application is being made during the five-year period immediately preceding the date of application for the continuing license.

5 MCAR § 1.0524 Suspension and revocation of licenses.

A. The license of an administrator, supervisor, counselor, nurse, or coach may be revoked or suspended for any of the following causes:

1. Immoral character or conduct;
2. A breach of contract of employment without justifiable cause;
3. Overall gross inefficiency or willful neglect of duty;
4. Fraud or misrepresentation in obtaining a license;
5. Conviction of a felony which directly relates to the occupation for which licensure is held.

B. The State Board of Education may act to suspend or revoke the license of a person whose license was granted by the State Board of Education after the following procedures have been followed:

1. A written complaint which specifies the nature and character of the charges against the licensee is filed with the State Board of Education by either the school board employing the person or by the Commissioner of Education.

2. The Commissioner of Education, within 10 calendar days after the filing of the complaint with the State Board of Education, serves a copy of the complaint upon the licensee by certified mail addressed to such licensee at the last known address.

3. The licensee, within 20 calendar days after the service of the copy of charges, files with the State Board of Education an answer to the charges specified. The failure to answer within the 20 calendar day period shall result in the right to a hearing being waived.

4. A hearing conducted in accordance with the rules of the Office of Administrative Hearings shall be held.

5 MCAR § 1.0526 Approval of licensure programs.

A. Institutions which have been approved by the Minnesota Board of Teaching pursuant to 5 MCAR § 3.140 to prepare persons for licensure may request approval by the Commissioner of Education of licensure programs in supervision, counseling, and coaching. 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 Commissioner of Education a program description for each licensure program for which approval is requested. The licensure program description shall include:

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

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

3. A description of the 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 licensure program.

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

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

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

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

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

1. Rules of the State Board of Education governing the licensure program are met.

2. Necessary faculty and physical resources are allocated to implement and maintain the licensure program.

3. Adequate supervision for practicum experiences required by individual licensure rules is provided.

D. Before initial approval for the licensure program is granted, state department of education staff or persons designated as program auditors by the Commissioner of Education may visit the institution to examine the licensure program for the purpose of verifying the program description and making a recommendation regarding approval status. During the operation of an approved 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. Program auditors shall forward a written report of their findings to the Commissioner of Education and to the institution.

E. State department of education staff or persons designated as program auditors by the Commissioner of Education 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 licensure program. Reimbursement of travel, food, and lodging expenses for program auditors shall be in accordance with Minnesota state rules.

F. Based upon appraisal of the program description prepared by the institution and the written report of the auditors, the Commissioner of Education 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 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 licensure program is conditionally approved, the Commissioner of Education shall reconsider the approval status of the licensure program upon verification that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval shall be withdrawn.

H. Licensure programs which vary in curricular design shall be approved provided that program components meet the criteria for approval set forth in this rule.

I. When an institution makes revisions in an approved licensure program, the administrator of the defined administrative and instructional unit of that institution shall forward to the Commissioner of Education a written description of the licensure program revision. An audit shall be made to verify that the revised licensure program continues to meet Rules of the State Board of Education. Each verified licensure program revision shall become an amendment to the approved licensure program.

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

5 MCAR § 1.0527 Persons prepared in states other than Minnesota.

A. Minnesota licenses shall be granted to persons (a) who otherwise meet applicable statutory requirements and (b) who complete programs leading to licensure in colleges and universities located outside Minnesota. Such licenses shall be granted only in licensure fields for which the State Board of Education has established rules governing programs leading to licensure. Such licenses shall be issued according to either 1. or 2. as follows:

1. Persons who complete approved programs in colleges and universities leading to licensure within states which have signed contracts with Minnesota according to the provisions of the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota entrance license. No licenses shall be issued on the basis of teaching experience only.

2. Persons who complete programs leading to licensure in colleges and universities within states which have not signed contracts with Minnesota according to the provisions of the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota entrance license when all of the following criteria are met:

a. The college or university is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. The program leading to licensure has been recognized by the state as qualifying the applicant completing the program for such licensure within that state.

c. The program leading to licensure completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota colleges and universities according to the Rules of the State Board of Education governing the licensure field.

d. The college or university which offers the program leading to licensure verifies that the applicant has completed an approved licensure program at that institution and recommends the applicant for a license in a licensure field at a licensure level.

B. Notwithstanding 5 MCAR § 1.0528 governing human relations, persons who have been prepared for licensure in states other than Minnesota shall be granted a Minnesota entrance license based upon the provisions of this rule.

5 MCAR § 1.0528 Human relations requirement.

A. All applicants for licenses to be issued or renewed under authority of the State Board of Education shall complete a training program containing human relations components. Persons holding life licenses are exempted from this requirement except in those instances where the person holding a life license seeks to be licensed, or to have a license renewed, in an area for which the person does not hold a life license. Persons from outside Minnesota who wish to be licensed must complete a human relations training program during the two-year period of the entrance license. Components which constitute a human relations training program must be approved by the Commissioner of Education.

B. Human relations components of programs which lead to licensure in education under authority of the State Board of Education shall be approved upon submission of evidence:

1. Showing that the human relations components have been developed with participation of members of various racial, cultural, handicapped, and economic groups. Participation in planning shall be equitably distributed between men and women.

2. Showing that the human relations components are planned to develop the ability of applicants to:

a. Understand the contributions and life styles of the various racial, cultural, handicapped, and economic groups in our society, and

b. Recognize and deal with dehumanizing biases, discrimination, prejudices, and instititutional and personal racism and sexism, and

c. Create learning environments which contribute to the self-esteem of all persons and to positive interpersonal relations, and

d. Respect human diversity and personal rights.

3. Relating all of the areas enumerated in B.2. to specific competencies to be developed, and

4. Indicating means for assessment of competencies.

5 MCAR § 1.0529 School counselors, secondary.

A. All candidates recommended for licensure as a school counselor, secondary, shall complete all requirements of 1.a., 1.b., 1.c., 1.d., 1.e., of this rule or all requirements of 2.a., 2.b., 2.c., 2.d., 2.e., of this rule. Sections A.1. and A.2. of this rule are mutually exclusive.

1. Qualifications for licensure.

a. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in a secondary school counselor preparation program approved by the Commissioner of Education.

b. Have satisfactorily completed practica in school guidance and counseling at the secondary school level. Practica shall be in a secondary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 1.d. of this rule.

c. Hold a valid Minnesota secondary classroom teaching license.

d. Have completed one year of secondary classroom teaching experience. Candidates holding a valid Minnesota secondary classroom teaching license but who have not completed one year of teaching experience shall complete the equivalent of a full-time, one school year internship in school guidance and counseling at the secondary school level. The internship shall be under the supervision of a practicing, resident, licensed secondary school counselor who has at least two years of counseling experience at the secondary school level. Supervision shall also be provided by counselor educators from an approved college guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

2. Alternative qualifications for licensure. (Experimental program.)

a. Have completed at least a baccalaureate degree program from a teacher preparation institution which is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in a secondary school counselor preparation program approved by the Commissioner of Education.

c. Have satisfactorily completed practica in school guidance and counseling at the secondary school level. Practica shall be in a secondary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 2.d. of this rule.

d. Have satisfactorily completed a full-time guidance and counseling internship from a school guidance and counseling program approved by the Commissioner of Education which includes the completion of course work and experiences in curriculum, school organization and philosophy of education and experiences in a secondary school. The internship shall be completed in one full school year and shall include the equivalent of at least one quarter of classroom experience. The internship shall be under the supervision of a practicing, resident, licensed secondary school counselor who has at least two years of counseling experience at the secondary

school level. Supervision shall also be provided by counselor educators from an approved guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

B. In addition to meeting the requirements in A.1. or A.2. of this rule, all candidates recommended for licensure as school counselor shall have completed a graduate level program in school guidance and counseling approved by the Commissioner of Education containing components designed to provide candidates recommended for licensure with knowledge, skills, and understandings in all of the following:

1. Counseling.

a. The knowledge of a variety of counseling philosophies and skills and an understanding of their application with adolescents and adults.

b. The ability to recognize the need for help and to intervene effectively as a helping person toward meeting the unique needs of all students, including exceptional students.

c. The utilization of appropriate counseling skills with individuals and groups to facilitate their human growth and development. Such developmental goals shall include:

(1) Ability to differentiate feelings

(2) Recognition of strengths and limitations

(3) Awareness of alternatives and their implications

(4) Ability to make decisions and value choices and accept responsibility for them

(5) Skill in open interpersonal communication including non-verbal behavior, and

(6) Acquisition of coping skills.

d. The effective use of group processes including the ability to identify objectives and to facilitate communication, group cohesiveness, and personal growth.

e. The knowledge of family systems and utilization of counseling skills to facilitate student and family development.

f. The understanding of cultural differences.

2. Consulting.

a. The knowledge of a variety of consultation models and their application in practice in secondary schools.

b. The knowledge of the learning process and the ability to participate with school staff in developing alternative learning approaches, including remedial, and adapting school curriculum toward meeting the unique needs of secondary students.

c. The ability to orient parents to the school program and help them understand the student's aptitudes, abilities, interests, and attitudes as related to educational and career planning, academic achievement, personal-social development, and total school progress.

d. The knowledge and ability to make referrals to community agencies and utilize businesses, educational institutions, and other helping professionals.

e. The knowledge and ability to utilize results of evaluative studies including follow-up as a consultant in program development and/or revision at the secondary level.

f. The knowledge and ability to serve as a staff resource to aid in the implementation of developmental-career curriculum and employability skills training in the classroom.

g. The knowledge and ability to design, initiate, and conduct in-service training programs for staff personnel relative to development of adolescents.

3. Developmental-career guidance.

a. The understanding of the basic principles of child and adolescent growth and development, including physical, emotional, cognitive, ego, moral, career, and social.

b. The knowledge of curriculum content and processes and the skills to organize and conduct classroom guidance activities which facilitate personal and career development.

c. The knowledge and ability to assist students in developing self-awareness, self-understanding, and self-acceptance.

d. The knowledge and ability to assist students, individually and/or in groups, in exploring educational and occupational information in view of their aptitudes, interests, and personal-social needs in choosing career and avocational goals.

e. The knowledge of educational, occupational, and employment trends for purposes of assisting students in program planning and selection.

f. The ability to assist in the coordination of educational and job placement for students, graduates, and school leavers.

4. Evaluation and assessment.

a. The knowledge and ability to conduct and interpret the results of formal and informal measurement procedures in the cognitive, affective, psychological, and social aspects of adolescents.

b. The knowledge of, and the ability to use, a variety of evaluation procedures including follow-up studies for individual and institutional decision-making.

c. The ability to assist students and parents to use information derived from educational measurement including career and vocational assessment services in planning and decision-making.

d. The knowledge and ability to identify and assess secondary student developmental needs.

5. Guidance program development, coordination, and management.

a. The knowledge and ability to formulate guidance and counseling program goals and priorities.

b. The knowledge and ability to initiate, coordinate, and interpret a counseling and guidance program to meet the developmental needs of all students.

c. The knowledge and ability to coordinate the counseling and guidance program with the instructional program and student support services.

d. The knowledge of organizational theory relating to change and humanization of social systems.

e. The ability to apply the principles of personnel management in supervising the functioning of all personnel assigned to the guidance program.

f. The knowledge and ability to evaluate guidance programs and report the results to appropriate individuals.

C. The issuance of the first continuing license is contingent upon:

1. Possession by the candidate of a valid entrance license as a secondary school counselor, and

2. One year of experience as a secondary school counselor.

D. The continuing license shall be renewed according to the rules of the Board of Teaching pertaining to continuing education.

E. All persons holding a license as a secondary school counselor prior to July 1, 1982, may continue to hold and renew such licenses according to the continuing education licensure rules of the Board of Teaching.

F. All programs for preparation of school counselors shall be submitted for approval to the Commissioner of Education and shall include a description of the procedures by which persons who hold elementary school counselor entrance, continuing, or life licensure and wish to be licensed as a secondary school counselor may have their experience and preparation in school guidance and counseling evaluated to determine the areas where such

experience and preparation are equivalent to the approved programs as well as the areas where additional preparation may be required. In every case, the requirement shall be at least the equivalent of 18 quarter hours of credit of preparation, including a minimum of 6 quarter hours of practica experience. The remaining credits shall be selected from the areas specified in B.1., 2., 3., 4., and 5., of this rule. Applicants shall be recommended for licensure as a secondary school counselor according to provision F. of this rule.

G. An institution applying to the Commissioner of Education for approval of its counselor education program according to the provisions of this rule must forward a program description in accordance with 5 MCAR § 1.0526 B. and C. The form utilized by the institution for the internship agreement according to provision A.1.d. or A.2.d. of this rule must accompany the program description.

H. In addition to G., above, an institution applying for approval of its counselor education program to recommend candidates for licensure according to provision A.2. of this rule, must forward a program description which shall include:

1. A definite time limit for the experiment not to exceed 5 academic years and 25 students admitted to the program;

2. Clearly defined selection criteria for students admitted to the program;

3. A statement which describes the research design and evaluation procedures to be used by the institution in determining the effectiveness of the program; and

4. A plan for submitting the experimental results to the Commissioner of Education.

I. Programs shall be approved which vary in curricular design provided that program components meet the requirements in G. or H., above, and that these components will provide candidates who are recommended for licensure in school guidance and counseling with the knowledge, skills, and understandings which are enumerated in B.1., 2., 3., 4., and 5., of this rule.

J. This rule is effective July 1, 1982, for all applicants for entrance licenses.

5 MCAR § 1.05291 Counselors, secondary schools.

A. Qualifications for license:

1. A valid license to teach in the public schools of Minnesota based on a bachelor's degree from an accredited teacher preparing institution.

2. Completion of a program of counselor education leading to a master's degree or its equivalent (45 quarter hours of graduate work).

a. At least one course or its equivalent shall be taken in each of the seven areas listed below:

Principles and practices in guidance
Personality structures and mental hygiene
Measurement and research methods
Appraisal techniques
Occupational and training information and material
Counseling procedure
Practice in guidance and counseling; and

b. At least one course shall be chosen from the following areas:

Group guidance
Organization and administration of guidance services
Psychology of learning

c. Not more than six credits earned in courses selected in (a) and (b) above may be undergraduate credits.

3. At least one year of successful teaching experience (two or more years preferred).

4. Minimum of one year of cumulated work experience outside of education (two or more years experience in several occupational areas preferred).

B. Renewal requirements. The continuing license shall be renewed according to provisions of 5 MCAR § 3.005 continuing education/relicensure.

C. Provisional license. A provisional license will be granted to counselors for two years who meet all professional requirements above with the exception of A.4. This license may be renewed every two years upon presentation of evidence that the counselor has accumulated 400 hours (10 weeks) of cumulated work experience outside of education. When the counselor has accumulated 2,000 hours (one year) of work experience he will be eligible for the counselor's license subject to the renewal requirements in 5 MCAR § 3.005.

D. This rule shall remain in effect until July 1, 1982, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § 1.0530 School counselors, elementary.

A. All candidates recommended for licensure as a school counselor, elementary, shall complete all requirements of 1.a., 1.b., 1.c., 1.d., 1.e., of this rule or all requirements of 2.a., 2.b., 2.c., 2.d., 2.e., of this rule. Sections A.1. and A.2. of this rule are mutually exclusive.

1. Qualifications for licensure.

a. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in an elementary school counselor preparation program approved by the Commissioner of Education.

b. Have satisfactorily completed practica in school guidance and counseling at the elementary school level. Practica shall be in an elementary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 1.d. of this rule.

c. Hold a valid Minnesota elementary classroom teaching license.

d. Have completed one year of elementary classroom teaching experience. Candidates holding a valid Minnesota elementary classroom teaching license but who have not completed one year of teaching experience shall complete the equivalent of a full-time, one school year internship in school guidance and counseling at the elementary school level. The internship shall be under the supervision of a practicing, resident, licensed elementary school counselor who has at least two years of counseling experience at the elementary school level. Supervision shall also be provided by counselor educators from an approved college guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

2. Alternative qualifications for licensure. (Experimental program.)

a. Have completed at least a baccalaureate degree program from a teacher preparation institution which is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in an elementary school counselor preparation program approved by the Commissioner of Education.

c. Have satisfactorily completed practica in school guidance and counseling at the elementary school level. Practica shall be in an elementary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 2.d. of this rule.

d. Have satisfactorily completed a full-time guidance and counseling internship from a school guidance and counseling program approved by the Commissioner of Education which includes the completion of course work and experiences in curriculum, school organization and philosophy of education and experiences in an elementary school. The internship shall be completed in one full school year and shall include the equivalent of at least one quarter of classroom experience. The internship shall be under the supervision of a practicing, resident, licensed elementary school counselor who has at least two years of counseling experience at the elementary school level. Supervision shall also be provided by counselor educators from an approved guidance and counseling program. The internship shall be based on a written agreement among the

intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

B. In addition to meeting the requirements in A.1. or A.2. of this rule, all candidates recommended for licensure as school counselor shall have completed a graduate level program in school guidance and counseling approved by the Commissioner of Education containing components designed to provide candidates recommended for licensure with knowledge, skills, and understandings in all of the following:

1. Counseling.

a. The knowledge of a variety of counseling philosophies and skills and an understanding of their application with children and adults.

b. The ability to recognize the need for help and to intervene effectively as a helping person toward meeting the unique needs of all students, including exceptional students.

c. The utilization of appropriate counseling skills with individuals and groups to facilitate their human growth and development. Such developmental goals shall include:

(1) Ability to differentiate feelings
(2) Recognition of strengths and limitations
(3) Awareness of alternatives and their implications
(4) Ability to make decisions and value choices and accept responsibility for them
(5) Skill in open interpersonal communication including non-verbal behavior, and
(6) Acquisition of coping skills.

d. The knowledge and ability to use play media for guidance and assessment.

e. The effective use of group processes including the ability to identify objectives and to facilitate communication, group cohesiveness, and personal growth.

f. The knowledge of family systems and utilization of counseling skills to facilitate student and family development.

g. The understanding of cultural differences.

2. Consulting.

a. The knowledge of a variety of consultation models and their application in practice in elementary schools.

b. The knowledge of the learning process and the ability to participate with school staff in developing alternative learning approaches,

including remedial, and adapting school curriculum toward meeting the unique needs of elementary students.

c. The ability to orient parents to the school program and help them understand the student's aptitudes, abilities, interests, and attitudes as related to personal-social development, total school progress, academic achievement, and educational planning and career awareness.

d. The knowledge and ability to make referrals to community agencies, utilize businesses, educational institutions, and other helping professionals.

e. The knowledge and ability to utilize results of evaluative studies as a consultant in program development and/or revision at the elementary level.

f. The knowledge and ability to serve as a staff resource to aid in the implementation of developmental-career curriculum in the classroom.

g. The knowledge and ability to design, initiate, and conduct in-service training programs for staff personnel relative to development of children.

3. Developmental-career guidance.

a. The understanding of the basic principles of child development, including physical, emotional, cognitive, ego, moral, career, and social.

b. The knowledge of curriculum content and processes and the skills to organize and conduct classroom guidance activities which facilitate personal and career development.

c. The knowledge and ability to assist students in developing self-awareness, self-understanding, and self-acceptance.

d. The knowledge and ability to assist students in personal-social needs and career awareness.

4. Evaluation and assessment.

a. The knowledge and ability to conduct and interpret the results of formal and informal measurement procedures in cognitive, affective, and psychomotor domains of children.

b. The knowledge of, and the ability to use, a variety of evaluation procedures for individual and institutional decision making.

c. The ability to assist students and parents to use information derived from educational measurement in planning and decision making.

d. The knowledge and ability to identify and assess developmental needs of children.

5. Guidance program development, coordination, and management.

a. The knowledge and ability to formulate guidance and counseling program goals and priorities.

b. The knowledge and ability to initiate, coordinate, and interpret a counseling and guidance program to meet the developmental needs of all students.

c. The knowledge and ability to coordinate the counseling and guidance program with the instructional program and student support services.

d. The knowledge of organizational theory relating to change and humanization of social systems.

e. The ability to apply the principles of personnel management in supervising the functioning of all personnel assigned to the guidance program.

f. The knowledge and ability to evaluate guidance programs and report the results to appropriate individuals.

C. The issuance of the first continuing license is contingent upon:

1. Possession by the candidate of a valid entrance license as an elementary school counselor, and

2. One year of experience as an elementary school counselor.

D. The continuing license shall be renewed according to the rules of the Board of Teaching pertaining to continuing education.

E. All persons holding a license as an elementary school counselor prior to July 1, 1982, may continue to hold and renew such licenses according to the continuing education licensure rules of the Board of Teaching.

F. All programs for preparation of school counselors shall be submitted for approval to the Commissioner of Education and shall include a description of the procedures by which persons who hold secondary school counselor entrance, continuing, or life licensure and wish to be licensed as an elementary school counselor may have their experience and preparation in school guidance and counseling evaluated to determine the areas where such experience and preparation are equivalent to the approved programs as well as the areas where additional preparation may be required. In every case, the requirement shall be at least the equivalent of 18 quarter hours of credit of preparation, including a minimum of 6 quarter hours of practica experience. The remaining credits shall be selected from the areas specified in B.1., 2., 3., 4., and 5., of this rule. Applicants shall be recommended for licensure as an elementary school counselor according to provision F. of this rule.

G. An institution applying to the Commissioner of Education for approval of its counselor education program according to the provisions of this rule must forward a program description in accordance with 5 MCAR § 1.0526 B. and C. The form utilized by the institution for the internship agreement according to provision A.1.d. or A.2.d. of this rule must accompany the program description.

H. In addition to G., above, an institution applying for approval of its counselor education program to recommend candidates for licensure according to provision A.2. of this rule, must forward a program description which shall include:

1. A definite time limit for the experiment not to exceed 5 academic years and 25 students admitted to the program;

2. Clearly defined selection criteria for students admitted to the program;

3. A statement which describes the research design and evaluation procedures to be used by the institution in determining the effectiveness of the program; and

4. A plan for submitting the experimental results to the Commissioner of Education.

I. Programs shall be approved which vary in curricular design provided that program components meet the requirements in G. or H., above, and that these components will provide candidates who are recommended for licensure in school guidance and counseling with the knowledge, skills, and understandings which are enumerated in B.1., 2., 3., 4., and 5., of this rule.

J. This rule is effective July 1, 1982, for all applicants for entrance licenses.

5 MCAR § 1.05301 Counselors, elementary schools.

A. Qualifications for license.

1. A valid license to teach in the public elementary schools of Minnesota based on a baccalaureate degree from an accredited teacher preparing institution, and

2. One year of successful elementary teaching experience, and

3. Completion of a master's degree from a recognized graduate school in a program approved by the State Department of Education which in no event consists of fewer than 54 quarter hours at the graduate level. As part of its program each institution of higher education must submit for approval by the State Department of Education a statement of competencies to be developed, and relate these expected competencies to components in its program. Competencies must be developed in all of the following areas:

Coordination
Counseling
Consultation
Developmental guidance
Diagnosis
Human relations.

4. Candidates who satisfactorily meet the foregoing requirements will receive a two-year license for elementary school counselors.

B. Renewal requirements.

1. The two-year license may be renewed for five years when six additional quarter credits in related competency areas have been completed and when one year of successful elementary counseling experience has been completed.

2. Five-year licenses may be renewed according to general rules of the Board of Teaching pertaining to continuing education.

C. This rule shall remain in effect until July 1, 1982, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § 1.0531 Counselors in middle schools.

A. A school counselor in a middle school shall hold a valid Minnesota elementary school counselor license or secondary school counselor license. In addition, except as provided in B. of this rule, a school counselor in a middle school shall complete a preparation program, approved by the Commissioner of Education, leading to the licensure of middle school counselors.

1. A school counselor holding a valid Minnesota elementary school counselor license shall complete an approved program leading to the licensure of middle school counselors consisting of a minimum of 10 quarter hours or the equivalent. Such programs shall include all of the following areas:

a. Philosophy and organization of the middle school

b. Adolescent psychology

c. Developmental-career guidance, as enumerated in provision B.3. of 5 MCAR § 1.0529, and

d. Counseling practicum with adolescents.

2. A school counselor holding a valid Minnesota secondary school counselor license shall complete an approved program leading to the licensure of middle school counselors consisting of a minimum of 10 quarter hours or the equivalent. Such programs shall include all of the following areas:

a. Philosophy and organization of the middle school

b. Pre-adolescent psychology

c. Developmental-career guidance, as enumerated in provision B.3. of 5 MCAR § 1.0530, and

d. Counseling practicum with pre-adolescents.

B. Provisions of this rule shall not be interpreted to prevent a school counselor from counseling in a middle school at those grade levels for which valid Minnesota school counselor licensure is held or to require such

counselor to secure additional licensure to continue to counsel at those grade levels in a middle school for which valid Minnesota school counselor licensure is held.

C. Minnesota colleges and universities approved to prepare school counselors and which request approval of a program according to this rule shall provide evidence that programs to prepare middle school counselors submitted for approval have been developed with participation from elementary and secondary counselors, middle school administrators, students, and interested citizens. Such programs shall also include:

1. A statement of philosophy which sets forth the view of the institution with respect to the middle school.

2. An enumeration of the specific knowledge, skills, and understandings to be developed in the proposed program.

3. A description of program components which includes statements specifically relating individual components of the program to the philosophy and outcomes enumerated under 1. and 2., above.

4. A plan for assessing learning outcomes for individual candidates for licensure.

D. All approved programs leading to middle school counselor licensure shall include a description of the way in which practicing counselors may have their school counseling experience and school counselor preparation in those areas enumerated in A., above, evaluated and credited by an institution maintaining an approved program leading to middle school counseling licensure. Such evaluation may include previous school counseling experience and/or previous school counselor preparation.

E. Applicants holding a valid Minnesota elementary or secondary school counselor entrance license shall be issued an entrance middle school counselor license upon the completion of the requirements of A.1. or 2. of this rule.

F. Applicants holding a valid Minnesota elementary or secondary school counselor continuing or life license shall be issued a continuing middle school counselor license upon the completion of the requirements of A.1. or 2. of this rule.

G. The first and subsequent continuing middle school counseling licenses shall be issued to applicants who have completed the requirements of A.1. or 2. of this rule and who meet the requirements of the Board of Teaching for the issuance of the first and/or subsequent Minnesota elementary or secondary school counselor continuing licenses.

H. Until July 1, 1983, any person licensed by the State Board of Education as a school counselor for any of the grade levels in a middle school where the person is assigned as a school counselor is granted authority to counsel at any of the grade levels in the middle school regardless of grade level restrictions on the license currently held.

I. Except for provision H., all provisions of this rule shall become effective July 1, 1983.

5 MCAR § 1.0532 School nurse.

The provisions of this rule shall apply only to persons who are required to be licensed by the Minnesota Board of Nursing to perform those services being rendered or which shall be rendered by them in a Minnesota public school.

~~the State plan for vocational education~~

F of F: Conclusion #3

A health service nurse holding a vocational license according to licensure rules of the Board of Education and practicing at the post-secondary level is exempt from the provisions of this rule.

A. The State Board of Education shall grant licenses as school nurse to applicants who meet the requirements of this rule which follow. Any persons employed as a nurse by a school district shall hold a valid Minnesota license as a school nurse.

B. A license as school nurse, valid for two years, shall be granted to an applicant who provides evidence to the manager of teacher licensure that the following requirements have been met:

1. A baccalaureate degree from a regionally accredited college or university, and

2. Current Minnesota registration to practice as a licensed registered nurse, and certification as a Minnesota public health nurse, and

3. 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

C. Issuance of the first five-year license.

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

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

E. Maintaining licensure.

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

2. Persons without baccalaureate degrees who hold valid licenses as school nurses may continue to renew their licenses under paragraph D., provided that requirements for renewal are met. However, if such licenses are allowed to lapse, persons must meet licensure requirements set forth in paragraph B., above.

F. Effective date: July 1, 1981.

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, shall be granted to an applicant who fulfills the following requirements:

1. Current registration to practice as a licensed registered nurse in Minnesota, and

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, 1981.

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

a. After one year of successful experience while holding the two-year license, and

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)

c. Completion of a human relations program approved by the Commissioner of Education.

4. The first five-year license shall be issued to applicants who have completed a., 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 two-year license, not more than one additional two-year license 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.

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

6. In order to retain licensure as a school nurse current registration as a registered nurse must be maintained at all times. Lapse of such registration shall be grounds for revocation of licensure as a school nurse.

7. The provisions of section G. shall be in effect until July 1, 1983, when section G. shall be deleted from this rule without further action by the State Board of Education and all applicants shall, from that date forward, qualify for licensure as school nurse under provisions A., B., C., D., and E., of this rule.

5 MCAR § 1.05321 School nurse. The State Board of Education will issue licenses as school nurse to applicants who meet the requirements of this section, 5 MCAR § 1.05321 A. or 5 MCAR § 1.05321 B. 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.

A. Professional license (for public health nurses).

1. A professional license as school nurse, valid for two years, may be granted to an applicant who fulfills the following requirements:

a. Current registration to practice as a licensed registered nurse in Minnesota, and

b. A baccalaureate degree from a regionally accredited college or university, and

c. Licensed as a public health nurse pursuant to Minn. Stat. § 145.10.

2. The two year license may be renewed for five years after one year of successful experience.

B. Professional license (for registered nurses who hold a baccalaureate degree).

1. A professional license as a school nurse, valid for two years, may be granted to an applicant who fulfills the following requirements:

a. Current registration to practice as a licensed registerd nurse in Minnesota, and

b. A baccalaureate degree from a regionally accredited college or university.

2. Renewal of two-year license.

a. May be renewed for five years after one year of successful experience, and

b. A minimum of nine quarter or six semester hours of credit in college courses which must be earned from two of the four following fields:

Curriculum
Education of exceptional children
Education psychology
School health instruction or school health program.

C. The five year professional license may be renewed according to general rules of the Board of Teaching pertaining to continuing education.

D. This rule shall remain in effect until July 1, 1981, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § 1.05331 Public school athletic coaches.

A. A teacher in a secondary school who is head coach in any of the following areas: football, basketball, track, hockey, wrestling, baseball, shall be licensed either through professional preparation in the physical education major or minor program, or through a special coaching requirement in physical education.

The special coaching requirement is acceptable when the approved preparing institution certifies to the Commissioner of Education that such person has completed, in addition to his regular teacher education program, not less than nine quarter hours in courses of which principles of physical education is required, and the remaining courses selected from at least two of the following four areas:

Administration of athletics
First aid and prevention and care of athletic injuries
Human science
Coaching and athletic techniques.

B. Effective with the 1966-67 school year, such licensure of new head coaches as stated above shall become mandatory. This requirement does not apply to teachers contracted for as head coaches prior to September 1, 1966.

C. The continuing license shall be renewed according to provisions of 5 MCAR § 3.005 continuing education/relicensure.

D. This rule shall remain in effect until replaced by 5 MCAR § 1.0533, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § 1.0535 Reading consultant. Requirements:

A. An elementary or secondary school teacher's license, and

B. A master's degree, and

C. Three years of teaching experience, including one year as a "reading" teacher, and

D. Completion of an approved preparation program consisting of the following components:

1. One course in each of the following areas:

Developmental reading, elementary and secondary
Diagnosis and correction of reading difficulties
Individual mental testing
Practicum in analysis of reading difficulties
Practicum in correction of reading difficulties
Survey course in exceptional children
Administration and supervision of the reading program.

2. Not less than three courses to be chosen from the following areas:

Language arts
Educational research in reading or educational diagnosis
Mental hygiene and/or personality
Advanced psychological testing
Principles and procedures in guidance
Other courses in special education
Children's and/or adolescent literature.

E. The continuing license shall be renewed according to provisions of 5 MCAR § 1.05361 D.

5 MCAR § 1.05361 Supervisory and consultative personnel in the elementary and secondary schools.

A. Supervisory and consultative personnel. Includes elementary and secondary school supervisors, consultants, directors, coordinators and others with similar functions or levels of responsibility. Supervisory and consultative personnel in the elementary and secondary schools, not licensed under other specific rules for personnel with such levels of responsibility in particular areas, shall hold a license based upon major work in the area where licensure is sought as outlined in B.

B. The license for supervisory and consultative personnel in the elementary and secondary schools requires:

1. Completion of a master's degree from a recognized graduate school from a program approved by the State Department of Education with a major emphasis in the area for which licensure is sought

or

A statement from a recognized graduate school certifying that the applicant has completed at least one-half of a program approved by the State Department of Education leading to the specialist or doctorate degree with major emphasis in the area for which licensure is sought

and

2. Three years of appropriate successful professional experience in education while holding a license valid for the position in which the experience was obtained.

C. The initial license for supervisory and consultative personnel shall be valid for two years and may be renewed for one five-year period upon the completion of one year of successful experience in the area of major emphasis while hold the initial two-year license.

D. Continuing license.

1. The first continuing license shall be issued to an applicant in accordance with 5 MCAR § 1.0523.

2. The second and subsequent continuing licenses shall be issued to an applicant who has met the following requirements during the term of the continuing license which is expiring. An applicant must:

a. Provide evidence to the Commissioner of Education of the completion of at least 125 clock hours of approved supervisory continuing education. Approval of supervisory continuing education programs, and the clock hours which may be earned in each program, shall be in accordance with 5 MCAR § 1.0556. College courses which have been approved as leading to licensure as supervisory and consultative personnel may be utilized toward the clock hour requirement. One quarter college credit equals 10 clock hours; one semester college credit equals 15 clock hours.

b. Until July 1, 1986, clock hours of approved supervisory continuing education shall be required as follows:

(1) Twenty-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1981 or June 30, 1982.

(2) Fifty clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1983.

(3) Seventy-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1984.

(4) One hundred clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1985.

(5) One hundred twenty-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1986.

c. Until July 1, 1986, renewal units which are earned toward supervisory relicensure may be allocated toward clock hours of supervisory continuing education. For every one renewal unit earned and verified by the local committee for continuing education, one clock hour of supervisory continuing education shall be granted. Provisions D.2.b. and D.2.c. of 5 MCAR § 1.05361 shall remain in effect until July 1, 1986, at which time provisions D.2.b. and D.2.c. shall be repealed without further action by the State Board of Education.

3. In the case of a continuing license which has been allowed to lapse:

a. An applicant must provide evidence that 125 clock hours of approved supervisory continuing education have been completed during the five-year period immediately preceding the application for a continuing license in which case a five-year continuing license may be granted, or

b. Where the applicant provides evidence that a position has been offered contingent upon holding a valid license, and demonstrates that there is insufficient time to complete 125 clock hours of approved supervisory continuing education as required in 2.a. of this rule, a two-year, non-

renewable license may be granted. Upon expiration of the two-year, non-renewable license, such an applicant must qualify for a continuing license in accordance with requirements stipulated in 2.a. of this rule.

4. Renewal requirements must be met during the five-year period of each continuing license and no clock hours shall carry forward into any subsequent five-year licensure period.

APPROVED AS TO FORM AND LEGALITY
4-29 1981
WARREN SPANNAUS, ATTORNEY GENERAL
BY
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 29 1981
Joan Anderson Growe
Secretary of State
10:29 AM

SF-00006-01

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Education
736 Capitol Square Bldg.

TO : Special Ass't. Attorney General
G25 Administration Building

DATE: April 16, 1981

FROM : Lois E. Steinhaus LES
Education Statistics Section

PHONE: 6-4428

SUBJECT: Approval of Rules Governing the Licensure of Supervisory and Support Personnel - Rules Without a Public Hearing

Enclosed is a copy or more than one if indicated, of the following materials:

1. Rules as Adopted (original plus three; includes one with changes)
2. Order Adopting Rules (original plus one)
3. Certificate of Board's Resolution Adopting Rules
4. Order for Notice of Intent to Adopt Rules Without Public Hearing
5. Certificate of Board's Authorizing Resolution
6. Notice of Intent to Adopt Rules Without Public Hearing
7. Affidavit of Mailing
   Affidavit of the Notice.....Rulemaking Mailing List
   Affidavit of the Additional Notice.....Rulemaking Mailing List
   Certificate
   Copy of Mailing List
8. Rules as Proposed - State Register (copy of appropriate pages) and as Mailed
9. Findings of Fact and Conclusions
10. Statement of Need and Reasonableness
11. Correspondence - attached to item 9 above.
12. Notice of Intent to Solicit Outside Opinion (2)
13. Affidavit of Mailing Notice of Submission to the Attorney General - none requested

RECEIVED
APR 17 19
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

State Board of Education
Department of Education
Special Services Division

Notice of Intent to Solicit Outside Opinion Concerning Proposed Rules Relating to Supervisory and Support Personnel

Notice is hereby given that the State Board of Education is considering adoption of rules for the licensure of supervisory and support personnel.

The proposed rules are authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the Board of Education to license supervisory and support personnel. The proposed rules would establish reasonable standards and procedures for the issuance, renewal, suspension, and revocation of licenses of supervisory and support personnel. For the purpose of licensure, supervisory and support personnel, as defined by Minn. Stat. § 125.03, as amended by Laws of 1980, ch. 345, § 1, includes superintendents, principals, professional employees who devote 50 percent or more of their time to administrative or supervisory duties over other personnel, as well as counselors, school nurses, athletic coaches, and other professional employees who engage primarily in non-classroom activities. The term does not include librarians, school psychologists, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, or speech therapists.

All interested or affected persons or groups may submit information on this subject. Written or oral information and comment should be addressed to:

George B. Droubie, Manager
Personnel Licensing and Placement Section
Special Services Division
Minnesota Department of Education
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

All statements of information and comment must be received by September 15, 1980. Any written material received by this date will become part of the record, in the event rules concerning this subject are adopted.

July 28, 1980

Howard B. Casmey, Secretary
State Board of Education

Notice of Intent to Solicit Outside Opinion Concerning a Proposed Rule Relating to Standards of Professional Conduct for School Administrators, Supervisory, and Support Personnel

Notice is hereby given that the State Board of Education is considering adoption of a rule governing standards of professional conduct for school administrators, supervisory, and support personnel.

The proposed rule is authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the Board of Education to license supervisory and support personnel. The proposed rule would establish reasonable standards of professional conduct, complaint procedures, and enforcement procedures for school administrators, supervisory, and support personnel. The proposed rule would apply to superintendents, principals, professional employees who devote 50 percent or more of their time to administrative or supervisory duties over other personnel, as well as counselors, school nurses, athletic coaches, and other professional employees who engage primarily in non-classroom activities.

All interested or affected persons or groups may submit information on this subject. Written or oral information and comment should be addressed to:

George B. Droubie, Manager
Personnel Licensing and Placement Section
Special Services Division
Minnesota Department of Education
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

All statements of information and comment must be received by November 1, 1980. Any written material received by this date will become part of the record of any rules hearing held on this subject.

July 28, 1980

Howard B. Casmey, Secretary
State Board of Education

Notice of Intent to Solicit Outside Opinion Concerning a Proposed Rule Relating to Licensure of Directors of Special Education

Notice is hereby given that the State Board of Education is considering adoption of a rule which would govern the licensure of directors of special education.

The proposed rule is authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the Board of Education to license supervisory and support personnel, which includes professional employees who devote 50 percent or more of their time to administrative or supervisory duties over other personnel.

All interested or affected persons or groups may submit information on this subject. Written or oral information and comment should be addressed to:

George B. Droubie, Manager
Personnel Licensing and Placement Section
Special Services Division
Minnesota Department of Education
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

All statements of information and comment must be received by November 1, 1980. Any written material received by this date will become part of the record of any rules hearing held on this subject.

July 28, 1980

Howard B. Casmey, Secretary
State Board of Education

Notice of Intent to Solicit Outside Opinion Concerning a Proposed Rule Relating to Head Varsity Coaches of Interscholastic Sports

Notice is hereby given that the State Board of Education is considering adoption of a rule governing licensure standards for head varsity coaches of interscholastic sports in senior high schools.

The proposed rule is authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the Board of Education to license athletic coaches.

All interested or affected persons or groups may submit information on this subject. Written or oral information and comment should be addressed to:

George B. Droubie, Manager
Personnel Licensing and Placement Section
Special Services Division
Minnesota Department of Education
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

All statements of information and comment must be received by November 1, 1980. Any written material received by this date will become part of the record of any rules hearing held on this subject.

July 28, 1980

Howard B. Casmey, Secretary
State Board of Education

when it is deemed in the best interest of the environment or the health, welfare, and safety of the public, the Commissioner of Agriculture shall order a hearing pursuant to Minn. Stat. ch. 15, for the purpose of revoking, amending, or upholding this registration.

September 16, 1980

Mark W. Seetin, Commissioner
Department of Agriculture

Office of the Attorney General

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing Procedures for the Review of Rules

Notice is hereby given that the Office of the Attorney General is seeking information or opinions from sources outside the office in preparing to promulgate new rules governing the review of rules submitted by state agencies. New rules are necessary as a result of recent amendments to the Minnesota Administrative Procedure Act.

The promulgation of rules is authorized by Minnesota Statutes § 15.0412, subd. 3 (1978), which requires agencies to adopt rules setting forth procedures relating to the administration of their duties, and Minnesota Statutes § 15.0415, which requires the Attorney General to promulgate a form for petitions for the adoption of rules and authorizes the adoption of rules relating to the procedures to be followed upon submission of a petition.

The Office of the Attorney General requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Jerry S. Anderson
Special Assistant Attorney General
G-25 State Administration Building
50 Sherburne Avenue
Saint Paul, Minnesota 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-1288 and in person at the above address.

All statements of information and comment shall be accepted until the rulemaking record is closed. Any written material received by the Office of Attorney General shall become part of the record in the event that the rules are promulgated.

Jerry S. Anderson
Special Assistant Attorney General

State Board of Education
Department of Education
Special Services Division

Notice of Intent to Solicit Outside Opinion Concerning Proposed Rules Relating to Supervisory and Support Personnel

Notice is hereby given that the State Board of Education is considering adoption of rules for the licensure of supervisory and support personnel.

The proposed rules are authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the Board of Education to license supervisory and support personnel. The proposed rules would establish reasonable standards and procedures for the issuance, renewal, suspension, and revocation of licenses of supervisory and support personnel. For the purpose of licensure, supervisory and support personnel, as defined by Minn. Stat. § 125.03, as amended by Laws of 1980, ch. 345, § 1, includes superintendents, principals, professional employees who devote 50 percent or more of their time to administrative or supervisory duties over other personnel, as well as counselors, school nurses, athletic coaches, and other professional employees who engage primarily in nonclassroom activities. The term does not include librarians, school psychologists, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, or speech therapists.

All interested or affected persons or groups may submit information on this subject. Written or oral information and comment should be addressed to:

George B. Droubie, Manager
Personnel Licensing and Placement Section
Special Services Division
Minnesota Department of Education
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

All statements of information and comment must be received by November 14, 1980. Any written material received by this date will become part of the record, in the event rules concerning this subject are adopted.

September 19, 1980

Howard B. Casmey, Secretary
State Board of Education

Department of Health
Health Systems Division

Notice of Intent to Solicit Outside Opinions Concerning a Request for A Waiver of HMO Statutes and Rules by Physicians' Health Plan

Notice is hereby given that the Department of Health is seeking opinions and comments pertaining to a request by Physicians' Health Plan for waiver of HMO statutes and rules for its Medicare Supplement Program. Such waivers are authorized for demonstration projects by Minn. Stat. § 62D.30.

The request submitted by Physicians' Health Plan is available for inspection during normal business hours at the following location:

HMO Unit
Room 216
Minnesota Department of Health
Minneapolis, Minnesota 55440

Comments on the application must be received at the HMO Unit by October 20, 1980.

Department of Labor and Industry
Labor Standards Division

Notice of Prevailing Wage Rates for Commercial Construction

On September 29, 1980, the commissioner certified prevailing wage rates for commercial construction for each of the 87 counties in Minnesota.

A copy of the determined wage rates for Minnesota counties may be obtained by writing to the *State Register* and Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155. The charges for the cost of copying and mailing are $.50 for the first county and $.30 for any subsequent copies of the same or other counties. For all 87 counties, the charge is $25.00. Minnesota sales tax of 4% must be added to all orders.

A check or money order payable to the State of Minnesota must accompany each request.

Harry D. Peterson, Commissioner
Department of Labor and Industry

Public Utilities Commission

Notice of Intent to Solicit Outside Opinion Concerning Implementation of FERC Cogeneration and Small Power Production Rules Docket No. E-999/R-80-560

Notice is hereby given that the Minnesota Public Utilities Commission is seeking information or opinions from outside the commission on appropriate methods for implementation of the Federal Energy Regulatory Commission (FERC) rules governing arrangements between electric utilities and qualifying cogeneration and small power production facilities. The Public Utility

State of Minnesota
Department of Education

State Board of Education
Special Services Division

In the Matter of the Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 12th day of January, 1981, that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the State Board of Education for that purpose and be published in the State Register.

State of Minnesota
Board of Education

Secretary

CERTIFICATE OF BOARD'S
AUTHORIZING RESOLUTION

I, Howard B. Casmey, do hereby certify that I am secretary of the Board of Education, 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 of Education duly and properly called and held on the 12th day of January, 1981; that a quorum was present at said meeting; and that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED, that Howard B. Casmey, secretary of the Board of Education, be and he hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing rules governing the licensure of supervisory and support personnel, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he or his deputy hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 12th day of January, 1981.

Howard B. Casmey
Secretary, Board of Education

Elroy D. Johnson
Member, Board of Education

State Board of Education
Department of Education
Special Services Division

In the Matter of the Proposed
Adoption of Rules of the State
Board of Education Governing
the Licensure of Supervisory
and Support Personnel
5 MCAR § 1.0523 - § 1.05361

Notice Of Intent To Adopt
Rules Without A Public
Hearing

Notice is hereby given that the State Board of Education proposes to adopt the above-entitled rules without a public hearing. The Board has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes section 15.0412, subdivision 4h (1980).

The proposed rules govern licensure standards and procedures for supervisory and support personnel, as authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license supervisory and support personnel. For the purpose of licensure, supervisory and support personnel, as defined by Minn. Stat. § 125.03, as amended by Laws of 1980, ch. 345, § 1, includes superintendents, principals, professional employees who devote 50 percent or more of their time to administrative or supervisory duties over other personnel, as well as counselors, school nurses, athletic coaches, and other professional employees who engage primarily in nonclassroom activities. The term does not include librarians, school psychologists, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, or speech therapists.

Proposed rules 5 MCAR § 1.0523 - 1.0528 establish procedures for the issuance, renewal, suspension, and revocation of licenses for school counselors, school nurses, athletic coaches, reading consultants, and supervisory and consultative personnel.

Proposed rules 5 MCAR § 1.0529 - 1.05361 govern standards of licensure for school counselors, school nurses, athletic coaches, reading consultants, and supervisory and consultative personnel. These proposed rules are essentially the same as rules which were in effect prior to the establishment of authority for the State Board of Education to license supervisory and support personnel. The only changes being proposed at this time relate to the authority of the State Board of Education to license supervisory and support personnel, as authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes section 15.0412, subdivisions 4-4f.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

George B. Droubie, Manager
Personnel Licensing and Placement
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
Telephone: (612) 296-2046

Authority for the adoption of these rules is contained in Minnesota Statutes section 125.05, as amended by Laws of 1980, ch. 345, § 2. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from George B. Droubie upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, and the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to George B. Droubie.

A copy of the proposed rules is attached to this Notice.

Copies of this Notice and the proposed rules are available and may be obtained by contacting George B. Droubie.

State of Minnesota

Howard B. Casmey
Secretary

Rules as Proposed (all new material)

Chapter Twenty-Seven A: Licensure of Supervisory and Support Personnel: Issuance, Suspension, and Revocation

5 MCAR § 1.0523 Issuance and renewal of licenses.

A. Licenses valid for supervision, counseling, nursing, and coaching in Minnesota schools shall be granted to persons who meet all requirements of applicable statutes and rules and who complete programs approved by the Commissioner of Education leading to licensure in Minnesota institutions which are approved by the Minnesota Board of Teaching pursuant to 5 MCAR § 3.140 to prepare persons for licensure.

B. An applicant must qualify separately for each licensure area for which application is made and provide evidence of satisfactory completion of a program in such licensure area which has been approved by the Commissioner of Education.

C. All licenses shall be issued and/or renewed in accordance with criteria established in Rules of the State Board of Education and shall be valid for the period of time specified in this rule.

D. All licenses shall bear the date of issuance and shall expire the specified number of years from the July 1 nearest the date licensure was approved. Applications for renewal shall be accepted by the Commissioner of Education after January 1 of the year of expiration; provided, however, that the renewal period shall commence on July 1 of the year of expiration. After July 1 in the year of expiration, all licenses not renewed shall be deemed expired and no longer valid.

E. Each application for the issuance and/or renewal of a license shall be accompanied by a processing fee in the amount of $20.00. The processing fee shall be nonrefundable for applicants not qualifying for a license, except the fee is refundable when the applicant for a license already holds the license for which application is made and that license does not expire in the year the application is submitted.

F. The initial license which shall be issued in any licensure area is an entrance license, valid for two years, except as provided in provisions H. and I. of this rule.

G. When one school year of experience is not completed prior to the expiration of an entrance license, another entrance license in that licensure area shall be issued upon application. If an entrance license in any licensure area is allowed to lapse, it shall be renewed, upon application, until the applicant has had one school year of experience while holding a valid entrance license after which time an applicant must qualify for a continuing license.

H. An applicant who completes at least one school year of experience in a licensure area while holding an entrance license shall be issued a continuing license, valid for five years. When a licensure area is added to a continuing license already in force, a continuing license is issued, and the expiration date becomes that already established for the continuing license in force.

I. An applicant who holds a life license who subsequently completes an approved program in an additional licensure area shall be issued a continuing license, valid for five years for the additional licensure area.

J. A continuing license, valid for five years, shall be renewed upon application according to renewal provisions enumerated in the specific licensure Rules of the State Board of Education for the license being renewed.

K. Except as provided in 5 MCAR § 1.05361 D., if a continuing license in any area is allowed to lapse, one of the following shall be issued:

1. A continuing license based upon verification that the applicant has met renewal requirements during the five-year period immediately preceding the application, or

2. A continuing license based upon evidence that the applicant has earned at least 12 quarter or 8 semester hours of credit in the licensure area for which application is being made, which have been earned during the five-year period immediately preceding the application, or

3. A one-year renewal of the lapsed continuing license based upon evidence that the applicant has been offered a position contingent upon holding a valid license. In order to qualify for a continuing license at the end of one year, the applicant shall provide evidence that renewal requirements have been met or that at least 12 quarter or 8 semester hours of credit have been earned in the licensure area for which application is being made during the five-year period immediately preceding the date of application for the continuing license.

5 MCAR § 1.0524 Suspension and revocation of licenses.

A. The license of an administrator, supervisor, counselor, nurse, or coach may be revoked or suspended for any of the following causes:

1. Immoral character or conduct;
2. A breach of contract of employment without justifiable cause;
3. Overall gross inefficiency or willful neglect of duty;
4. Fraud or misrepresentation in obtaining a license;
5. Conviction of a felony which directly relates to the occupation for which licensure is held.

B. The State Board of Education may act to suspend or revoke the license of a person whose license was granted by the State Board of Education after the following procedures have been followed:

1. A written complaint which specifies the nature and character of the charges against the licensee is filed with the State Board of Education by either the school board employing the person or by the Commissioner of Education.

2. The Commissioner of Education, within 10 calendar days after the filing of the complaint with the State Board of Education, serves a copy of the complaint upon the licensee by certified mail addressed to such licensee at the last known address.

3. The licensee, within 20 calendar days after the service of the copy of charges, files with the State Board of Education an answer to the charges specified. The failure to answer within the 20 calendar day period shall result in the right to a hearing being waived.

4. A hearing conducted in accordance with the rules of the Office of Administrative Hearings shall be held.

5 MCAR § 1.0526 Approval of licensure programs.

A. Institutions which have been approved by the Minnesota Board of Teaching pursuant to 5 MCAR § 3.140 to prepare persons for licensure may request approval by the Commissioner of Education of licensure programs in supervision, counseling, and coaching. 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 Commissioner of Education a program description for each licensure program for which approval is requested. The licensure program description shall include:

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

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

3. A description of the 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 licensure program.

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

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

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

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

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

1. Rules of the State Board of Education governing the licensure program are met.

2. Necessary faculty and physical resources are allocated to implement and maintain the licensure program.

3. Adequate supervision for practicum experiences required by individual licensure rules is provided.

D. Before initial approval for the licensure program is granted, state department of education staff or persons designated as program auditors by the Commissioner of Education may visit the institution to examine the licensure program for the purpose of verifying the program description and making a recommendation regarding approval status. During the operation of an approved 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. Program auditors shall forward a written report of their findings to the Commissioner of Education and to the institution.

E. State department of education staff or persons designated as program auditors by the Commissioner of Education 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 licensure program. Reimbursement of travel, food, and lodging expenses for program auditors shall be in accordance with Minnesota state rules.

F. Based upon appraisal of the program description prepared by the institution and the written report of the auditors, the Commissioner of Education 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 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 licensure program is conditionally approved, the Commissioner of Education shall reconsider the approval status of the licensure program upon verification that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval shall be withdrawn.

H. Licensure programs which vary in curricular design shall be approved provided that program components meet the criteria for approval set forth in this rule.

I. When an institution makes revisions in an approved licensure program, the administrator of the defined administrative and instructional unit of that institution shall forward to the Commissioner of Education a written description of the licensure program revision. An audit shall be made to verify that the revised licensure program continues to meet Rules of the State Board of Education. Each verified licensure program revision shall become an amendment to the approved licensure program.

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

5 MCAR § 1.0527 Persons prepared in states other than Minnesota.

A. Minnesota licenses shall be granted to persons (a) who otherwise meet applicable statutory requirements and (b) who complete programs leading to licensure in colleges and universities located outside Minnesota. Such licenses shall be granted only in licensure fields for which the State Board of Education has established rules governing programs leading to licensure. Such licenses shall be issued according to either 1. or 2. as follows:

1. Persons who complete approved programs in colleges and universities leading to licensure within states which have signed contracts with Minnesota according to the provisions of the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota entrance license. No licenses shall be issued on the basis of teaching experience only.

2. Persons who complete programs leading to licensure in colleges and universities within states which have not signed contracts with Minnesota according to the provisions of the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota entrance license when all of the following criteria are met:

a. The college or university is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. The program leading to licensure has been recognized by the state as qualifying the applicant completing the program for such licensure within that state.

c. The program leading to licensure completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota colleges and universities according to the Rules of the State Board of Education governing the licensure field.

d. The college or university which offers the program leading to licensure verifies that the applicant has completed an approved licensure program at that institution and recommends the applicant for a license in a licensure field at a licensure level.

B. Notwithstanding the rule governing human relations, persons who have been prepared for licensure in states other than Minnesota shall be granted a Minnesota entrance license based upon the provisions of this rule.

5 MCAR § 1.0528 Human relations requirement.

A. All applicants for licenses to be issued or renewed under authority of the State Board of Education shall complete a training program containing human relations components. Persons holding life licenses are exempted from this requirement except in those instances where the person holding a life license seeks to be licensed, or to have a license renewed, in an area for which the person does not hold a life license. Persons from outside Minnesota who wish to be licensed must complete a human relations training program during the two-year period of the entrance license. Components which constitute a human relations training program must be approved by the Commissioner of Education.

B. Human relations components of programs which lead to licensure in education under authority of the State Board of Education shall be approved upon submission of evidence:

1. Showing that the human relations components have been developed with participation of members of various racial, cultural, handicapped, and economic groups. Participation in planning shall be equitably distributed between men and women.

2. Showing that the human relations components are planned to develop the ability of applicants to:

a. Understand the contributions and life styles of the various racial, cultural, handicapped, and economic groups in our society, and

b. Recognize and deal with dehumanizing biases, discrimination, prejudices, and instititutional and personal racism and sexism, and

c. Create learning environments which contribute to the self-esteem of all persons and to positive interpersonal relations, and

d. Respect human diversity and personal rights.

3. Relating all of the areas enumerated in B.2. to specific competencies to be developed, and

4. Indicating means for assessment of competencies.

Rules as Amended

5 MCAR § ~~3.1021~~1.0529 School counselors, secondary.

A. All candidates recommended for licensure as a school counselor, secondary, shall complete all requirements of 1.a., 1.b., 1.c., 1.d., 1.e., of this rule or all requirements of 2.a., 2.b., 2.c., 2.d., 2.e., of this rule. Sections A.1. and A.2. of this rule are mutually exclusive.

1. Qualifications for licensure.

a. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in a secondary school counselor preparation program approved by the ~~Minnesota board of teaching~~ Commissioner of Education.

b. Have satisfactorily completed practica in school guidance and counseling at the secondary school level. Practica shall be in a secondary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 1.d. of this rule.

c. Hold a valid Minnesota secondary classroom teaching license.

d. Have completed one year of secondary classroom teaching experience. Candidates holding a valid Minnesota secondary classroom teaching license but who have not completed one year of teaching experience shall complete the equivalent of a full-time, one school year internship in school guidance and counseling at the secondary school level. The internship shall be under the supervision of a practicing, resident, licensed secondary school counselor who has at least two years of counseling experience at the secondary school level. Supervision shall also be provided by counselor educators from an approved college guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

2. Alternative qualifications for licensure. (Experimental program.)

a. Have completed at least a baccalaureate degree program from a teacher preparation institution which is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in a secondary school counselor preparation program approved by the ~~Minnesota board of teaching~~ Commissioner of Education.

c. Have satisfactorily completed practica in school guidance and counseling at the secondary school level. Practica shall be in a secondary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 2.d. of this rule.

d. Have satisfactorily completed a full-time guidance and counseling internship from a school guidance and counseling program approved by the ~~Minnesota board of teaching~~ Commissioner of Education which includes the completion of course work and experiences in curriculum, school organization and philosophy of education and experiences in a secondary school. The internship shall be completed in one full school year and shall include the equival-

ent of at least one quarter of classroom experience. The internship shall be under the supervision of a practicing, resident, licensed secondary school counselor who has at least two years of counseling experience at the secondary school level. Supervision shall also be provided by counselor educators from an approved guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

B. In addition to meeting the requirements in A.1. or A.2. of this rule, all candidates recommended for licensure as school counselor shall have completed a graduate level program in school guidance and counseling approved by the ~~Minnesota board of teaching~~ Commissioner of Education containing components designed to provide candidates recommended for licensure with knowledge, skills, and understandings in all of the following:

1. Counseling.

a. The knowledge of a variety of counseling philosophies and skills and an understanding of their application with adolescents and adults.

b. The ability to recognize the need for help and to intervene effectively as a helping person toward meeting the unique needs of all students, including exceptional students.

c. The utilization of appropriate counseling skills with individuals and groups to facilitate their human growth and development. Such developmental goals shall include:

(1) Ability to differentiate feelings

(2) Recognition of strengths and limitations

(3) Awareness of alternatives and their implications

(4) Ability to make decisions and value choices and accept responsibility for them

(5) Skill in open interpersonal communication including non-verbal behavior, and

(6) Acquisition of coping skills.

d. The effective use of group processes including the ability to identify objectives and to facilitate communication, group cohesiveness, and personal growth.

e. The knowledge of family systems and utilization of counseling skills to facilitate student and family development.

f. The understanding of cultural differences.

2. Consulting.

a. The knowledge of a variety of consultation models and their application in practice in secondary schools.

b. The knowledge of the learning process and the ability to participate with school staff in developing alternative learning approaches, including remedial, and adapting school curriculum toward meeting the unique needs of secondary students.

c. The ability to orient parents to the school program and help them understand the student's aptitudes, abilities, interests, and attitudes as related to educational and career planning, academic achievement, personal-social development, and total school progress.

d. The knowledge and ability to make referrals to community agencies and utilize businesses, educational institutions, and other helping professionals.

e. The knowledge and ability to utilize results of evaluative studies including follow-up as a consultant in program development and/or revision at the secondary level.

f. The knowledge and ability to serve as a staff resource to aid in the implementation of developmental-career curriculum and employability skills training in the classroom.

g. The knowledge and ability to design, initiate, and conduct in-service training programs for staff personnel relative to development of adolescents.

3. Developmental-career guidance.

a. The understanding of the basic principles of child and adolescent growth and development, including physical, emotional, cognitive, ego, moral, career, and social.

b. The knowledge of curriculum content and processes and the skills to organize and conduct classroom guidance activities which facilitate personal and career development.

c. The knowledge and ability to assist students in developing self-awareness, self-understanding, and self-acceptance.

d. The knowledge and ability to assist students, individually and/or in groups, in exploring educational and occupational information in view of their aptitudes, interests, and personal-social needs in choosing career and avocational goals.

e. The knowledge of educational, occupational, and employment trends for purposes of assisting students in program planning and selection.

f. The ability to assist in the coordination of educational and job placement for students, graduates, and school leavers.

4. Evaluation and assessment.

a. The knowledge and ability to conduct and interpret the results of formal and informal measurement procedures in the cognitive, affective, psychological, and social aspects of adolescents.

b. The knowledge of, and the ability to use, a variety of evaluation procedures including follow-up studies for individual and institutional decision-making.

c. The ability to assist students and parents to use information derived from educational measurement including career and vocational assessment services in planning and decision-making.

d. The knowledge and ability to identify and assess secondary student developmental needs.

5. Guidance program development, coordination, and management.

a. The knowledge and ability to formulate guidance and counseling program goals and priorities.

b. The knowledge and ability to initiate, coordinate, and interpret a counseling and guidance program to meet the developmental needs of all students.

c. The knowledge and ability to coordinate the counseling and guidance program with the instructional program and student support services.

d. The knowledge of organizational theory relating to change and humanization of social systems.

e. The ability to apply the principles of personnel management in supervising the functioning of all personnel assigned to the guidance program.

f. The knowledge and ability to evaluate guidance programs and report the results to appropriate individuals.

C. The issuance of the first continuing license is contingent upon:

1. Possession by the candidate of a valid entrance license as a secondary school counselor, and

2. One year of experience as a secondary school counselor.

D. The continuing license shall be renewed according to the rules of the Board of Teaching pertaining to continuing education.

E. All persons holding a license as a secondary school counselor prior to July 1, 1982, may continue to hold and renew such licenses according to the continuing education licensure rules of the Board of Teaching.

F. All programs for preparation of school counselors shall be submitted for approval to the ~~Minnesota board of teaching~~ Commissioner of Education and shall include a description of the procedures by which persons who hold elementary school counselor entrance, continuing, or life licensure and wish to be licensed as a secondary school counselor may have their experience and preparation in school guidance and counseling evaluated to determine the areas where such experience and preparation are equivalent to the approved

programs as well as the areas where additional preparation may be required. In every case, the requirement shall be at least the equivalent of 18 quarter hours of credit of preparation, including a minimum of 6 quarter hours of practica experience. The remaining credits shall be selected from the areas specified in B.1., 2., 3., 4., and 5., of this rule. Applicants shall be recommended for licensure as a secondary school counselor according to provision F. of this rule.

G. An institution applying to the ~~board of teaching~~ Commissioner of Education for approval of its counselor education program according to the provisions of this rule must forward a program description in accordance with 5 MCAR § ~~3.141~~1.0526 B. and C. The form utilized by the institution for the internship agreement according to provision A.1.d. or A.2.d. of this rule must accompany the program description.

H. In addition to G., above, an institution applying for approval of its counselor education program to recommend candidates for licensure according to provision A.2. of this rule, must forward a program description which shall include:

1. A definite time limit for the experiment not to exceed 5 academic years and 25 students admitted to the program;

2. Clearly defined selection criteria for students admitted to the program;

3. A statement which describes the research design and evaluation procedures to be used by the institution in determining the effectiveness of the program; and

4. A plan for submitting the experimental results to the ~~board of teaching.~~ Commissioner of Education.

I. Programs shall be approved which vary in curricular design provided that program components meet the requirements in G. or H., above, and that these components will provide candidates who are recommended for licensure in school guidance and counseling with the knowledge, skills, and understandings which are enumerated in B.1., 2., 3., 4., and 5., of this rule.

J. This rule is effective July 1, 1982, for all applicants for entrance licenses.

5 MCAR § ~~3.102~~1.05291 Counselors, secondary schools.

A. Qualifications for license:

1. A valid license to teach in the public schools of Minnesota based on a bachelor's degree from an accredited teacher preparing institution.

2. Completion of a program of counselor education leading to a master's degree or its equivalent (45 quarter hours of graduate work).

a. At least one course or its equivalent shall be taken in each of the seven areas listed below:

Principles and practices in guidance
Personality structures and mental hygiene
Measurement and research methods
Appraisal techniques
Occupational and training information and material
Counseling procedure
Practice in guidance and counseling; and

b. At least one course shall be chosen from the following areas:

Group guidance
Organization and administration of guidance services
Psychology of learning

c. Not more than six credits earned in courses selected in (a) and (b) above may be undergraduate credits.

3. At least one year of successful teaching experience (two or more years preferred).

4. Minimum of one year of cumulated work experience outside of education (two or more years experience in several occupational areas preferred).

B. Renewal requirements. ~~See §-3.001.~~ The continuing license shall be renewed according to provisions of 5 MCAR § 3.005 continuing education/ relicensure.

C. Provisional license. A provisional license will be granted to counselors for two years who meet all professional requirements above with the exception of A.4. This license may be renewed every two years upon presentation of evidence that the counselor has accumulated 400 hours (10 weeks) of cumulated work experience outside of education. When the counselor has accumulated 2,000 hours (one year) of work experience he will be eligible for the counselor's license subject to the renewal requirements in 5 MCAR § ~~3.001~~3.005.

D. This rule shall remain in effect until July 1, 1982, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § ~~3.1031~~1.0530 School counselors, elementary.

A. All candidates recommended for licensure as a school counselor, elementary, shall complete all requirements of 1.a., 1.b., 1.c., 1.d., 1.e., of this rule or all requirements of 2.a., 2.b., 2.c., 2.d., 2.e., of this rule. Sections A.1. and A.2. of this rule are mutually exclusive.

1. Qualifications for licensure.

a. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in an elementary school counselor preparation program approved by the ~~Minnesota board of teaching.~~ Commissioner of Education.

b. Have satisfactorily completed practica in school guidance and counseling at the elementary school level. Practica shall be in an elementary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 1.d. of this rule.

c. Hold a valid Minnesota elementary classroom teaching license.

d. Have completed one year of elementary classroom teaching experience. Candidates holding a valid Minnesota elementary classroom teaching license but who have not completed one year of teaching experience shall complete the equivalent of a full-time, one school year internship in school guidance and counseling at the elementary school level. The internship shall be under the supervision of a practicing, resident, licensed elementary school counselor who has at least two years of counseling experience at the elementary school level. Supervision shall also be provided by counselor educators from an approved college guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

2. Alternative qualifications for licensure. (Experimental program.)

a. Have completed at least a baccalaureate degree program from a teacher preparation institution which is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in an elementary school counselor preparation program approved by the ~~Minnesota board of teaching.~~ Commissioner of Education.

c. Have satisfactorily completed practica in school guidance and counseling at the elementary school level. Practica shall be in an elementary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 2.d. of this rule.

d. Have satisfactorily completed a full-time guidance and counseling internship from a school guidance and counseling program approved by the ~~Minnesota board of teaching~~ Commissioner of Education which includes the completion of course work and experiences in curriculum, school organization and philosophy of education and experiences in an elementary school. The internship shall be completed in one full school year and shall include the equivalent of at least one quarter of classroom experience. The internship shall be under the supervision of a practicing, resident, licensed elementary school counselor who has at least two years of counseling experience at the elementary school level. Supervision

shall also be provided by counselor educators from an approved guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

B. In addition to meeting the requirements in A.1. or A.2. of this rule, all candidates recommended for licensure as school counselor shall have completed a graduate level program in school guidance and counseling approved by the ~~Minnesota board of teaching~~ Commissioner of Education containing components designed to provide candidates recommended for licensure with knowledge, skills, and understandings in all of the following:

1. Counseling.

a. The knowledge of a variety of counseling philosophies and skills and an understanding of their application with children and adults.

b. The ability to recognize the need for help and to intervene effectively as a helping person toward meeting the unique needs of all students, including exceptional students.

c. The utilization of appropriate counseling skills with individuals and groups to facilitate their human growth and development. Such developmental goals shall include:

(1) Ability to differentiate feelings
(2) Recognition of strengths and limitations
(3) Awareness of alternatives and their implications
(4) Ability to make decisions and value choices and accept responsibility for them
(5) Skill in open interpersonal communication including non-verbal behavior, and
(6) Acquisition of coping skills.

d. The knowledge and ability to use play media for guidance and assessment.

e. The effective use of group processes including the ability to identify objectives and to facilitate communication, group cohesiveness, and personal growth.

f. The knowledge of family systems and utilization of counseling skills to facilitate student and family development.

g. The understanding of cultural differences.

2. Consulting.

a. The knowledge of a variety of consultation models and their application in practice in elementary schools.

b. The knowledge of the learning process and the ability to participate with school staff in developing alternative learning approaches,

including remedial, and adapting school curriculum toward meeting the unique needs of elementary students.

c. The ability to orient parents to the school program and help them understand the student's aptitudes, abilities, interests, and attitudes as related to personal-social development, total school progress, academic achievement, and educational planning and career awareness.

d. The knowledge and ability to make referrals to community agencies, utilize businesses, educational institutions, and other helping professionals.

e. The knowledge and ability to utilize results of evaluative studies as a consultant in program development and/or revision at the elementary level.

f. The knowledge and ability to serve as a staff resource to aid in the implementation of developmental-career curriculum in the classroom.

g. The knowledge and ability to design, initiate, and conduct in-service training programs for staff personnel relative to development of children.

3. Developmental-career guidance.

a. The understanding of the basic principles of child development, including physical, emotional, cognitive, ego, moral, career, and social.

b. The knowledge of curriculum content and processes and the skills to organize and conduct classroom guidance activities which facilitate personal and career development.

c. The knowledge and ability to assist students in developing self-awareness, self-understanding, and self-acceptance.

d. The knowledge and ability to assist students in personal-social needs and career awareness.

4. Evaluation and assessment.

a. The knowledge and ability to conduct and interpret the results of formal and informal measurement procedures in cognitive, affective, and psychomotor domains of children.

b. The knowledge of, and the ability to use, a variety of evaluation procedures for individual and institutional decision making.

c. The ability to assist students and parents to use information derived from educational measurement in planning and decision making.

d. The knowledge and ability to identify and assess developmental needs of children.

5. Guidance program development, coordination, and management.

a. The knowledge and ability to formulate guidance and counseling program goals and priorities.

b. The knowledge and ability to initiate, coordinate, and interpret a counseling and guidance program to meet the developmental needs of all students.

c. The knowledge and ability to coordinate the counseling and guidance program with the instructional program and student support services.

d. The knowledge of organizational theory relating to change and humanization of social systems.

e. The ability to apply the principles of personnel management in supervising the functioning of all personnel assigned to the guidance program.

f. The knowledge and ability to evaluate guidance programs and report the results to appropriate individuals.

C. The issuance of the first continuing license is contingent upon:

1. Possession by the candidate of a valid entrance license as an elementary school counselor, and

2. One year of experience as an elementary school counselor.

D. The continuing license shall be renewed according to the rules of the Board of Teaching pertaining to continuing education.

E. All persons holding a license as an elementary school counselor prior to July 1, 1982, may continue to hold and renew such licenses according to the continuing education licensure rules of the Board of Teaching.

F. All programs for preparation of school counselors shall be submitted for approval to the ~~Minnesota board of teaching~~ Commissioner of Education and shall include a description of the procedures by which persons who hold secondary school counselor entrance, continuing, or life licensure and wish to be licensed as an elementary school counselor may have their experience and preparation in school guidance and counseling evaluated to determine the areas where such experience and preparation are equivalent to the approved programs as well as the areas where additional preparation may be required. In every case, the requirement shall be at least the equivalent of 18 quarter hours of credit of preparation, including a minimum of 6 quarter hours of practica experience. The remaining credits shall be selected from the areas specified in B.1., 2., 3., 4., and 5., of this rule. Applicants shall be recommended for licensure as an elementary school counselor according to provision F. of this rule.

G. An institution applying to the ~~board of teaching~~ Commissioner of Education for approval of its counselor education program according to the provisions of this rule must forward a program description in accordance with 5 MCAR § ~~3.141~~1.0526 B. and C. The form utilized by the institution for the internship agreement according to provision A.1.d. or A.2.d. of this rule must accompany the program description.

H. In addition to G., above, an institution applying for approval of its counselor education program to recommend candidates for licensure according to provision A.2. of this rule, must forward a program description which shall include:

1. A definite time limit for the experiment not to exceed 5 academic years and 25 students admitted to the program;

2. Clearly defined selection criteria for students admitted to the program;

3. A statement which describes the research design and evaluation procedures to be used by the institution in determining the effectiveness of the program; and

4. A plan for submitting the experimental results to the ~~board of teaching~~ Commissioner of Education.

I. Programs shall be approved which vary in curricular design provided that program components meet the requirements in G. or H., above, and that these components will provide candidates who are recommended for licensure in school guidance and counseling with the knowledge, skills, and understandings which are enumerated in B.1., 2., 3., 4., and 5., of this rule.

J. This rule is effective July 1, 1982, for all applicants for entrance licenses.

5 MCAR § ~~3.1031~~.05301 Counselors, elementary schools.

A. Qualifications for license.

1. A valid license to teach in the public elementary schools of Minnesota based on a baccalaureate degree from an accredited teacher preparing institution, and

2. One year of successful elementary teaching experience, and

3. Completion of a master's degree from a recognized graduate school in a program approved by the State Department of Education which in no event consists of fewer than 54 quarter hours at the graduate level. As part of its program each institution of higher education must submit for approval by the State Department of Education a statement of competencies to be developed, and relate these expected competencies to components in its program. Competencies must be developed in all of the following areas:

Coordination
Counseling
Consultation
Developmental guidance
Diagnosis
Human relations.

4. Candidates who satisfactorily meet the foregoing requirements will receive a two-year license for elementary school counselors.

B. Renewal requirements.

1. The two-year license may be renewed for five years when six additional quarter credits in related competency areas have been completed and when one year of successful elementary counseling experience has been completed.

2. Five-year licenses may be renewed according to general rules of the Board of Teaching pertaining to continuing education.

C. This rule shall remain in effect until July 1, 1982, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § ~~3.1141~~.0531 Counselors in middle schools.

A. A school counselor in a middle school shall hold a valid Minnesota elementary school counselor license or secondary school counselor license. In addition, except as provided in B. of this rule, a school counselor in a middle school shall complete a preparation program, approved by the ~~board of teaching~~ Commissioner of Education, leading to the licensure of middle school counselors.

1. A school counselor holding a valid Minnesota elementary school counselor license shall complete an approved program leading to the licensure of middle school counselors consisting of a minimum of 10 quarter hours or the equivalent. Such programs shall include all of the following areas:

a. Philosophy and organization of the middle school

b. Adolescent psychology

c. Developmental-career guidance, as enumerated in provision B.3. of 5 MCAR § ~~3.1021~~.0529, and

d. Counseling practicum with adolescents.

2. A school counselor holding a valid Minnesota secondary school counselor license shall complete an approved program leading to the licensure of middle school counselors consisting of a minimum of 10 quarter hours or the equivalent. Such programs shall include all of the following areas:

a. Philosophy and organization of the middle school

b. Pre-adolescent psychology

c. Developmental-career guidance, as enumerated in provision B.3. of 5 MCAR § ~~3.1031~~.0530, and

d. Counseling practicum with pre-adolescents.

B. Provisions of this rule shall not be interpreted to prevent a school counselor from counseling in a middle school at those grade levels for which valid Minnesota school counselor licensure is held or to require such

counselor to secure additional licensure to continue to counsel at those grade levels in a middle school for which valid Minnesota school counselor licensure is held.

C. Minnesota colleges and universities approved to prepare school counselors and which request approval of a program according to this rule shall provide evidence that programs to prepare middle school counselors submitted for approval have been developed with participation from elementary and secondary counselors, middle school administrators, students, and interested citizens. Such programs shall also include:

1. A statement of philosophy which sets forth the view of the institution with respect to the middle school.

2. An enumeration of the specific knowledge, skills, and understandings to be developed in the proposed program.

3. A description of program components which includes statements specifically relating individual components of the program to the philosophy and outcomes enumerated under 1. and 2., above.

4. A plan for assessing learning outcomes for individual candidates for licensure.

D. All approved programs leading to middle school counselor licensure shall include a description of the way in which practicing counselors may have their school counseling experience and school counselor preparation in those areas enumerated in A., above, evaluated and credited by an institution maintaining an approved program leading to middle school counseling licensure. Such evaluation may include previous school counseling experience and/or previous school counselor preparation.

E. Applicants holding a valid Minnesota elementary or secondary school counselor entrance license shall be issued an entrance middle school counselor license upon the completion of the requirements of A.1. or 2. of this rule.

F. Applicants holding a valid Minnesota elementary or secondary school counselor continuing or life license shall be issued a continuing middle school counselor license upon the completion of the requirements of A.1. or 2. of this rule.

G. The first and subsequent continuing middle school counseling licenses shall be issued to applicants who have completed the requirements of A.1. or 2. of this rule and who meet the requirements of the Board of Teaching for the issuance of the first and/or subsequent Minnesota elementary or secondary school counselor continuing licenses.

H. Until July 1, 1983, any person licensed by the ~~Minnesota~~ State Board of ~~teaching~~ Education as a school counselor for any of the grade levels in a middle school where the person is assigned as a school counselor is granted authority to counsel at any of the grade levels in the middle school regardless of grade level restrictions on the license currently held.

I. Except for provision H., all provisions of this rule shall become effective July 1, 1983.

5 MCAR § ~~3.1061~~.0532 School nurse.

The provisions of this rule shall apply only to persons who are required to be licensed by the Minnesota Board of Nursing to perform those services being rendered or which shall be rendered by them in a Minnesota public school.

A health service nurse holding a vocational license according to the state plan for vocational education and practicing at the post-secondary level is exempt from the provisions of this rule.

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

B. A license as school nurse, valid for two years, shall be granted to an applicant who provides evidence to the ~~director~~ manager of teacher licensure that the following requirements have been met:

1. A baccalaureate degree from a regionally accredited college or university, and

2. Current Minnesota registration to practice as a licensed registered nurse, and certification as a Minnesota public health nurse, and

3. 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

C. Issuance of the first five-year license.

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

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

E. Maintaining licensure.

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

2. Persons without baccalaureate degrees who hold valid licenses as school nurses may continue to renew their licenses under paragraph D., provided that requirements for renewal are met. However, if such licenses are allowed to lapse, persons must meet licensure requirements set forth in paragraph B., above.

F. Effective date: July 1, 1981.

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, shall be granted to an applicant who fulfills the following requirements:

1. Current registration to practice as a licensed registered nurse in Minnesota, and

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, 1981.

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

a. After one year of successful experience while holding the two-year license, and

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)

c. Completion of a human relations program approved by the ~~board of teaching.~~ Commissioner of Education.

4. The first five-year license shall be issued to applicants who have completed a., 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 two-year license, not more than one additional two-year license 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.

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

6. In order to retain licensure as a school nurse current registration as a registered nurse must be maintained at all times. Lapse of such registration shall be grounds for revocation of licensure as a school nurse.

7. The provisions of section G. shall be in effect until July 1, 1983, when section G. shall be deleted from ~~S-3.106~~ this rule without further action by the State Board of ~~teaching~~ Education and all applicants shall, from that date forward, qualify for licensure as school nurse under ~~S-3.106~~ provisions A., B., C., D., and E., of this rule.

5 MCAR § ~~3.1061~~.05321 School nurse. The State Board of ~~teaching~~ Education will issue licenses as school nurse to applicants who meet the requirements of this section, 5 MCAR § ~~3.1061~~.05321 A. or 5 MCAR § ~~3.1061~~.05321 B. 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.

A. Professional license (for public health nurses).

1. A professional license as school nurse, valid for two years, may be granted to an applicant who fulfills the following requirements:

a. Current registration to practice as a licensed registered nurse in Minnesota, and

b. A baccalaureate degree from a regionally accredited college or university, and

c. Licensed as a public health nurse pursuant to Minn. Stat. § 145.10.

2. ~~Renewal of~~ The two year license may be renewed for five years after one year of successful experience.

B. Professional license (for registered nurses who hold a baccalaureate degree).

1. A professional license as a school nurse, valid for two years, may be granted to an applicant who fulfills the following requirements:

a. Current registration to practice as a licensed registerd nurse in Minnesota, and

b. A baccalaureate degree from a regionally accredited college or university.

2. Renewal of two-year license.

a. May be renewed for five years after one year of successful experience, and

b. A minimum of nine quarter or six semester hours of credit in college courses which must be earned from two of the four following fields:

Curriculum
Education of exceptional children
Education psychology
School health instruction or school health program.

C. The five year professional license may be renewed according to general rules of the Board of Teaching pertaining to continuing education.

D. This rule shall remain in effect until July 1, 1981, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § ~~3.1081~~.05331 Public school athletic coaches.

A. A teacher in a secondary school who is head coach in any of the following areas: football, basketball, track, hockey, wrestling, baseball, shall be licensed either through professional preparation in the physical education major or minor program, or through a special coaching requirement in physical education.

The special coaching requirement is acceptable when the approved preparing institution certifies to the Commissioner of Education that such person has completed, in addition to his regular teacher education program, not less than nine quarter hours in courses of which principles of physical education is required, and the remaining courses selected from at least two of the following four areas:

Administration of athletics
First aid and prevention and care of athletic injuries
Human science
Coaching and athletic techniques.

B. Effective with the 1966-67 school year, such licensure of new head coaches as stated above shall become mandatory. This requirement does not apply to teachers contracted for as head coaches prior to September 1, 1966.

C. The continuing license shall be renewed according to provisions of 5 MCAR § 3.005 continuing education/relicensure.

D. This rule shall remain in effect until replaced by 5 MCAR § 1.0533, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § ~~3.091D~~1.0535 Reading consultant. Requirements:

~~1.~~A. An elementary or secondary school teacher's license~~.~~, and

~~2.~~B. A master's degree~~.~~, and

~~3.~~C. Three years of teaching experience, including one year as a "reading" teacher~~.~~, and

D. Completion of an approved preparation program consisting of the following components:

~~4.~~1. One course in each of the following areas:

Developmental reading, elementary and secondary
Diagnosis and correction of reading difficulties
Individual mental testing
Practicum in analysis of reading difficulties
Practicum in correction of reading difficulties
Survey course in exceptional children
Administration and supervision of the reading program.

~~5.~~2. Not less than three courses to be chosen from the following areas:

Language arts
Educational research in reading or educational diagnosis
Mental hygiene and/or personality
Advanced psychological testing
Principles and procedures in guidance
Other courses in special education
Children's and/or adolescent literature.

E. The continuing license shall be renewed according to provisions of 5 MCAR § 1.05361 D.

5 MCAR § ~~3.101~~1.05361 Supervisory and consultative personnel in the elementary and secondary schools.

A. Supervisory and consultative personnel. Includes elementary and secondary school supervisors, consultants, directors, coordinators and others with similar functions or levels of responsibility. Supervisory and consultative personnel in the elementary and secondary schools, not licensed under other specific rules for personnel with such levels of responsibility in particular areas, shall hold a license based upon major work in the area where licensure is sought as outlined in B.

B. The license for supervisory and consultative personnel in the elementary and secondary schools requires:

1. Completion of a master's degree from a recognized graduate school from a program approved by the State Department of Education with a major emphasis in the area for which licensure is sought

or

A statement from a recognized graduate school certifying that the applicant has completed at least one-half of a program approved by the State Department of Education leading to the specialist or doctorate degree with major emphasis in the area for which licensure is sought

and

2. Three years of appropriate successful professional experience in education while holding a license valid for the position in which the experience was obtained.

C. The initial license for supervisory and consultative personnel shall be valid for two years and may be renewed for one five-year period upon the completion of one year of successful experience in the area of major emphasis while hold the initial two-year license.

~~D. The five-year license may be renewed according to general rules of the board of teaching pertaining to continuing education.~~

D. Continuing license.

1. The first continuing license shall be issued to an applicant in accordance with 5 MCAR § 1.0523.

2. The second and subsequent continuing licenses shall be issued to an applicant who has met the following requirements during the term of the continuing license which is expiring. An applicant must:

a. Provide evidence to the Commissioner of Education of the completion of at least 125 clock hours of approved supervisory continuing education. Approval of supervisory continuing education programs, and the clock hours which may be earned in each program, shall be in accordance with 5 MCAR § 1.0556. College courses which have been approved as leading to licensure as supervisory and consultative personnel may be utilized toward the clock hour requirement. One quarter college credit equals 10 clock hours; one semester college credit equals 15 clock hours.

b. Until July 1, 1986, clock hours of approved supervisory continuing education shall be required as follows:

(1) Twenty-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1981 or June 30, 1982.

(2) Fifty clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1983.

(3) Seventy-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1984.

(4) One hundred clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1985.

(5) One hundred twenty-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1986.

c. Until July 1, 1986, renewal units which are earned toward supervisory relicensure may be allocated toward clock hours of supervisory continuing education. For every one renewal unit earned and verified by the local committee for continuing education, one clock hour of supervisory continuing education shall be granted. Provisions D.2.b. and D.2.c. of 5 MCAR § 1.05361 shall remain in effect until July 1, 1986, at which time provisions D.2.b. and D.2.c. shall be repealed without further action by the State Board of Education.

3. In the case of a continuing license which has been allowed to lapse:

a. An applicant must provide evidence that 125 clock hours of approved supervisory continuing education have been completed during the five-year period immediately preceding the application for a continuing license in which case a five-year continuing license may be granted, or

b. Where the applicant provides evidence that a position has been offered contingent upon holding a valid license, and demonstrates that there is insufficient time to complete 125 clock hours of approved supervisory continuing education as required in 2.a. of this rule, a two-year, non-

renewable license may be granted. Upon expiration of the two-year, non-renewable license, such an applicant must qualify for a continuing license in accordance with requirements stipulated in 2.a. of this rule.

4. Renewal requirements must be met during the five-year period of each continuing license and no clock hours shall carry forward into any subsequent five-year licensure period.

~~E. Effective date: September 1, 1972.~~

State of Minnesota
Department of Education

State Board of Education
Special Services Division

IN THE MATTER OF: The Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel 5 MCAR §§ 1.0523 - 1.0528 and the Transferring, Renumbering, and Amending (5 MCAR §§ 3.091 D., 3.101, 3.102, 3.103, 3.106, 3.108 and 3.114) to §§ 1.0529 - 1.05361 Without Public Hearing

Affidavit of Mailing

Harold Klecker, being first duly sworn, deposes and says:

That on the 11th day of February, 1981, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Intent to Adopt Rules Without Public Hearing, by depositing in the State of Minnesota Central Mail System (or) in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Affidavits of the Notice of the State Board of Education Rulemaking Mailing List and Additional Notice of the State Board of Education Mailing List.

Harold E Klecker

Subscribed and sworn to before me
this 12th day of February
1981.

Betty Lou King
Notary Public

BETTY L KING
Notary Public, Dakota Co. MN
My Commission Expires
June 13, 1983

State of Minnesota
Department of Education

State Board of Education
Special Services Division

IN THE MATTER OF: The Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel 5 MCAR §§ 1.0523 - 1.0528 and the Transferring, Renumbering, and Amending (5 MCAR §§ 3.091 D., 3.101, 3.102, 3.103, 3.106, 3.108 and 3.114) to §§ 1.0529 - 1.05361 Without Public Hearing

Affidavit of the Notice of the State Board of Education Rulemaking Mailing List

I hereby certify that the attached 27 sheets constitute the accurate and complete list of persons, assocations, and other interested groups who as of one o'clock P. M. this 11th day of February, 1981, have requested pursuant to Minn. Stat. § 15.0412, subd. 4, that their names be placed on file with the Minnesota Department of Education for the purpose of receiving Notice of Intent to Adopt Rules Without Public Hearing on the rules, amendment, and repeal as proposed on the subject captioned above.

State Board of Education

Howard B. Casmey, Secretary

Subscribed and sworn to before me this 12 day of February, 1981.

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

Luana Vadnais
Notary Public

My commission expires 6-16-84.

State of Minnesota
Department of Education

State Board of Education
Special Services Division

IN THE MATTER OF: The Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel 5 MCAR §§ 1.0523 - 1.0528 and the Transferring, Renumbering, and Amending (5 MCAR §§ 3.091 D., 3.101, 3.102, 3.103, 3.106, 3.108 and 3.114) to §§ 1.0529 - 1.05361 Without Public Hearing

Affidavit of Additional Notice of the State Board of Education Mailing List

I hereby certify that included in the attached 27 sheets are persons on the Education Statistics memo series mailing list which includes school superintendents, directors of AVTIs, ECSUs, vocational centers, joint power districts and other interested persons, who pursuant to Minn. Stat. § 15.0412, subd. 4, receive Notice of Intent to Adopt Rules Without Public Hearing on the rules, amendment, and repeal as proposed on the subject captioned above. This notice was in addition to that required for persons on the State Board of Education rulemaking mailing list of persons who have specifically requested notice of rulemaking proceedings.

State Board of Education

Howard B. Casmey, Secretary

Subscribed and sworn to before me
this 12 day of February, 1981

Luana Vadnais
Notary Public

Ramsey County, Minnesota
My Commission expires 6-16-84.

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

State of Minnesota
Department of Education

State Board of Education
Special Services Division

IN THE MATTER OF: The Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel 5 MCAR §§1.0523 - 1.0528 and the Transferring, Renumbering, and Amending (5 MCAR §§ 3.091 D., 3.101, 3.102, 3.103, 3.106, 3.108 and 3.114) to §§ 1.0529 - 1.05361 Without Public Hearing

Certificate

I hereby certify that the attached 27 sheets constitute the accurate and complete list of persons, associations, and other interested groups who, as of 1:00 P.M. this 11th day of February, 1981, have requested pursuant to Minn. Stat. § 15.0412, subd. 4 that their names be placed on file with the Minnesota Department of Education for the purpose of receiving notice of the proposed adoption of rules by the State Board of Education.

STATE BOARD OF EDUCATION

By Linda Allberg

PROPOSED RULES

Pursuant to Minn. Laws of 1980, § 15.0412, subd. 4h, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules;

and

4. that the rule may be modified if modifications are supported by the data and views submitted.

If, during the 30-day comment period, seven or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of § 15.0412, subds. 4 through 4g, which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 30 days thereafter, interested persons may submit data and views in writing to the proposing agency.

State Board of Education
Department of Education
Special Services Division

Proposed Rules Governing the Licensure of Supervisory and Support Personnel (5 MCAR §§ 1.0523-1.05361)

Notice of Intent to Adopt Rules without A Public Hearing

Notice is hereby given that the State Board of Education proposes to adopt the above-entitled rules without a public hearing. The board has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. § 15.0412, subdivision 4h (1980).

The proposed rules govern licensure standards and procedures for supervisory and support personnel, as authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license supervisory and support personnel. For the purpose of licensure, supervisory and support personnel, as defined by Minn. Stat. § 125.03, as amended by Laws of 1980, ch. 345, § 1, includes superintendents, principals, professional employees who devote 50 percent or more of their time to administrative or supervisory duties over other personnel, as well as counselors, school nurses, athletic coaches, and other professional employees who engage primarily in nonclassroom activities. The term does not include librarians, school psychologists, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, or speech therapists.

Proposed rules 5 MCAR §§ 1.0523-1.0528 establish procedures for the issuance, renewal, suspension, and revocation of licenses for school counselors, school nurses, athletic coaches, reading consultants, and supervisory and consultative personnel.

Proposed rules 5 MCAR §§ 1.0529-1.05361 govern standards of licensure for school counselors, school nurses, athletic coaches, reading consultants, and supervisory and consultative personnel. These proposed rules are essentually the same as rules which were in effect prior to the establishment of authority for the State Board of Education to license supervisory and support personnel. The only changes being proposed at this time relate to the authority of the State Board of Education to license supervisory and support personnel, as authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

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Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. § 15.0412, subds. 4-4f.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

George B. Droubie, Manager
Personnel Licensing and Placement
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
Telephone: (612) 296-2046

Authority for the adoption of these rules is contained in Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from George B. Droubie upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, and the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to George B. Droubie.

A copy of the proposed rules is attached to this notice.

Copies of this notice and the proposed rules are available and may be obtained by contacting George B. Droubie.

Howard B. Casmey
Secretary

Rules as Proposed (all new material)

Chapter Twenty-Seven A: Licensure of Supervisory and Support Personnel: Issuance, Suspension, and Revocation

5 MCAR § 1.0523 Issuance and renewal of licenses.

A. Licenses valid for supervision, counseling, nursing, and coaching in Minnesota schools shall be granted to persons who meet all requirements of applicable statutes and rules and who complete programs approved by the Commissioner of Education leading to licensure in Minnesota institutions which are approved by the Minnesota Board of Teaching pursuant to 5 MCAR § 3.140 to prepare persons for licensure.

B. An applicant must qualify separately for each licensure area for which application is made and provide evidence of satisfactory completion of a program in such licensure area which has been approved by the Commissioner of Education.

C. All licenses shall be issued and/or renewed in accordance with criteria established in Rules of the State Board of Education and shall be valid for the period of time specified in this rule.

D. All licenses shall bear the date of issuance and shall expire the specified number of years from the July 1 nearest the date licensure was approved. Applications for renewal shall be accepted by the Commissioner of Education after January 1 of the year of expiration; provided, however, that the renewal period shall commence on July 1 of the year of expiration. After July 1 in the year of expiration, all licenses not renewed shall be deemed expired and no longer valid.

E. Each application for the issuance and/or renewal of a license shall be accompanied by a processing fee in the amount of $20.00. The processing fee shall be nonrefundable for applicants not qualifying for a license, except the fee is refundable when the applicant for a license already holds the license for which application is made and that license does not expire in the year the application is submitted.

F. The initial license which shall be issued in any licensure area is an entrance license, valid for two years, except as provided in provisions H. and I. of this rule.

G. When one school year of experience is not completed prior to the expiration of an entrance license, another entrance license in that licensure area shall be issued upon application. If an entrance license in any licensure area is allowed to lapse, it shall be renewed, upon application, until the applicant has had one school year of experience while holding a valid entrance license after which time an applicant must qualify for a continuing license.

H. An applicant who completes at least one school year of experience in a licensure area while holding an entrance license shall be issued a continuing license, valid for five years. When a licensure area is added to a continuing license already in force, a continuing license is issued, and the expiration date becomes that already established for the continuing license in force.

I. An applicant who holds a life license who subsequently completes an approved program in an additional licensure area shall be issued a continuing license, valid for five years for the additional licensure area.

J. A continuing license, valid for five years, shall be renewed upon application according to renewal provisions enumerated in the specific licensure Rules of the State Board of Education for the license being renewed.

K. Except as provided in 5 MCAR § 1.05361 D., if a continuing license in any area is allowed to lapse, one of the following shall be issued:

1. A continuing license based upon verification that the applicant has met renewal requirements during the five-year period immediately preceding the application, or

2. A continuing license based upon evidence that the applicant has earned at least 12 quarter or 8 semester hours of credit in the licensure area for which application is being made, which have been earned during the five-year period immediately preceding the application, or

3. A one-year renewal of the lapsed continuing license based upon evidence that the applicant has been offered a position contingent upon holding a valid license. In order to qualify for a continuing license at the end of one year, the applicant shall provide evidence that renewal requirements have been met or that at least 12 quarter or 8 semester hours of credit have been earned in the licensure area for which application is being made during the five-year period immediately preceding the date of application for the continuing license.

5 MCAR § 1.0524 Suspension and revocation of licenses.

A. The license of an administrator, supervisor, counselor, nurse, or coach may be revoked or suspended for any of the following causes:

1. Immoral character or conduct;

2. A breach of contract of employment without justifiable cause;

3. Overall gross inefficiency or willful neglect of duty;

4. Fraud or misrepresentation in obtaining a license;

5. Conviction of a felony which directly relates to the occupation for which licensure is held.

B. The State Board of Education may act to suspend or revoke the license of a person whose license was granted by the State Board of Education after the following procedures have been followed:

1. A written complaint which specifies the nature and character of the charges against the licensee is filed with the State Board of Education by either the school board employing the person or by the Commissioner of Education.

2. The Commissioner of Education, within 10 calendar days after the filing of the complaint with the State Board of Education, serves a copy of the complaint upon the licensee by certified mail addressed to such licensee at the last known address.

3. The licensee, within 20 calendar days after the service of the copy of charges, files with the State Board of Education an answer to the charges specified. The failure to answer within the 20 calendar day period shall result in the right to a hearing being waived.

4. A hearing conducted in accordance with the rules of the Office of Administrative Hearings shall be held.

5 MCAR § 1.0526 Approval of licensure programs.

A. Institutions which have been approved by the Minnesota Board of Teaching pursuant to 5 MCAR § 3.140 to prepare persons for licensure may request approval by the Commissioner of Education of licensure programs in supervision, counseling, and coaching. 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 Commissioner of Education a program description for each licensure program for which approval is requested. The licensure program description shall include:

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

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

3. A description of the 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 licensure program.

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

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

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

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

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

1. Rules of the State Board of Education governing the licensure program are met.

2. Necessary faculty and physical resources are allocated to implement and maintain the licensure program.

3. Adequate supervision for practicum experiences required by individual licensure rules is provided.

D. Before initial approval for the licensure program is granted, State Department of Education staff or persons designated as program auditors by the Commissioner of Education may visit the institution to examine the licensure program for the purpose of verifying the program description and making a recommendation regarding approval status. During the operation of an approved 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. Program auditors shall forward a written report of their findings to the Commissioner of Education and to the institution.

E. State Department of Education staff or persons designated as program auditors by the Commissioner of Education 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 licensure program. Reimbursement of travel, food, and lodging expenses for program auditors shall be in accordance with Minnesota state rules.

F. Based upon appraisal of the program description prepared by the institution and the written report of the auditors, the Commissioner of Education 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 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 licensure program is conditionally approved, the Commissioner of Education shall reconsider the approval status of the licensure program upon verification that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval shall be withdrawn.

H. Licensure programs which vary in curricular design shall be approved provided that program components meet the criteria for approval set forth in this rule.

I. When an institution makes revisions in an approved licensure program, the administrator of the defined administrative and instructional unit of that institution shall forward to the Commissioner of Education a written description of the licensure program revision. An audit shall be made to verify that the revised licensure program continues to meet Rules of the State Board of Education. Each verified licensure program revision shall become an amendment to the approved licensure program.

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

5 MCAR § 1.0527 Persons prepared in states other than Minnesota.

A. Minnesota licenses shall be granted to persons (a) who otherwise meet applicable statutory requirements and (b) who complete programs leading to licensure in colleges and universities located outside Minnesota. Such licenses shall be granted only in licensure fields for which the State Board of Education has established rules governing programs leading to licensure. Such licenses shall be issued according to either 1. or 2. as follows:

1. Persons who complete approved programs in colleges and universities leading to licensure within states which have signed contracts with Minnesota according to the provisions of the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota entrance license. No licenses shall be issued on the basis of teaching experience only.

2. Persons who complete programs leading to licensure in colleges and universities within states which have not signed contracts with Minnesota according to the provisions of the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota entrance license when all of the following criteria are met:

a. The college or university is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. The program leading to licensure has been recognized by the state as qualifying the applicant completing the program for such licensure within that state.

c. The program leading to licensure completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota colleges and universities according to the Rules of the State Board of Education governing the licensure field.

d. The college or university which offers the program leading to licensure verifies that the applicant has completed an approved licensure program at that institution and recommends the applicant for a license in a licensure field at a licensure level.

B. Notwithstanding the rule governing human relations, persons who have been prepared for licensure in states other than Minnesota shall be granted a Minnesota entrance license based upon the provisions of this rule.

5 MCAR § 1.0528 Human relations requirement.

A. All applicants for licenses to be issued or renewed under authority of the State Board of Education shall complete a training program containing human relations components. Persons holding life licenses are exempted from this requirement except in those instances where the person holding a life license seeks to be licensed, or to have a license renewed, in an area for which the person does not hold a life license. Persons from outside Minnesota who wish to be licensed must complete a human relations training program during the two-year period of the entrance license. Components which constitute a human relations training program must be approved by the Commissioner of Education.

B. Human relations components of programs which lead to licensure in education under authority of the State Board of Education shall be approved upon submission of evidence:

1. Showing that the human relations components have been developed with participation of members of various racial, cultural, handicapped, and economic groups. Participation in planning shall be equitably distributed between men and women.

2. Showing that the human relations components are planned to develop the ability of applicants to:

a. Understand the contributions and life styles of the various racial, cultural, handicapped, and economic groups in our society, and

b. Recognize and deal with dehumanizing biases, discrimination, prejudices, and institutional and personal racism and sexism, and

c. Create learning environments which contribute to the self-esteem of all persons and to positive interpersonal relations, and

d. Respect human diversity and personal rights.

3. Relating all of the areas enumerated in B.2. to specific competencies to be developed, and

4. Indicating means for assessment of competencies.

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Rules as Amended

5 MCAR § ~~3.102~~ 1.0529 School counselors, secondary.

A. All candidates recommended for licensure as a school counselor, secondary, shall complete all requirements of 1.a., 1.b., 1.c., 1.d., 1.e., of this rule or all requirements of 2.a., 2.b., 2.c., 2.d., 2.e., of this rule. Sections A.1. and A.2. of this rule are mutually exclusive.

1. Qualifications for licensure.

a. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in a secondary school counselor preparation program approved by the ~~Minnesota board of teaching~~ Commissioner of Education.

b. Have satisfactorily completed practica in school guidance and counseling at the secondary school level. Practica shall be in a secondary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 1.d. of this rule.

c. Hold a valid Minnesota secondary classroom teaching license.

d. Have completed one year of secondary classroom teaching experience. Candidates holding a valid Minnesota secondary classroom teaching license but who have not completed one year of teaching experience shall complete the equivalent of a full-time, one school year internship in school guidance and counseling at the secondary school level. The internship shall be under the supervision of a practicing, resident, licensed secondary school counselor who has at least two years of counseling experience at the secondary school level. Supervision shall also be provided by counselor educators from an approved college guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

2. Alternative qualifications for licensure. (Experimental program.)

a. Have completed at least a baccalaureate degree program from a teacher preparation institution which is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in a secondary school counselor preparation program approved by the ~~Minnesota board of teaching~~ Commissioner of Education.

c. Have satisfactorily completed practica in school guidance and counseling at the secondary school level. Practica shall be in a secondary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 2.d. of this rule.

d. Have satisfactorily completed a full-time guidance and counseling internship from a school guidance and counseling program approved by the ~~Minnesota board of teaching~~ Commissioner of Education which includes the completion of course work and experiences in curriculum, school organization and philosophy of education and experiences in a secondary school. The internship shall be completed in one full school year and shall include the equivalent of at least one quarter of classroom experience. The internship shall be under the supervision of a practicing, resident, licensed secondary school counselor who has at least two years of counseling experience at the secondary school level. Supervision shall also be provided by counselor educators from an approved guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

B. In addition to meeting the requirements in A.1. or A.2. of this rule, all candidates recommended for licensure as school counselor shall have completed a graduate level program in school guidance and counseling approved by the ~~Minnesota board of teaching~~ Commissioner of Education containing components designed to provide candidates recommended for licensure with knowledge, skills, and understandings in all of the following:

1. Counseling.

a. The knowledge of a variety of counseling philosophies and skills and an understanding of their application with adolescents and adults.

b. The ability to recognize the need for help and to intervene effectively as a helping person toward meeting the unique needs of all students, including exceptional students.

c. The utilization of appropriate counseling skills with individuals and groups to facilitate their human growth and development. Such developmental goals shall include:

(1) Ability to differentiate feelings

(2) Recognition of strengths and limitations

(3) Awareness of alternatives and their implications

(4) Ability to make decisions and value choices and accept responsibility for them

(5) Skill in open interpersonal communication including non-verbal behavior, and

(6) Acquisition of coping skills.

d. The effective use of group processes including the ability to identify objectives and to facilitate communication, group cohesiveness, and personal growth.

e. The knowledge of family systems and utilization of counseling skills to facilitate student and family development.

f. The understanding of cultural differences.

2. Consulting.

a. The knowledge of a variety of consultation models and their application in practice in secondary schools.

b. The knowledge of the learning process and the ability to participate with school staff in developing alternative learning approaches, including remedial, and adapting school curriculum toward meeting the unique needs of secondary students.

c. The ability to orient parents to the school program and help them understand the student's aptitudes, abilities, interests, and the attitudes as related to educational and career planning, academic achievement, personal-social development, and total school progress.

d. The knowledge and ability to make referrals to community agencies and utilize businesses, educational institutions, and other helping professionals.

e. The knowledge and ability to utilize results of evaluative studies including follow-up as a consultant in program development and/or revision at the secondary level.

f. The knowledge and ability to serve as a staff resource to aid in the implementation of developmental-career curriculum and employability skills training in the classroom.

g. The knowledge and ability to design, initiate, and conduct in-service training programs for staff personnel relative to development of adolescents.

3. Developmental-career guidance.

a. The understanding of the basic principles of child and adolescent growth and development, including physical, emotional, cognitive, ego, moral, career, and social.

b. The knowledge of curriculum content and processes and the skills to organize and conduct classroom guidance activities which facilitate personal and career development.

c. The knowledge and ability to assist students in developing self-awareness, self-understanding, and self-acceptance.

d. The knowledge and ability to assist students, individually and/or in groups, in exploring educational and occupational information in view of their aptitudes, interests, and personal-social needs in choosing career and avocational goals.

e. The knowledge of educational, occupational, and employment trends for purposes of assisting students in program planning and selection.

f. The ability to assist in the coordination of educational and job placement for students, graduates, and school leavers.

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4. Evaluation and assessment.

a. The knowledge and ability to conduct and interpret the results of formal and informal measurement procedures in the cognitive, affective, psychological, and social aspects of adolescents.

b. The knowledge of, and the ability to use, a variety of evaluation procedures including follow-up studies for individual and institutional decision-making.

c. The ability to assist students and parents to use information derived from educational measurement including career and vocational assessment services in planning and decision-making.

d. The knowledge and ability to identify and assess secondary student developmental needs.

5. Guidance program development, coordination, and management.

a. The knowledge and ability to formulate guidance and counseling program goals and priorities.

b. The knowledge and ability to initiate, coordinate, and interpret a counseling and guidance program to meet the developmental needs of all students.

c. The knowledge and ability to coordinate the counseling and guidance program with the instructional program and student support services.

d. The knowledge of organizational theory relating to change and humanization of social systems.

e. The ability to apply the principles of personnel management in supervising the functioning of all personnel assigned to the guidance program.

f. The knowledge and ability to evaluate guidance programs and report the results to appropriate individuals.

C. The issuance of the first continuing license is contingent upon:

1. Possession by the candidate of a valid entrance license as a secondary school counselor, and

2. One year of experience as a secondary school counselor.

D. The continuing license shall be renewed according to the rules of the Board of Teaching pertaining to continuing education.

E. All persons holding a license as a secondary school counselor prior to July 1, 1982, may continue to hold and renew such licenses according to the continuing education licensure rules of the Board of Teaching.

F. All programs for preparation of school counselors shall be submitted for approval to the ~~Minnesota board of teaching~~ Commissioner of Education and shall include a description of the procedures by which persons who hold elementary school counselor entrance, continuing, or life licensure and wish to be licensed as a secondary school counselor may have their experience and preparation in school guidance and counseling evaluated to determine the areas where such experience and preparation are equivalent to the approved programs as well as the areas where additional preparation may be required. In every case, the requirement shall be at least the equivalent of 18 quarter hours of credit of preparation, including a minimum of 6 quarter hours of practica experience. The remaining credits shall be selected from the areas specified in B.1., 2., 3., 4., and 5., of this rule. Applicants shall be recommended for licensure as a secondary school counselor according to provision F. of this rule.

G. An institution applying to the ~~board of teaching~~ Commissioner of Education for approval of its counselor education program according to the provisions of this rule must forward a program description in accordance with 5 MCAR § ~~3.141~~ 1.0526 B. and C. The form utilized by the institution for the internship agreement according to provision A.1.d. or A.2.d. of this rule must accompany the program description.

H. In addition to G., above, an institution applying for approval of its counselor education program to recommend candidates for licensure according to provision A.2. of this rule, must forward a program description which shall include:

1. A definite time limit for the experiment not to exceed 5 academic years and 25 students admitted to the program;

2. Clearly defined selection criteria for students admitted to the program;

3. A statement which describes the research design and evaluation procedures to be used by the institution in determining the effectiveness of the program; and

4. A plan for submitting the experimental results to the ~~board of teaching~~ Commissioner of Education.

I. Programs shall be approved which vary in curricular design provided that program components meet the requirements in G. or H., above, and that these components will provide candidates who are recommended for licensure in school guidance and counseling with the knowledge, skills, and understandings which are enumerated in B.1., 2., 3., 4., and 5., of this rule.

J. This rule is effective July 1, 1982, for all applicants for entrance licenses.

5 MCAR § ~~3.1021~~ 1.05291 Counselors, secondary schools.

A. Qualifications for license:

1. A valid license to teach in the public schools of Minnesota based on a bachelor's degree from an accredited teacher preparing institution.

2. Completion of a program of counselor education leading to a master's degree or its equivalent (45 quarter hours of graduate work).

a. At least one course or its equivalent shall be taken in each of the seven areas listed below:

Principles and practices in guidance
Personality structures and mental hygiene
Measurement and research methods
Appraisal techniques
Occupational and training information and material
Counseling procedure
Practice in guidance and counseling; and

b. At least one course shall be chosen from the following areas:

Group guidance
Organization and administration of guidance services
Psychology of learning

c. Not more than six credits earned in courses selected in (a) and (b) above may be undergraduate credits.

3. At least one year of successful teaching experience (two or more years preferred).

4. Minimum of one year of cumulated work experience outside of education (two or more years experience in several occupational areas preferred).

B. Renewal requirements. ~~See § 3.001.~~ The continuing license shall be renewed according to provisions of 5 MCAR § 3.005 continuing education/relicensure.

C. Provisional license. A provisional license will be granted to counselors for two years who meet all professional requirements above with the exception of A.4. This license may be renewed every two years upon presentation of evidence that the counselor has accumulated 400 hours (10 weeks) of cumulated work experience outside of education. When the counselor has accumulated 2,000 hours (one year) of work experience he will be eligible for the counselor's license subject to the renewal requirements in 5 MCAR § ~~3.001~~ 3.005.

D. This rule shall remain in effect until July 1, 1982, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § ~~3.103~~ 1.0530 School counselors, elementary.

A. All candidates recommended for licensure as a school counselor, elementary, shall complete all requirements of 1.a., 1.b., 1.c., 1.d., 1.e., of this rule or all requirements of 2.a., 2.b., 2.c., 2.d., 2.e., of this rule. Sections A.1. and A.2. of this rule are mutually exclusive.

1. Qualifications for licensure.

a. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in an elementary school counselor preparation program approved by the ~~Minnesota board of teaching~~ Commissioner of Education.

b. Have satisfactorily completed practica in school guidance and counseling at the elementary school level. Practica shall be in an elementary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 1.d. of this rule.

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c. Hold a valid Minnesota elementary classroom teaching license.

d. Have completed one year of elementary classroom teaching experience. Candidates holding a valid Minnesota elementary classroom teaching license but who have not completed one year of teaching experience shall complete the equivalent of a full-time, one school year internship in school guidance and counseling at the elementary school level. The internship shall be under the supervision of a practicing, resident, licensed elementary school counselor who has at least two years of counseling experience at the elementary school level. Supervision shall also be provided by counselor educators from an approved college guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

2. Alternative qualifications for licensure. (Experimental program.)

a. Have completed at least a baccalaureate degree program from a teacher preparation institution which is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools.

b. Have satisfactorily completed a master's degree program in school guidance and counseling of not less than the equivalent of 54 quarter hours of credit in an elementary school counselor preparation program approved by the ~~Minnesota board of teaching~~ Commissioner of Education.

c. Have satisfactorily completed practica in school guidance and counseling at the elementary school level. Practica shall be in an elementary school setting under the supervision of counselor educators from an approved college guidance and counseling program consisting of a minimum of 400 hours. Practica experiences are in addition to internship experiences described in 2.d. of this rule.

d. Have satisfactorily completed a full-time guidance and counseling internship from a school guidance and counseling program approved by the ~~Minnesota board of teaching~~ Commissioner of Education which includes the completion of course work and experiences in curriculum, school organization and philosophy of education and experiences in an elementary school. The internship shall be completed in one full school year and shall include the equivalent of at least one quarter of classroom experience. The internship shall be under the supervision of a practicing, resident, licensed elementary school counselor who has at least two years of counseling experience at the elementary school level. Supervision shall also be provided by counselor educators from an approved guidance and counseling program. The internship shall be based on a written agreement among the intern, the approved school counselor preparation institution, and the school district in which the internship is completed.

e. Have at least 2000 hours of accumulated work experience outside of the field of education.

B. In addition to meeting the requirements in A.1. or A.2. of this rule, all candidates recommended for licensure as school counselor shall have completed a graduate level program in school guidance and counseling approved by the ~~Minnesota board of teaching~~ Commissioner of Education containing components designed to provide candidates recommended for licensure with knowledge, skills, and understandings in all of the following:

1. Counseling.

a. The knowledge of a variety of counseling philosophies and skills and an understanding of their application with children and adults.

b. The ability to recognize the need for help and to intervene effectively as a helping person toward meeting the unique needs of all students, including exceptional students.

c. The utilization of appropriate counseling skills with individuals and groups to facilitate their human growth and development. Such developmental goals shall include:

(1) Ability to differentiate feelings.

(2) Recognition of strengths and limitations.

(3) Awareness of alternatives and their implications.

(4) Ability to make decisions and value choices and accept responsibility for them.

(5) Skill in open interpersonal communication including non-verbal behavior, and

(6) Acquisition of coping skills.

d. The knowledge and ability to use play media for guidance and assessment.

e. The effective use of group processes including the ability to identify objectives and to facilitate communication, group cohesiveness, and personal growth.

f. The knowledge of family systems and utilization of counseling skills to facilitate student and family development.

g. The understanding of cultural differences.

2. Consulting.

a. The knowledge of a variety of consultation models and their application in practice in elementary schools.

b. The knowledge of the learning process and the ability to participate with school staff in developing alternative learning approaches, including remedial, and adapting school curriculum toward meeting the unique needs of elementary students.

c. The ability to orient parents to the school program and help them understand the student's aptitudes, abilities, interests, and attitudes as related to personal-social development, total school progress, academic achievement, and educational planning and career awareness.

d. The knowledge and ability to make referrals to community agencies, utilize businesses, educational institutions, and other helping professionals.

e. The knowledge and ability to utilize results of evaluative studies as a consultant in program development and/or revision at the elementary level.

f. The knowledge and ability to serve as a staff resource to aid in the implementation of developmental-career curriculum in the classroom.

g. The knowledge and ability to design, initiate, and conduct in-service training programs for staff personnel relative to development of children.

3. Developmental-career guidance.

a. The understanding of the basic principles of child development, including physical, emotional, cognitive, ego, moral, career, and social.

b. The knowledge of curriculum content and processes and the skills to organize and conduct classroom guidance activities which facilitate personal and career development.

c. The knowledge and ability to assist students in developing self-awareness, self-understanding, and self-acceptance.

d. The knowledge and ability to assist students in personal-social needs and career awareness.

4. Evaluation and assessment.

a. The knowledge and ability to conduct and interpret the results of formal and informal measurement procedures in cognitive, affective, and psychomotor domains of children.

b. The knowledge of, and the ability to use, a variety of evaluation procedures for individual and institutional decision making.

c. The ability to assist students and parents to use information derived from educational measurement in planning and decision making.

d. The knowledge and ability to identify and assess developmental needs of children.

5. Guidance program development, coordination, and management.

a. The knowledge and ability to formulate guidance and counseling program goals and priorities.

b. The knowledge and ability to initiate, coordinate, and interpret a counseling and guidance program to meet the developmental needs of all students.

c. The knowledge and ability to coordinate the counseling and guidance program with the instructional program and student support services.

d. The knowledge of organizational theory relating to change and humanization of social systems.

e. The ability to apply the principles of personnel management in supervising the functioning of all personnel assigned to the guidance program.

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f. The knowledge and ability to evaluate guidance programs and report the results to appropriate individuals.

C. The issuance of the first continuing license is contingent upon:

1. Possession by the candidate of a valid entrance license as an elementary school counselor, and

2. One year of experience as an elementary school counselor.

D. The continuing license shall be renewed according to the rules of the Board of Teaching pertaining to continuing education.

E. All persons holding a license as an elementary school counselor prior to July 1, 1982, may continue to hold and renew such licenses according to the continuing education licensure rules of the Board of Teaching.

F. All programs for preparation of school counselors shall be submitted for approval to the ~~Minnesota board of teaching~~ Commissioner of Education and shall include a description of the procedures by which persons who hold secondary school counselor entrance, continuing, or life licensure and wish to be licensed as an elementary school counselor may have their experience and preparation in school guidance and counseling evaluated to determine the areas where such experience and preparation are equivalent to the approved programs as well as the areas where additional preparation may be required. In every case, the requirement shall be at least the equivalent of 18 quarter hours of credit of preparation, including a minimum of 6 quarter hours of practica experience. The remaining credits shall be selected from the areas specified in B.1., 2., 3., 4., and 5., of this rule. Applicants shall be recommended for licensure as an elementary school counselor according to provision F. of this rule.

G. An institution applying to the ~~board of teaching~~ Commissioner of Education for approval of its counselor education program according to the provisions of this rule must forward a program description in accordance with 5 MCAR § ~~3.141~~ 1.0526 B. and C. The form utilized by the institution for the internship agreement according to provision A.1.d. or A.2.d. of this rule must accompany the program description.

H. In addition to G., above, an institution applying for approval of its counselor education program to recommend candidates for licensure according to provision A.2. of this rule, must forward a program description which shall include:

1. A definite time limit for the experiment not to exceed 5 academic years and 25 students admitted to the program;

2. Clearly defined selection criteria for students admitted to the program;

3. A statement which describes the research design and evaluation procedures to be used by the institution in determining the effectiveness of the program; and

4. A plan for submitting the experimental results to the ~~board of teaching~~ Commissioner of Education.

I. Programs shall be approved which vary in curricular design provided that program components meet the requirements in G. or H., above, and that these components will provide candidates who are recommended for licensure in school guidance and counseling with the knowledge, skills, and understandings which are enumerated in B.1., 2., 3., 4., and 5., of this rule.

J. This rule is effective July 1, 1982, for all applicants for entrance licenses.

5 MCAR § ~~3.103~~ 1.05301 Counselors, elementary schools.

A. Qualifications for license.

1. A valid license to teach in the public elementary schools of Minnesota based on a baccalaureate degree from an accredited teacher preparing institution, and

2. One year of successful elementary teaching experience, and

3. Completion of a master's degree from a recognized graduate school in a program approved by the State Department of Education which in no event consists of fewer than 54 quarter hours at the graduate level. As part of its program each institution of higher education must submit for approval by the State Department of Education a statement of competencies to be developed, and relate these expected competencies to components in its program. Competencies must be developed in all of the following areas:

Coordination
Counseling
Consultation
Developmental guidance
Diagnosis
Human relations.

4. Candidates who satisfactorily meet the foregoing requirements will receive a two-year license for elementary school counselors.

B. Renewal requirements.

1. The two-year license may be renewed for five years when six additional quarter credits in related competency areas have been completed and when one year of successful elementary counseling experience has been completed.

2. Five-year licenses may be renewed according to general rules of the Board of Teaching pertaining to continuing education.

C. This rule shall remain in effect until July 1, 1982, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § ~~3.114~~ 1.0531 Counselors in middle schools.

A. A school counselor in a middle school shall hold a valid Minnesota elementary school counselor license or secondary school counselor license. In addition, except as provided in B. of this rule, a school counselor in a middle school shall complete a preparation program, approved by the ~~board of teaching~~ Commissioner of Education, leading to the licensure of middle school counselors.

1. A school counselor holding a valid Minnesota elementary school counselor license shall complete an approved program leading to the licensure of middle school counselors consisting of a minimum of 10 quarter hours or the equivalent. Such programs shall include all of the following areas:

a. Philosophy and organization of the middle school.

b. Adolescent psychology.

c. Developmental-career guidance, as enumerated in provision B.3. of 5 MCAR § ~~3.102~~ 1.0529, and

d. Counseling practicum with adolescents.

2. A school counselor holding a valid Minnesota secondary school counselor license shall complete an approved program leading to the licensure of middle school counselors consisting of a minimum of 10 quarter hours or the equivalent. Such programs shall include all of the following areas:

a. Philosophy and organization of the middle school

b. Pre-adolescent psychology

c. Developmental-career guidance, as enumerated in provision B.3. of 5 MCAR § ~~3.103~~ 1.0530, and

d. Counseling practicum with pre-adolescents.

B. Provisions of this rule shall not be interpreted to prevent a school counselor from counseling in a middle school at those grade levels for which valid Minnesota school counselor licensure is held or require such counselor to secure additional licensure to continue to counsel at those grade levels in a middle school for which valid Minnesota school counselor licensure is held.

C. Minnesota colleges and universities approved to prepare school counselors and which request approval of a program according to this rule shall provide evidence that programs to prepare middle school counselors submitted for approval have been developed with participation from elementary and secondary counselors, middle school administrators, students, and interested citizens. Such programs shall also include:

1. A statement of philosophy which sets forth the view of the institution with respect to the middle school.

2. An enumeration of the specific knowledge, skills, and understandings to be developed in the proposed program.

3. A description of program components which includes statements specifically relating individual components of the program to the philosophy and outcomes enumerated under 1. and 2., above.

4. A plan for assessing learning outcomes for individual candidates for licensure.

D. All approved programs leading to middle school counselor licensure shall include a description of the way in which practicing counselors may have their school counseling experience and school counselor preparation in those areas enumerated in A., above, evaluated and credited by an institution maintaining an approved program leading to middle school counseling licensure. Such evaluation may include previous school counseling experience and/or previous school counselor preparation.

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E. Applicants holding a valid Minnesota elementary or secondary school counselor entrance license shall be issued an entrance middle school counselor license upon the completion of the requirements of A.1. or 2. of this rule.

F. Applicants holding a valid Minnesota elementary or secondary school counselor continuing or life license shall be issued a continuing middle school counselor license upon the completion of the requirements of A.1. or 2. of this rule.

G. The first and subsequent continuing middle school counseling licenses shall be issued to applicants who have completed the requirements of A.1. or 2. of this rule and who meet the requirements of the Board of Teaching for the issuance of the first and/or subsequent Minnesota elementary or secondary school counselor continuing licenses.

H. Until July 1, 1983, any person licensed by the ~~Minnesota~~ State Board of ~~teaching~~ Education as a school counselor for any of the grade levels in a middle school where the person is assigned as a school counselor is granted authority to counsel at any of the grade levels in the middle school regardless of grade level restrictions on the license currently held.

I. Except for provision H., all provisions of this rule shall become effective July 1, 1983.

5 MCAR § ~~3.106~~ 1.0532 School nurse. The provisions of this rule shall apply only to persons who are required to be licensed by the Minnesota Board of Nursing to perform those services being rendered or which shall be rendered by them in a Minnesota public school.

A health service nurse holding a vocational license according to the state plan for vocational education and practicing at the post-secondary level is exempt from the provisions of this rule.

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

B. A license as school nurse, valid for two years, shall be granted to an applicant who provides evidence to the ~~director~~ manager of teacher licensure that the following requirements have been met:

1. A baccalaureate degree from a regionally accredited college or university, and

2. Current Minnesota registration to practice as a licensed registered nurse, and certification as a Minnesota public health nurse, and

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

a. Child growth and development.

b. Public health.

c. Special education.

C. Issuance of the first five-year license.

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

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

E. Maintaining licensure.

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

2. Persons without baccalaureate degrees who hold valid licenses as school nurses may continue to renew their licenses under paragraph D., provided that requirements for renewal are met. However, if such licenses are allowed to lapse, persons must meet licensure requirements set forth in paragraph B., above.

F. Effective date: July 1, 1981.

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, shall be granted to an applicant who fulfills the following requirements:

1. Current registration to practice as a licensed registered nurse in Minnesota, and

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, 1981.

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

a. After one year of successful experience while holding the two-year license, and

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)

c. Completion of a human relations program approved by the ~~board of teaching~~ Commissioner of Education.

4. The first five-year license shall be issued to applicants who have completed a., 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 two-year license, not more than one additional two-year license 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.

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

6. In order to retain licensure as a school nurse current registration as a registered nurse must be maintained at all times. Lapse of such registration shall be grounds for revocation of licensure as a school nurse.

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

5 MCAR § ~~3.106~~ 1.05321 School nurse. The State Board of ~~teaching~~ Education will issue licenses as school nurse to applicants who meet the requirements of this section, 5 MCAR § ~~3.106~~ 1.05321 A or 5 MCAR § ~~3.106~~ 1.05321 B. 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.

A. Professional license (for public health nurses).

1. A professional license as school nurse, valid for two years, may be granted to an applicant who fulfills the following requirements:

a. Current registration to practice as a licensed registered nurse in Minnesota, and

b. A baccalaureate degree from a regionally accredited college or university, and

c. Licensed as a public health nurse pursuant to Minn. Stat. § 145.10.

2. ~~Renewal of~~ The two year license may be renewed for five years after one year of successful experience.

B. Professional license (for registered nurses who hold a baccalaureate degree).

1. A professional license as a school nurse, valid for two years, may be granted to an applicant who fulfills the following requirements:

a. Current registration to practice as a licensed registered nurse in Minnesota, and

b. A baccalaureate degree from a regionally accredited college or university.

2. Renewal of two-year license.

a. May be renewed for five years after one year of successful experience, and

b. A minimum of nine quarter or six semester hours of credit in college courses which must be earned from two of the four following fields:

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Curriculum
Education of exceptional children
Education psychology
School health instruction or school health program.

C. The five year professional license may be renewed according to general rules of the Board of Teaching pertaining to continuing education.

D. This rule shall remain in effect until July 1, 1981, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § ~~3.108~~ 1.05331 Public school athletic coaches.

A. A teacher in a secondary school who is head coach in any of the following areas: football, basketball, track, hockey, wrestling, baseball, shall be licensed either through professional preparation in the physical education major or minor program, or through a special coaching requirement in physical education.

The special coaching requirement is acceptable when the approved preparing institution certifies to the Commissioner of Education that such person has completed, in addition to his regular teacher education program, not less than nine quarter hours in courses of which principles of physical education is required, and the remaining courses selected from at least two of the following four areas:

Administration of athletics
First aid and prevention and care of athletic injuries
Human science
Coaching and athletic techniques.

B. Effective with the 1966-67 school year, such licensure of new head coaches as stated above shall become mandatory. This requirement does not apply to teachers contracted for as head coaches prior to September 1, 1966.

C. The continuing license shall be renewed according to provisions of 5 MCAR § 3.005 continuing education/relicensure.

D. This rule shall remain in effect until replaced by 5 MCAR § 1.0533, at which time this rule shall be repealed without further action by the State Board of Education.

5 MCAR § ~~3.091 D.~~ 1.0535 Reading consultant. Requirements:

A. ~~1.~~ An elementary or secondary school teacher's license~~.~~, and

B. ~~2.~~ A master's degree~~.~~, and

C. ~~3.~~ Three years of teaching experience, including one year as a "reading" teacher~~.~~, and

D. Completion of an approved preparation program consisting of the following components:

1. ~~4.~~ One course in each of the following areas:
   a. Developmental reading, elementary and secondary.
   b. Diagnosis and correction of reading difficulties.
   c. Individual mental testing.
   d. Practicum in analysis of reading difficulties.
   e. Practicum in correction of reading difficulties.
   f. Survey course in exceptional children.
   g. Administration and supervision of the reading program.
2. ~~5.~~ Not less than three courses to be chosen from the following areas:
   a. Language arts.
   b. Educational research in reading or educational diagnosis.
   c. Mental hygiene and/or personality.
   d. Advanced psychological testing.
   e. Principles and procedures in guidance.
   f. Other courses in special education.

g. Children's and/or adolescent literature.

E. The continuing license shall be renewed according to provisions of 5 MCAR § 1.05361 D.

5 MCAR § ~~3.101~~ 1.05361 Supervisory and consultative personnel in the elementary and secondary schools.

A. Supervisory and consultative personnel. Includes elementary and secondary school supervisors, consultants, directors, coordinators and others with similar functions or levels of responsibility. Supervisory and consultative personnel in the elementary and secondary schools, not licensed under other specific rules for personnel with such levels of responsibility in particular areas, shall hold a license based upon major work in the area where licensure is sought as outlined in B.

B. The license for supervisory and consultative personnel in the elementary and secondary schools requires:

1. Completion of a master's degree from a recognized graduate school from a program approved by the State Department of Education with a major emphasis in the area for which licensure is sought

or

A statement from a recognized graduate school certifying that the applicant has completed at least one-half of a program approved by the State Department of Education leading to the specialist or doctorate degree with major emphasis in the area for which licensure is sought

and

2. Three years of appropriate successful professional experience in education while holding a license valid for the position in which the experience was obtained.

C. The initial license for supervisory and consultative personnel shall be valid for two years and may be renewed for one five-year period upon the completion of one year of successful experience in the area of major emphasis while hold the initial two-year license.

~~D. The five-year license may be renewed according to general rules of the board of teaching pertaining to continuing education.~~

D. Continuing license.

1. The first continuing license shall be issued to an applicant in accordance with 5 MCAR § 1.0523.

2. The second and subsequent continuing licenses shall be issued to an applicant who has met the following requirements during the term of the continuing license which is expiring. An applicant must:

a. Provide evidence to the Commissioner of Education of the completion of at least 125 clock hours of approved supervisory continuing education. Approval of supervisory continuing education programs, and the clock hours which may be earned in each program, shall be in accordance with 5 MCAR § 1.0556. College courses which have been approved as leading to licensure as supervisory and consultative personnel may be utilized toward the clock hour requirement. One quarter college credit equals 10 clock hours; one semester college credit equals 15 clock hours.

b. Until July 1, 1986, clock hours of approved supervisory continuing education shall be required as follows:

(1) Twenty-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1981 or June 30, 1982.

(2) Fifty clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1983.

(3) Seventy-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1984.

(4) One hundred clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1985.

(5) One hundred twenty-five clock hours of approved supervisory continuing education for renewal of licenses expiring June 30, 1986.

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c. Until July 1, 1986, renewal units which are earned toward supervisory relicensure may be allocated toward clock hours of supervisory continuing education. For every one renewal unit earned and verified by the local committee for continuing education, one clock hour of supervisory continuing education shall be granted. Provisions D.2.b. and D.2.c. of 5 MCAR § 1.05361 shall remain in effect until July 1, 1986, at which time provisions D.2.b. and D.2.c. shall be repealed without further action by the State Board of Education.

3. In the case of a continuing license which has been allowed to lapse:

a. An applicant must provide evidence that 125 clock hours of approved supervisory continuing education have been completed during the five-year period immediately preceding the application for a continuing license in which case a five-year continuing license may be granted, or

b. Where the applicant provides evidence that a position has been offered contingent upon holding a valid license, and demonstrates that there is insufficient time to complete 125 clock hours of approved supervisory continuing education as required in 2.a. of this rule, a two-year, non-renewable license may be granted. Upon expiration of the two-year, non-renewable license, such an applicant must qualify for a continuing license in accordance with requirements stipulated in 2.a. of this rule.

4. Renewal requirements must be met during the five-year period of each continuing license and no clock hours shall carry forward into any subsequent five-year licensure period.

~~E. Effective date: September 1, 1972.~~

Department of Natural Resources

Proposed Amendment of Rule Governing Lower St. Croix Water Surface Use

Notice of Intent to Amend Rule without A Public Hearing

Notice is hereby given that the Minnesota Department of Natural Resources (''department'') intends to adopt an amendment to the above-referenced department rule without public hearing because of the noncontroversial nature of the amendment.

The proposed amendment includes that area on the St. Croix River known as Anderson Bay (mile 20) as a slow-no wake zone for watercraft. This amendment is the result of a petition by the Washington County Board and is intended to be effective as soon as the law allows.

Please be advised that you have an opportunity for the 30-day period following publication of this notice and the proposed amendment to submit comments in writing on the proposed amendment and to object to the lack of public hearing on the proposed amendment. Your written comments or request for hearing should be submitted to:

Kim Elverum
Minnesota Department of Natural Resources
Box 46 — Centennial Office Bldg.
Saint Paul, Minnesota 55155
Telephone: (612) 296-3336

If seven or more persons request hearings on the rule amendment, the department will order public hearings in accordance with Minn. Stat. § 15.0412, subds. 4-4f. The department may modify the proposed amendment if modification is supported by data and views submitted in written comments and if no substantial change results from the modification.

If no hearing is required, and the department decides to adopt the amendment as proposed, or as modified if written comments justify modification, the Department will submit to the Attorney General for review of form, legality and substantial change the following documents: this notice with the amendment as proposed, the amended rule as adopted, the order adopting the amendment, any written comments received by the agency, and the department's Statement of Need and Reasonableness supporting adoption of the amendment. Any person may request notification of the date the department makes the submission to the Attorney General. If you desire to be so notified, you must inform the agency in writing during the 30-day comment period.

The department has prepared a Statement of Need and Reasonableness in support of the proposed amendment which is also available from the agency by writing to the address indicated above or calling (612) 296-3336.

The department's authority to promulgate the proposed amended rule can be found in Minn. Stat. §§ 361.26, subd. 2 (1980).

Please be advised that Minnesota Statutes Chapter 10A requires each lobbyist to register with the Ethical Practices Board within five days after he/she becomes a lobbyist. Lobbying includes attempting to influence rulemaking by communicating or

State of Minnesota
State Board of Education

In the Matter of the Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel (5 MCAR §§ 1.0523-1.05361)

FINDINGS OF FACT AND CONCLUSIONS

At its meeting of January 12, 1981, the State Board of Education (hereinafter the "Board") proposed that the above-entitled rules be adopted after compliance with the procedure which authorizes an agency to propose and adopt rules without a public hearing. Pursuant thereto, the Notice of Intent to Adopt Rules Without a Public Hearing was published in the State Register together with a copy of the proposed rules. After adoption by the Board, these rules and the record herein shall be submitted to the Attorney General for review.

Based upon all the records and proceedings herein, the State Board of Education makes the following:

FINDINGS OF FACT

1. On August 11, 1980, the Notice of Intent to Solicit Outside Opinion Concerning Proposed Rules Relating to Supervisory and Support Personnel was published at 5 State Register 211. On September 29, 1980, the Notice of Intent was republished at 5 State Register 571.

2. On October 21, 1980, a draft of the proposed rules was mailed to 16 professional organizations and agencies to solicit comments regarding the proposed rules. No comments were received prior to January 12, 1981.

3. On January 12, 1981, the Board resolved to adopt 5 MCAR §§ 1.0523-1.05361 after compliance with the procedure which authorizes an agency to adopt rules without public hearing. Minn. Laws 1980, ch. 615, § 7 (Minn. Stat. § 15.0412, subd. 4h).

4. On February 11, 1981, 895 copies of the Notice of Intent to Adopt 5 MCAR §§ 1.0523-1.05361 without Public Hearing and of the proposed rules were mailed to names appearing on the Department of Education rule-making mailing list, 16 copies were mailed to additional professional organizations and agencies, and 25 copies were mailed to Minnesota colleges and universities which prepare persons for licensure in education.

5. On February 16, 1981, the Notice of Intent to Adopt Rules Without A Public Hearing, together with the rules proposed to be adopted were published in 5 State Register 1235-1252.

6. Three persons requested a public hearing within the 30 day comment period.

7. In a letter dated February 18, 1981, Mr. Smith requested a public hearing and stated that "being a teacher . . . does not qualify one to be an administrator or counselor." In a letter dated March 6, 1981, Anne Losinski requested a public hearing and expressed concerns regarding the transfer of licensure authority and the education requirements of the school nurse licensure rule. The response of George B. Droubie, Manager of the Personnel Licensing and Placement Section, Division of Special Services, Minnesota Department of Education, is attached to Ms. Losinski's letter. Dr. Droubie responded that the "transfer of authority for licensure of school nurses from the Board of Teaching to the Board of Education has not resulted in a different or more stringent licensure rule." The concerns expressed by Mr. Smith and Ms. Losinski are addressed in the agency's Statement of Need and Reasonableness. No changes are being proposed in any of the standards for licensure at this time. The only changes relate to the transfer of authority from the Board of Teaching to the Board of Education, as authorized by Minn. Stat. § 125.05, subd. 1 (1980).

8. In a letter dated February 19, 1981, Jack Amann requested a public hearing regarding the licensure of athletic coaches. Dr. Droubie responded by telephone stating that a public hearing is scheduled for April 2, 1981, regarding proposed 5 MCAR § 1.0533, Head Varsity Coaches of Interscholastic Sports in Senior High Schools. Mr. Amann stated that he did not, then, request a hearing for the coaching rule, 5 MCAR § 1.05331, contained in this set of proposed rules.

9. Proposed rule 5 MCAR § 1.0532 makes reference to the state plan for vocational education. The Board finds the vocational licensure rules have been transferred from the state plan for vocational education to rules of the Board.

10. The Board's authority to promulgate the proposed rules is contained in Minn. Stat. §§ 121.11, subd. 12, and 125.05, subd. 1 (1980).

11. The proposed rules are adopted to implement Minn. Stat. § 125.05, subd. 1 (1980).

12. The Statement of Need and Reasonableness for proposed rules 5 MCAR §§ 1.0523-1.05361 sets forth the need for and the reasonableness of the rules to be adopted herein.

13. The Statement of Need and Reasonableness is incorporated into these Findings and becomes a part hereof as though fully set forth herein.

CONCLUSIONS

1. The Board gave due, timely, and adequate legal notice of its intent to adopt rules without public hearing.

2. Three persons requested a public hearing.

3. Proposed rule 5 MCAR § 1.0532 shall be amended to delete reference to the state plan for vocational education, and include reference to rules of the Board.

4. The Board has statutory authority to promulgate the proposed rules.

5. The Board has fulfilled all relevant, substantive, and procedural requirements of law or rule.

6. The Board has demonstrated the need for and the reasonableness of the proposed rules by an affirmative presentation of facts.

Dated this 14th day of April, 1981.

Secretary, State Board of Education

Trans. Rule file

612-296-2046

March 16, 1981

Ms. Anne Losinski
P.O. Box 266
Morristown, Minnesota 55052

Dear Ms. Losinski:

In reply to your letter of March 6, 1981, regarding school nurse licensure, the following would apply.

The licensure rule that is being proposed for the State Board of Education is identical to that adopted by the Minnesota Board of Teaching. The transfer of authority for licensure of school nurses from the Board of Teaching to the Board of Education has not resulted in a different or more stringent licensure rule.

The concept behind the present proposed rule is identical to that proposed and adopted by the Board of Teaching, namely, that a public school nurse should complete some basic work in education in order to function in an educational setting.

I hope this has satisfactorily answered your inquiry. Please feel free to contact us again if you should have any further questions.

Yours truly,

Dr. George B. Droubie, Manager
Personnel Licensing and Placement
Division of Special Services

GBD/pac



March 6, 1981.

Dr. Draublis —

I am writing out of concern for the transfer of authority from the Teaching Board to the Education Board for the rules concerning school nurse licensure. Are you meaning that if the Board of Education did not control such rules, that a local teaching board does so? To me it sounds as tho the Board of Teaching would be less beaurocratic about such "non-teaching" persons, at least. Perhaps, a public hearing would be able to clear the air about this authority!

As this is my first year in school nursing, I am aghast at the education requirements imposed on me by the Dept. of Education! All this, besides my continuing education costs (both time & money) for current R.N. licensure. And, I work just part-time. Will any authority change affect these requirements?

Can you clarify and encourage from your vantage point!?

It's a rather repetitious system, I'd say!

Sincerely-

Anne Lisinski, B.S. R.N.
P.O. Box 266
Morristown, Mn. 55052

4504 Xenia Ave. N.
Minneapolis, Mn. 55422
February 18, 1981

Mr. George B. Droubie, Manager
Personnel Licensing and Placement
610 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101



Dear Mr. Droubie:

I hereby request that a public hearing be held concerning the proposed rules governing the licensure of supervisory and support personnel.

I find it extremely offensive that the teaching profession has developed enough political clout to push through legislation of this type. Being a teacher (there aren't many good ones available now) does not qualify one to be an administrator or counselor. God save us from the MEA!!

Sincerely yours,

L. Smith

MANKATO STATE UNIVERSITY

DEPARTMENT OF PHYSICAL EDUCATION/(507)389-6313

MANKATO, MINNESOTA 56001

FEB 1981
PERSONNEL LICENSING

February 19, 1981

Dr. George Droubie, Manager
Personnel Licensing and Placement
610 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

Dear Dr. Droubie:

I am responding to the Special Services Division "notice of intent to adopt rules without a public hearing".

Please consider this a formal request, that a public hearing be held relative to licensure of athletic coaches, rules 5 MCAR § 1.0523 - 1.0528. Comments on this proposed rule were made to you by letter dated December 11, 1980.

Sincerely yours,

Jack Amann

Jack Amann, Chairperson
Department of Physical Education
P.O. Box 28

JA/jb

Called him on 2/24/81 - There will be a pub. hearing re coaches. He does not want a hearing on "Trans. rules.

BBD

CERTIFICATE OF BOARD'S
RESOLUTION ADOPTING RULES

I, Howard B. Casmey, do hereby certify that I am secretary of the Board of Education, 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 of Education, duly and properly called and held on the 14th day of April, 1981, 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 the rules relating to the licensure of supervisory and support personnel be and they hereby are approved and adopted, pursuant to authority vested in us by Minn. Stat. §§ 121.11, subd. 12, and 125.05, subd. 1 (1980) and that Howard B. Casmey, the secretary of the Board of Education, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 14th day of April, 1981.

Howard B. Casmey
Secretary, State Board of Education

Henry J. Bromelkamp
Member, State Board of Education

State of Minnesota
Board of Education

Statement of Need and Reasonableness
for Proposed Rules 5 MCAR § 1.0523-1.05361

Concerning: The proposed adoption of rules governing the licensure of supervisory and support personnel.

The proposed rules, 5 MCAR § 1.0523-1.05361, are necessary to implement licensure standards and procedures for supervisory and support personnel, as authorized by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license supervisory and support personnel.

Proposed rules 5 MCAR § 1.0523-1.0528 govern the procedures for issuance and renewal of licenses, suspension and revocation of licenses, approval of licensure programs, persons prepared in states other than Minnesota, and the standards for human relations components for all licensure programs under the authority of the State Board of Education. These proposed procedures are similar to those currently in effect for all other teaching and administrative licenses, and will assure consistency in procedures in which licenses are granted to applicants who may hold multiple licenses, some of which are granted by the Minnesota Board of Teaching, and some of which are granted by the State Board of Education.

Proposed rules 5 MCAR § 1.0529-1.05361 govern standards of licensure for school counselors, school nurses, athletic coaches, reading consultants, and supervisory and consultative personnel. These proposed rules are essentially the same, except as noted by underlining and strikeouts, as rules of the Minnesota Board of Teaching which were in effect prior to the transfer of authority required by Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2. The only changes being proposed at this time relate to the authority of the State Board of Education to license supervisory and support personnel.

5 MCAR § 1.0523 Issuance and renewal of licenses.

Subdivision A. identifies the licensure fields governed by this chapter which are in accordance with Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2. This subdivision also sets forth the general provisions governing the granting of licenses to applicants. These provisions are also utilized by the Minnesota Board of Teaching for granting of licenses and are recognized as the basis for licensure for education personnel in Minnesota. Similar provisions will ensure consistency in the procedure in which licenses are granted to applicants, which will benefit applicants, who, due to multiple licensure, may request licensure for various fields, some of which are under the authority of the State Board of Education and some of which are under the authority of the Minnesota Board of Teaching. Since the Minnesota Board of Teaching has in place a process which assures the capability of institutions to offer teacher licensure programs, only institutions approved by the Minnesota Board of Teaching will be recognized as authorized to submit programs for approval in fields under the authority of the State Board of Education. By accepting the institutional approval system of the Minnesota Board of Teaching, duplication of institutional approval processes is eliminated for colleges and universities.

Subdivision B. requires that applicants for licensure meet the specific requirements for each area of licensure, and that they provide evidence of completion of such requirements. Subdivision B. is necessary to ensure that licenses are issued only to qualified applicants.

Subdivision C. is needed since Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2 and 3 vest authority in the State Board of Education to establish requirements for the issuance and renewal of licenses for supervisory and support personnel.

Subdivision D. is needed to define the dates and duration of licensure to provide clarity regarding licensure validity. This subdivision also sets forth the date after which renewal applications will be accepted. The provision provides the applicant with a greater amount of time in which to apply for renewal, during which time the agency can process such renewals and issue the license. Accepting application after January 1 allows the processing agent to spread out processing time for more expeditious handling of renewal applications. The renewed license, however, regardless of the application date, is effective when the old license expires. These dates and processes are consistent with other State Board of Education licensure rules and Minnesota Board of Teaching licensure rules, and will provide consistency for education personnel who hold multiple licenses, some of which are granted by the State Board of Education and some of which are granted by the Minnesota Board of Teaching.

Subdivision E. is needed to establish by rule a processing fee for the issuance, renewal, or extension of licenses for supervisory or support personnel, as required by Minn. Stat. § 125.08, as amended by Laws of 1980, ch. 345, § 5. The fee is consistent with current fees established by the Minnesota Board of Teaching and the State Board of Education for licensure of other education personnel, and will provide consistency for applicants who may hold multiple licensure, and therefore, be under the jurisdiction of both Boards.

Subdivision F. sets forth the time validity for the first license issued to an applicant, and is consistent with current licensure rules of the State Board of Education and the Minnesota Board of Teaching.

Subdivision G. requires the completion of one year of experience during the time that an entrance license is held, and provides for renewal of that license if an applicant is unable to complete the experience. Once the experience is obtained, the applicant is issued a continuing license and is subject to the renewal requirements of the specific license. This procedure is consistent with Minnesota Board of Teaching licensure rules and will provide for consistency in administration of the requirements for issuance of the first continuing license.

Subdivision H. provides for the issuance of continuing licenses and synchronizes expiration dates of these licenses for applicants who hold more than one license. This is needed so that applicants who hold multiple licensure may renew these licenses concomitantly, rather than renewal dates being staggered throughout various cycles, causing applicants to renew more than once in a five-year period. This procedure is consistent with Minnesota Board of Teaching rules and will permit applicants who

hold multiple licenses, some of which are granted under the authority of the State Board of Education, and some of which are granted under the authority of the Minnesota Board of Teaching, to renew their licenses simultaneously.

Subdivision I. is needed to provide for the establishment of additional licensure areas for applicants who hold life licensure, since Minnesota statutes currently do not authorize the issuance of life licenses to education personnel.

Subdivision J. provides that continuing licenses may be renewed according to renewal provisions enumerated in the specific rule governing the license being renewed, since these requirements differ among licenses. This subdivision also sets forth the time validity for continuing licenses, which is consistent with current licensure rules of the State Board of Education and the Minnesota Board of Teaching.

Subdivision K. provides standards and procedures for the renewal of a lapsed continuing license. These standards and procedures are necessary to ensure applicants who may have allowed their licenses to lapse to be able to be issued licenses at such time as requirements have been met. This provision is consistent with Minnesota Board of Teaching rules governing lapsed licenses, and will assure those applicants who may hold licenses granted by the State Board of Education and may also hold licenses granted by the Minnesota Board of Teaching, consistency in the standards and procedures for renewing lapsed continuing licenses.

5 MCAR § 1.0524 Suspension and revocation of licenses.

Subdivision A. informs supervisory and support personnel of the general grounds upon which licenses may be suspended or revoked. The grounds tend to parallel those found in Minn. Stat. § 125.09, Subd. 1.

Subdivision B. informs supervisory and support personnel of the procedures by which suspension or revocation action may be taken. These procedures are consistent with a current State Board of Education rule governing suspension and revocation of licenses of school administrators, and provide an appellant the opportunity to request a contested case hearing conducted in accordance with the rules of the Office of Administrative Hearings.

5 MCAR § 1.0526 Approval of licensure programs.

Subdivision A. permits institutions which have been approved by the Minnesota Board of Teaching to request approval of licensure programs in supervision, counseling, and coaching. The State of Minnesota has adopted the procedure of granting entrance licenses to persons who have been verified by the preparing institution as having successfully completed an approved program of preparation. Since the Minnesota Board of Teaching has in place a process for approval of institutions, only institutions approved through this process will be recognized by the State Board of Education to submit licensure programs in supervision, counseling, and coaching. By accepting the institutional approval system of the Minnesota Board of Teaching, unnecessary duplication of institutional approval processes is eliminated.

Subdivisions B. and C. describe the procedure which an approved Minnesota institution must follow in order to obtain approval of a licensure program, and list the written criteria the Commissioner of Education will use to determine whether a program will be approved. The criteria provided in this rule are consistent in concept with those criteria currently used by the Minnesota Board of Teaching in the approval of teacher preparation programs in Minnesota. The criteria specified in B. are identical to criteria used by the Minnesota Board of Teaching in approval of teacher licensure programs. Although similar in concept to those currently being used by the Minnesota Board of Teaching, the criteria set forth in C. of this rule have been slightly modified to better meet the requirements of licensure programs governed by the State Board of Education.

Subdivisions D. and E. set forth the process to administer the auditing and approval of each licensure program to determine that each program meets rules established by the State Board of Education governing that licensure program. To ensure that the programs developed by approved Minnesota institutions meet the requirements of licensure rules, so that persons completing such programs may be recommended for licensure, a procedure is needed which can be used to audit and approve these programs. The approval process in this rule is the same as that currently in place by the Minnesota Board of Teaching and the State Board for Vocational Education (the State Board for Vocational Education is the same as the State Board of Education, Minn. Stat. § 121.11, Subd. 1: hereinafter referred to as the State Board of Education), and will provide consistency to colleges and universities as they seek initial and continuing approval for the licensure programs which they offer, some of which may be under the authority of the State Board of Education, and some of which may be under the authority of the Minnesota Board of Teaching.

Subdivision F. provides the Commissioner of Education with a number of options which allow for various types of licensure program approval and disapproval. Selection of one of the options provided the Commissioner of Education in this subdivision depends upon consideration of the program description prepared by the institution and information provided by program auditors. Selection of the appropriate option will ensure that licensing programs provide the high quality education needed to prepare persons for licensure as supervisory or support personnel. A licensure program which meets the criteria set forth in B. and C. of this rule shall be approved. Conditional approval may be extended to an approved Minnesota institution whose licensure program does not fully meet the criteria set forth in this rule. This method of approval provides the means by which approved Minnesota institutions can obtain full approval if their licensing programs have minor deficiencies. Conditional approval also allows the program to continue, and thereby does not disrupt the education of students while minor deficiences are rectified. A licensure program will be disapproved when it is determined that the program does not meet the provisions of this rule. To ensure that persons who enroll in licensure programs receive the quality of education necessary to prepare them for licensure, it is reasonable to have a provision whereby licensure programs which do not meet the quality standards set forth in this rule may be disapproved.

Subdivision G. provides for reconsideration of approval status of a licensure program which has been conditionally approved. This provision is necessary to provide a means by which institutions which have minor deficiencies in licensure programs can obtain full approval of these programs. This subdivision also provides for the withdrawal of conditional approval. This provision is necessary to provide a means of handling those licensure programs which were given conditional approval but did not meet the requirements for approval within stated time lines.

Subdivision H. provides for flexibility and innovation in the design of licensure programs. Such flexibility allows approved Minnesota institutions to develop licensure programs which utilize innovative ideas and which make the most effective use of resources.

Subdivision I. requires institutions to submit a written description of any licensure program revisions. From time to time, approved Minnesota institutions will find it appropriate and necessary to make revisions in an approved licensure program. Since such revisions may or may not meet the criteria of this rule, the Commissioner of Education must be apprised of such changes in order to determine whether the revised licensure program continues to meet these requirements.

Subdivision J. provides for the revocation or suspension of approval of a licensure program when it is determined that the approved licensure program no longer meets the provisions of this rule. Such a provision is necessary because variation and change may occur with regard to the ability of a particular licensure program to meet the approval criteria set forth in this rule after initial or continuing approval has been given. It is reasonable to have a provision whereby approved licensure programs which do not continue to meet the quality standards set forth in this rule may have their approval revoked or suspended.

5 MCAR § 1.0527 Persons prepared in states other than Minnesota.

This proposed rule establishes a process by which persons who have been prepared as supervisory and support personnel in other states may be granted licenses as supervisory and support personnel in Minnesota.

Subdivision A.1. authorizes the granting of licenses to persons prepared in states which have signed contracts with Minnesota, thus meeting the requirements of Minn. Stat. § 125.52, which authorizes Minnesota to contract with one or more states for reciprocity in licensure.

Subdivision A.2. establishes the criteria for granting licenses to persons prepared in states which have not contracted with Minnesota for reciprocity in licensing. These criteria will be used to determine essential equivalence of licensure programs.

Subdivision B. provides that persons who have completed licensure programs in states other than Minnesota which meet the criteria set forth in this rule shall be granted a Minnesota entrance license, during which time they must complete the human relations requirement.

5 MCAR § 1.0528 Human relations requirement.

The human relations rule which has been in effect since July 1, 1973 requires education personnel to complete a preparation program with human relations components. It is important that this requirement continue in effect for supervisory and support personnel. Today's society is pluralistic, encompassing people of various racial, religious and socioeconomic groups, and people subscribing to different and often conflicting beliefs, values, and attitudes. To ensure that education personnel can effectively relate to students represented in these groups, participation in an approved human relations program is required. To provide students with the experiences and the understanding needed to appreciate, accept, and live harmoniously in such a diverse society, education personnel must learn how to cope in a pluralistic social and working environment. The components in this rule are identical to human relations components required of school administrators, and closely parallel the human relations requirement for all other education personnel licensed by the State Board of Education and the Minnesota Board of Teaching. The proposed requirements provide for consistency of preparation programs for all education personnel, regardless of which Board has authority for licensure.

5 MCAR § 1.0529 School counselors, secondary.

This rule is essentially the same, except as noted by underlining and strike-outs, as the rule recently promulgated by the Minnesota Board of Teaching, which is due to become effective on July 1, 1982. This rule was developed through the Minn. Stat. Chapter 15 rule-making process. It was adopted by the Minnesota Board of Teaching on March 21, 1980, approved by State Board of Education on May 12, 1980, and filed with the Secretary of State on June 19, 1980. School counselors will continue to renew their licenses through Minnesota Board of Teaching local continuing education/relicensure committees, as approved by the Minnesota Board of Teaching at its May 16-17, 1980, meeting. The only changes being proposed at this time relate to Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license school counselors.

5 MCAR § 1.05291 Counselors, secondary schools.

This rule is essentially the same, except as noted by underlining and strike-outs, as the rule currently in effect for licensing of secondary school counselors. This rule was originally a State Board of Education rule, which was transferred to the authority of the Minnesota Board of Teaching in 1976, and is being transferred to the authority of the State Board of Education in accordance with Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2. School counselors will continue to renew their licenses through Minnesota Board of Teaching local continuing education/relicensure committees, as approved by the Minnesota Board of Teaching at its May 16-17, 1980, meeting. This rule will remain in effect until July 1, 1982, at which time 5 MCAR § 1.0529 becomes effective.

5 MCAR § 1.0530 School counselors, elementary.

This rule is essentially the same, except as noted by underlining and strike-outs, as the rule recently promulgated by the Minnesota Board of Teaching, which is due to become effective on July 1, 1982. This rule was developed through the Minn. Stat. Chapter 15 rule-making process. It was adopted by the Minnesota Board of Teaching on March 21, 1980, approved by the State Board of Education on May 12, 1980, and filed with the Secretary of State on June 19, 1980. School counselors will continue to renew their licenses through Minnesota Board of Teaching local continuing education/relicensure committees, as approved by the Minnesota Board of Teaching at its May 16-17, 1980, meeting. The only changes being proposed at this time relate to Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license school counselors.

5 MCAR § 1.05301 Counselors, elementary schools.

This rule was originally a State Board of Education rule, which was transferred to the authority of the Minnesota Board of Teaching in 1976, and is being transferred to the authority of the State Board of Education in accordance with Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license school counselors. School counselors will continue to renew their licenses through Minnesota Board of Teaching local continuing education/relicensure committees, as approved by the Minnesota Board of Teaching at its May 16-17, 1980, meeting. The only change being proposed in this rule is the addition of the date at which time this rule will no longer be in effect, since 5 MCAR § 1.0530 will become effective on July 1, 1982.

5 MCAR § 1.0531 Counselors in middle schools.

This rule is essentially the same, except as noted by underlining and strike-outs, as the rule recently promulgated by the Minnesota Board of Teaching, which is due to become effective on July 1, 1982. This rule was developed through the Minn. Stat. Chapter 15 rule-making process. It was adopted by the Minnesota Board of Teaching of March 21, 1980, approved by the State Board of Education on May 12, 1980, and filed with the Secretary of State on June 19, 1980. School counselors will continue to renew their licenses through Minnesota Board of Teaching local continuing education/ relicensure committees, as approved by the Minnesota Board of Teaching at its May 16-17, 1980, meeting. The only changes being proposed at this time relate to Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license school counselors.

5 MCAR § 1.0532 School nurse.

This rule is essentially the same, except as noted by underlining and strike-outs, as the rule promulgated by the Minnesota Board of Teaching, which is due to become effective on July 1, 1981. This rule was developed through the Minn. Stat. Chapter 15 rule-making process. It was adopted by the Minnesota Board of Teaching on October 18, 1978, approved by the State Board of Education on May 14, 1979, and filed with the Secretary of State on August 31, 1979. School nurses will continue to renew their licenses through Minnesota Board of Teaching local continuing education/ relicensure committees, as approved by the Minnesota Board of Teaching at its May 16-17, 1980, meeting. The only changes being proposed at this time relate to Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license school nurses.

5 MCAR § 1.05321 School nurse.

This rule was originally a State Board of Education rule, which was transferred to the authority of the Minnesota Board of Teaching in 1976, and is being transferred to the authority of the State Board of Education in accordance with Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2, which establishes authority for the State Board of Education to license school nurses. School nurses will continue to renew their licenses through Minnesota Board of Teaching local continuing education/ relicensure committees, as approved by the Minnesota Board of Teaching at its May 16-17, 1980, meeting. The only change being proposed in this rule is the addition of the date at which time this rule will no longer be in effect, since 5 MCAR § 1.0532 will become effective on July 1, 1981.

5 MCAR § 1.05331 Public school athletic coaches.

This rule is essentially the same, except as noted by underlining and strike-outs, as the rule currently in effect for licensing of public school athletic coaches. This rule was originally a State Board of Education rule, which was transferred to the authority of the Minnesota Board of Teaching in 1976, and is being transferred to the authority of the State Board of Education in accordance with Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2. Athletic coaches will continue to renew their licenses through Minnesota Board of Teaching local continuing education/relicensure committees, as approved by the Minnesota Board of Teaching at its May 16-17, 1980, meeting.

5 MCAR § 1.0535 Reading consultant.

This rule is essentially the same, except as noted by underlining and strike-outs, as the rule currently in effect for licensing of reading consultants. This rule was originally a State Board of Education rule, which was transferred to the authority of the Minnesota Board of Teaching in 1976, and is being transferred to the authority of the State Board

of Education in accordance with Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2. Subdivision E. provides for renewal of continuing licenses in accordance with current standards and procedures of the State Board of Education for renewal of school administrators' licenses. By including reading consultants in this system, the necessity for an additional system, with differing criteria, is eliminated for persons who hold multiple licenses.

5 MCAR § 1.05361 Supervisory and consultative personnel in the elementary and secondary schools.

This rule is essentially the same, except as noted by underlining and strike-outs, as the rule currently in effect for licensing supervisory and consultative personnel. This rule was originally a State Board of Education rule, which was transferred to the authority of the Minnesota Board of Teaching in 1976, and is being transferred to the authority of the State Board of Education in accordance with Minn. Stat. § 125.05, as amended by Laws of 1980, ch. 345, § 2. Subdivision D. transfers the authority for renewal of licenses from rules of the Minnesota Board of Teaching to rules of the State Board of Education, and provides for renewal of continuing licenses in accordance with current standards and procedures of the State Board of Education for renewal of school administrators' licenses. By including supervisory and consultative personnel in this system, the necessity for an additional system, with differing criteria, is eliminated for persons who hold multiple licenses.

STATE OF MINNESOTA
STATE BOARD OF EDUCATION

In the Matter of the Proposed Adoption of Rules of the State Board of Education Governing the Licensure of Supervisory and Support Personnel (5 MCAR §§ 1.0523-1.05361)

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General Charles T. Mottl, do hereby declare that I have examined the proposed rules and all related documents and that, based upon my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, and Rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Dated: April 17, 1981.

Charles T. Mottl

CHARLES T. MOTTL
Special Assistant
Attorney General