

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

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RU~~LE REVIEW CHECKLIST~~

File No. 1409
DATE RECEIVED 10/07/87
REVIEW DATE 10/16/87
DUE DATE 10/21/87

APPROVED
DISAPPROVED
WITHDRAWN

Docket No. 05.0009.0027
ADOPTED W/O HEARING X
EMERGENCY RULE ~~X~~

REVISOR APPROVED
REVISOR DISAPPROVED
FIELD W/SEC.STATE
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)
✓ Notice to Solicit Outside Information/Opinion
2-3-86 Date published in State Register
yes Comments
~~Petition for Adoption of a Rule~~
✓ Board's Authorizing Resolution
✓ Proposed rule
yes Revisor's Certificate
✓ Notice of Intent to Adopt Rule
121. 11 sub 12: 125.05 Subd 1 Statutory Authority
yes Small Business Statement
no/yes Expenditure of public money statement
yes Signature
✓ ~~Statement of Need and Reasonableness~~ stet
yes ~~Small Business Statement~~ stet
no ~~Fees - § 16A.128~~ stet
✓ Affidavit of Mailing Notice of Intent to Adopt Rule
5-4-87 Date 30/25 days before adoption
✓ Publication in State Register
5-4-87 Date 30/25 days before adoption
✓ Resolution Adopting
✓ Findings of Fact, Conclusions & Order Adopting
8-11-87 Date
Written requests, submissions or comments
✓ Declaration of attorney
Charles Mothl Name of SAAG representing agency
~~Notice of Submission to Attorney General~~
~~Affidavit of Mailing Notice to Attorney General~~

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GENERAL

DATE : October 22, 1987

TO : MICHAEL F. TREPANIER
Educational Specialist
Minnesota Department of Education

FROM : MARTHA CASSERLY
Special Assistant
Attorney General

PHONE : 6-6204

SUBJECT : In the Matter of the Adopted Rule Relating to Licensure for Directors of Special Education

The above-referenced rule has been approved as to its legality by the Attorney General on October 19, 1987.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

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

MJC:nah
Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Adminsitrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

AG Copy

Department of Education

Adopted Permanent Rules Relating to Licensure for Directors of Special Education

Rules as Adopted

3510.9100 DIRECTORS OF SPECIAL EDUCATION.

Subpart 1. **Scope.** A person who serves or performs the duties of a director or assistant director of special education as specified in part 3525.2405, shall hold a license as a director of special education. A program supervisor is not required to hold this license. A person holding a Minnesota life license as a supervisor of special education may serve as a director or an assistant director of special education.

Subp. 2. **Licensure requirements.** An applicant for licensure as a director of special education shall:

A. have three years of teaching experience in special education while holding a license valid for the position or positions in which the experience was gained;

B. satisfactorily complete a specialist or doctoral program, or a program consisting of a master's degree plus 45 quarter credits unless up to 30 credits are waived under subpart 4, in a preparation program approved by the commissioner of education that is offered at a regionally accredited Minnesota graduate school; and

C. be recommended for licensure as a director of special education by a Minnesota college or university that, in making the recommendation, attests to the satisfactory completion by the applicant of the approved program, and the evaluation process.

Subp. 3. **Program requirements.** The approved program must include preparation that enables the candidate to acquire knowledge, understanding, and abilities in the following:

A. General education administration:

(1) Understand, and be able to implement, the

principles and strategies that will result in meaningful involvement of parents or guardians in the educational process including development of the verbal and nonverbal language that conveys an attitude of respect for what parents or guardians have to bring to the development of a working partnership with school personnel.

(2) Understand the principles of personnel management, including determining personnel needs, recruitment, assignment, supervision, and evaluation.

(3) Understand state and federal laws and rules regarding education, including data privacy.

(4) Understand the principles of social organization, including school-community relations and parent-school relations and understand communication strategies.

(5) Understand models of professional development and staff preparation.

(6) Know and understand group process, communication, and strategy skills including conflict management and resolution, listening, speaking, principled negotiation, strategies for change, and development of mission.

(7) Know and understand individual or personal behavior styles and how they interact under normal and stress conditions.

(8) Understand models of program planning, design, implementation, evaluation (including design), data collection, and data analysis.

(9) Know and understand different management models and styles.

(10) Know and understand the models of general school finance being used nationally and in Minnesota.

(11) Know case law regarding general education.

(12) Know school organization and administration models being used nationally and understand the models used in Minnesota.

(13) Know and understand elementary and secondary curriculum.

(14) Know and understand school effectiveness research and its effect on instructional programs.

(15) Know and explore current technology tools designed to deliver instruction and manage student instructional data.

B. Special education administration:

(1) Understand, and be able to implement, the principles and strategies that will result in meaningful involvement of parents or guardians in the educational process including development of the verbal and nonverbal language that conveys an attitude of respect for what parents or guardians have to bring to the development of a working partnership with school personnel and strategies on how to present educational and due-process information in a clear, concise, and nonthreatening manner.

(2) Understand the current state and federal laws and rules regarding the delivery of educational programs for handicapped pupils.

(3) Understand the current state and federal laws, rules, and procedures regarding special education finance, budgeting, and accounting.

(4) Understand case law regarding special education and the education of handicapped students.

(5) Understand special education instructional delivery service models including methods and materials.

(6) Understand special education program development, including needs assessment, program design, and evaluation.

(7) Understand the purpose of and resources available from agencies and organizations serving handicapped pupils and their parents.

(8) Know special education administrative models used nationally, and understand the models being used in Minnesota.

(9) Know and explore current technology tools designed specifically for the handicapped including delivering

instruction, student physical assistance (for example, communication and braille translation), and managing student information.

C. The program must provide the candidate with a practicum or field experience, that must include a minimum of 200 hours in an administrative position under the immediate supervision of a functioning director of special education. During the field experience, the candidate shall demonstrate the ability to apply the knowledge and understandings enumerated in items A and B. A person prepared in another state as a director of special education may substitute one year of full-time experience as a director or assistant director of special education in another state for the field experience required by this provision.

Subp. 4. **Institutional requirement.**

A. An institution applying to the commissioner of education for approval of a program leading to licensure of directors of special education shall comply with part 3510.3300. An approved program must include a description of how licensure candidates may have their experience and preparation, in those areas listed in subpart 3, evaluated by the institution.

B. The initial evaluation must include representation from college departments involved with the licensure program and must include practicing directors of special education. The evaluation must occur before the candidate's program is filed with the institution. The evaluation must result in an individual plan for the applicant to attain the necessary knowledge, skills, abilities, and understandings noted in subpart 3, items A and B. If an applicant can demonstrate competencies based on an evaluation of prior experience and training, that has a direct relationship to the requirements noted in subparts 2 and 3, this plan may include a reduction of up to 30 of the required quarter credits. The plan may also include a listing of additional areas of skill development in which the candidate shall consider additional preparation. The

structure of the plan must clearly show which experiences or activities relate to which skills.

C. An approved program for the competency and situational observation component must include an exit evaluation that requires a licensure candidate to demonstrate facility with the knowledge and understanding components listed in subpart 3, items A and B. The exit evaluation must focus on those skill components not previously demonstrated during completion of the practicum requirement. One acceptable model for evaluating facility with those components can be achieved by placing the candidate in a series of realistic hypothetical problem-solving situations while being observed by a team of at least two to four persons competent to evaluate the candidate's facility and knowledge of the skill areas. This exit evaluation must allow the candidate to demonstrate facility with the knowledge areas within a reasonable time frame.

Subp. 5. **Issuance and renewal of licenses.** A license must be issued according to part 3510.2800. A continuing license must be renewed according to parts 3510.8500, 3510.8600, and 3510.8700.

Subp. 6. **Continuing license.** A person who meets any one of the following requirements shall, upon application, be granted a continuing license as a director of special education. Later continuing licenses must be renewed according to part 3510.8500.

A. Holds a valid license as a supervisor of special education before July 1, 1990.

B. Holds a valid license as a supervisor of a special education disability area and before July 1, 1990, has a minimum of one year of experience as a director or assistant director of special education.

C. Holds a valid administrative license and before July 1, 1990, has been reimbursed by the department of education as a supervisor or director of special education for a period of at least three years.

Subp. 7. **Out of state applicants.** A person prepared as a

director of special education in states other than Minnesota shall meet the requirements of part 3510.3900 for the issuance of an entrance license.

Subp. 8. **Effective date.** This part is effective July 1, 1990, for an applicant for licensure as a director of special education.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 26 1987

Joan Anderson Growe 2:25PM
Secretary of State

APPROVED AS TO FORM AND LEGALITY
October 19 1987
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY MJ Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

State Board of Education
Department of Education
Instructional Effectiveness Division

Outside Opinion Sought Regarding Proposed Rules Governing Licensure for Directors of Special Education Services

Notice is hereby given that the State Board of Education is seeking information or opinions from sources outside the agency in preparing to amend current rules governing directors of special education services. The promulgation of these rules is authorized by Minnesota Statutes, section 120.17 subdivision 3, which requires the agency to adopt rules relative to supervision and Minnesota Statutes section 125.05, which gives the authority to license supervisory personnel.

State Board of Education requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit written statements of information to:

Norena A. Hale, Manager
Minnesota Department of Education
Special Education Section
Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-0313 and in person at the above address.

All Statements of information will be accepted until February 28, 1986. Any written material received by the State Board of Education shall become part of the record in the event that the rules are promulgated.

February 3, 1986

Ruth E. Randall
Secretary, State Board of Education

Department of Human Services
Income Maintenance Bureau
Health Care Programs Division

Outside Opinion Sought Concerning Proposed Rules Governing the Early and Periodic Screening, Diagnosis, and Treatment Program

Notice is hereby given that the Minnesota Department of Human Services is seeking information or opinions from sources outside the agency in preparing to revise Minnesota Rules, parts 9505.1500 to 9505.1690 concerning the early and periodic screening, diagnosis, and treatment program (EPSDT).

This rule is authorized by Minnesota Statutes, section 256B.02, subd. 8 (12) and by Minnesota Statutes, section 256B.04, subd. 2 in conjunction with 42 CFR Part 441, subp. 8 and governs the provision of EPSDT services to children eligible for medical assistance. The rule sets the standards for eligibility for EPSDT services; physician screening standards related to development, vision, physical growth, nutrition, hearing, dental examination, and laboratory tests; nurse screening standards; periodicity schedule; the conditions for provider participation; reimbursement requirements for local agencies.

State Board of Education

Department of Education

Instructional Effectiveness Division

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing Licensure for Directors of Special Education Services

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February 3, 1986

Ruth E. Randall

Secretary, State Board of Education

Department of Education

Proposed Permanent Rules Relating to Licensure for Directors of Special Education

Rules as Proposed (all new material)

3510.9100 DIRECTORS OF SPECIAL EDUCATION.

Subpart 1. **Scope.** A person who serves or performs the duties of a director or assistant director of special education as specified in part 3525.2405, shall hold a license as a director of special education. A program supervisor is not required to hold this license. A person holding a Minnesota life license as a supervisor of special education may serve as a director or an assistant director of special education.

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C. be recommended for licensure as a director of special education by a Minnesota college or university that, in making the recommendation, attests to the satisfactory completion by the applicant of the approved program, and the evaluation process.

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Approved by Revisor

principles and strategies that will result in meaningful involvement of parents or guardians in the educational process including development of the verbal and nonverbal language that conveys an attitude of respect for what parents or guardians have to bring to the development of a working partnership with school personnel.

(2) Understand the principles of personnel management, including determining personnel needs, recruitment, assignment, supervision, and evaluation.

(3) Understand state and federal laws and rules regarding education, including data privacy.

(4) Understand the principles of social organization, including school-community relations and parent-school relations and understand communication strategies.

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by Revisor _____

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by Revisor _____

instruction, student physical assistance (for example, communication and braille translation), and managing student information.

C. The program must provide the candidate with a practicum or field experience, that must include a minimum of 200 hours in an administrative position under the immediate supervision of a functioning director of special education. During the field experience, the candidate shall demonstrate the ability to apply the knowledge and understandings enumerated in items A and B. A person prepared in another state as a director of special education may substitute one year of full-time experience as a director or assistant director of special education in another state for the field experience required by this provision.

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B. The initial evaluation must include representation from college departments involved with the licensure program and must include practicing directors of special education. The evaluation must occur before the candidate's program is filed with the institution. The evaluation must result in an individual plan for the applicant to attain the necessary knowledge, skills, abilities, and understandings noted in subpart 3, items A and B. If an applicant can demonstrate competencies based on an evaluation of prior experience and training, that has a direct relationship to the requirements noted in subparts 2 and 3, this plan may include a reduction of up to 30 of the required quarter credits. The plan may also include a listing of additional areas of skill development in which the candidate shall consider additional preparation. The

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Approved by Revisor _____

director of special education in states other than Minnesota shall meet the requirements of part 3510.3900 for the issuance of an entrance license.

Subp. 8. **Effective date.** This part is effective July 1, 1990, for an applicant for licensure as a director of special education.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Licensure for Directors of Special Education

AGENCY: Department of Education

MINNESOTA RULES: Chapter 3510

The attached rules are approved for publication in the State Register

Richard J. Sands
Senior Assistant Revisor

NC

Minnesota Department of Education

Capitol Square 550 Cedar Street Saint Paul, Minnesota 55101 Phone:

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

State Board of Education
Department of Education

In the Matter of the Proposed Adoption of the Rule of the State Board of Education Relating to Education: Licensure of Directors of Special Education Minnesota Rules, pt. 3510.9100

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the State Board of Education intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statute Sec. 121.11, subdivision 12 (1986) and Minnesota Statute Sec. 125.05, subdivision 1 (1986).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

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

Michael Trepanier
Minnesota Department of Education
819 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

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

The rule proposed would establish criteria for the initial licensure of Directors of Special Education. A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Michael Trepanier upon request.

The State Board of Education estimates that there will be no cost to small business or to local school districts in the state in order to implement the proposed rule. Payment of the processing fee to become licensed or to renew a license continues to be the responsibility of the applicant.

Changes in the requirements for the Director of Special Education apply only to the first time applicant. A procedure has been identified in the proposed rule allowing applicants for renewal to add the new licensure code at the time of renewal. Therefore, the cost to the applicant will only be the normal processing fee.

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

State Board of Education

State of Minnesota

3-10-87
Date

Ruth E. Randall
Ruth E. Randall
Secretary, State Board of Education

#14

February, 1987

STATE OF MINNESOTA
STATE BOARD OF EDUCATION
DEPARTMENT OF EDUCATION
INSTRUCTIONAL EFFECTIVENESS DIVISION

STATEMENT OF NEEDS AND REASONABLENESS

PROPOSED RULE - ISSUANCE AND RENEWAL OF LICENSES FOR DIRECTORS OF SPECIAL EDUCATION (3510.9100)

The statutory authority of the Board of Education to promulgate the proposed rule is set forth in Minnesota Statutes 125.03 and 125.05, Subd. 1.

Subpart 1. Scope

The director's license is needed to assure adequate leadership to personnel and programs providing services to handicapped children. Currently, no specific licensure rule exists which provides standards of licensure for directors of special education. Individuals with a supervisory license in special education may serve as directors. It is reasonable to promulgate license standards because state rule (3525.2405) requires a director of special education in every school district.

Subpart 2. Licensure Requirements

A. Teaching experience in special education is necessary. That specific experience will enable a director to relate better to special education staff, parents and consumers. It is reasonable to require three years because of the necessary breadth of experience.

B. A minimum degree level of a master's plus 45 credits is needed due to the complexity, required competencies and broad areas of expertise in which the director must be proficient. These include program advocacy, compliance monitoring (state and federal), program planning, program implementation, program operation or maintenance, consulting, working with parents, legislation, personnel management, finance and budgeting. It is reasonable to expect this minimum level of training and to allow significant credit for life experience and demonstrated competency.

C. A recommendation of a preparing institution is needed to assure the candidate has had adequate academic

preparation for the position. It is reasonable for the institution to be expected to verify and validate the expertise and proficiency of the candidate based upon satisfactory completion of an approved program.

In addition to significant academic inputs, it is reasonable to expect the training institution to implement a component intended to evaluate a candidate's competency/facility in the necessary skill areas. Due to the recent implementation and continuing development of competency evaluation techniques, it is expected this component will evolve over time. Because of that, it is important to have rules flexible enough to enable change, yet retain sufficient alternatives so no candidate is penalized due to change. Cooperative planning which includes the institution, consumers and the Department of Education, will ensure an adequate supply of directors to meet the needs of students and raise the skill level of directors initially entering the field.

Subpart 3. Program Requirements

General Education Administration/Parents
(1)

Training in and understanding of family dynamics and how to meaningly involve families is imperative. Because family members observe behaviors in many siutations, they have much to offer professional educators. Their opinions and observations deserve respect.

General Education Administration
(2, 3, 4, 5, 8, 9 and 10)

Understanding the principles of general education administration is needed to assure the ability of a director or assistant director to work cooperatively with district and building administrators regarding policies and procedures which cut across both regular and special education. It is important for special education programs to operate within the structure of the district in order to provide a positive environment for handicapped students.

It is reasonable to include the principles of personnel management; state and federal laws and rules; principles of social organization; and models of professional development, and staff training. In

addition they need to understand program planning, design, implementation, evaluation, data collection and data analysis. Each of these areas is a critical aspect of an educational system. To the extent possible, special education program development and implementation must be compatible with regular education. Where it is necessary to develop different policies and procedures, it should be by intent and not lack of understanding the principles of general education administration/organizational models and leadership styles.

Individual and Group Behavior
(6 and 7)

Organizations are made up of individuals. Their interactive behavior is quite complex. Because leadership requires working through others, it is reasonable to require knowledge and skills specific to individual and group behavior. Cooperative leadership also requires knowledge of self and personal style.

General Education Administration/Finance
(10 and 11)

Knowledge of general school finance, case law regarding general education, and school organization and administration is needed by a director or assistant director of special education because special education is a part of the total general education structure. It is reasonable that it be included in the license requirements because a director and assistant director are responsible for seeing that handicapped students are educated with nonhandicapped, to the extent possible. It is often necessary to explain to boards, administrators and the public, the relationship between regular and special education funding, the need for and implications of general and special laws, and the roles and responsibilities of regular education for serving handicapped students.

General Education Administration/Curriculum
(13)

Knowledge and understanding of elementary and secondary curriculum are necessary because, for the majority of students in special education, the regular curriculum is appropriate with or some modification or intervention. Special educators are expected to know when and how to assist regular education staff in modifying or adapting curriculum and instruction to meet the special needs of students with handicaps. It is reasonable for the Director of Special Education

and Assistant Director to have in-depth knowledge and understanding of elementary and secondary curriculum in order to provide the leadership to staff in the development and implementation of appropriate mainstream curriculum as one means of fulfilling the mandate to educate students in the least restrictive environment.

School Effectiveness
(14)

There is a growing body of verafiable research which supports specific principles for improving scshool effectiveness. It is reasonable to require training and skills in this area.

Technology
(15)

Training and knowledge of current technology is necessary to be a leader in the schools of the future. Because technology advances so rapidly, it will be necessary to focu the training on how these tools can best be used instructionally rather than heavey emphasis on curent specific hardware and software. Additionally the training needs to include how to manage data on student learning in order to make better individual student and systemwide instructional decisions.

B. Special Education Administration/Parents
(1)

Training in and understanding of family dynamics and how to meaningly involve families is imperative. Because family members observe many behaviors in many siutations, they have much to offer professional educators. Their opinions and observations deserve respect. Both state and federal law specifically addressed the need for this by including due process requirements.

Special Education Administration
(2- 8)

Understanding the various aspects of special education administration is needed to assure the ability of the director or assistant director to comply with current state and federal laws, to apply those laws and rules to appropriate accounting and budgeting procedures; to be familiar with case law and its application; to be able to provide technical assistance to staff in the

provision of the most successful and appropriate programs for students; to assure that a person holding this license is able to provide for continuous program development involving service delivery persons; to assure that a person holding this license is able to provide the most appropriate services to students and their families through interagency involvement; to be able to apply the most efficient and successful models to each district's unique needs in order to provide for the best possible services in the most efficient and cost effective manner.

Special Education Technology
(9)

Training needs to occur specific to some of the unique applications of technology to special education. There continues to be significant development of technology that provides physical assistance to handicapped individuals. In addition, technology has significant potential for instruction and data management for special education students.

It is reasonable to include these requirements of understanding and knowledge in order to assure that a director has these competencies.

C. Practicum

Field experience or equivalent is needed as a licensure requirement in order for the candidate to have the opportunity to learn, through experience, to apply the theory and principles taught in the classroom. No matter how good the classroom instruction may be it cannot reproduce the real day-to-day challenge in a school system. A minimum of 200 hours is reasonable in that it would allow exposure to a variety of experiences.

Subpart 4. Institutional Requirement

This provision is necessary to set forth the procedures which institutions must follow to obtain approval of preparation programs leading to the licensure of directors of special education. By requiring (1) a description of the program, (2) initial evaluation that includes a review of priviously obvtained knowledge skills and abilities, (3) an individual plan for instruction, and (4) possible ways to evaluate progress, there is sufficient clarity to enable the Department of Education to review and approve or disapprove training programs. It is reasonable to expect licensure candidates to demonstrate their facility

with the stated skills. The development of alternatives would not eliminate situational evaluation component. The intent is to ensure an adequate supply of competent directors of special education to serve the needs of handicapped students in Minnesota, and to enable training programs to learn and incorporate specific to competency based evaluation models, without requiring the rules to be rewritten. The evaluation components provide the framework to translate State Board of Education goal #5 from theory into practice. The practicum requirment is consistent with the practicum requirment for other administrative licensure.

Subpart 5. Issuance and Renewal of Licenses

This provision is necessary to provide for the issuance and renewal of licenses in accordance with current standards and procedures set forth by the Board of Education. In the absence of a specific licensure rule for directors of special education, persons have been authorized to serve as such based upon licensure as a supervisor of special education. It is necessary and reasonable to specify that criteria and to grant a license, as a director of special education, based on these criteria to persons previously authorized to serve as directors of special education prior to the effective date of this licensure rule.

Subpart 6. Continuing Licensure

Continuing licensure for directors currently in the field is needed and reasonable because on the job experience is valid. Current directors and supervisors have been required to demonstrate proficiency on the job as well as to acquire continuing education units and clock hours in their area of licensure as a director or supervisor of special education.

Subpart 7. Out of State Applicants

It is reasonable to provide to individuals trained and/or providing special education leadership in other states a defined way to obtaine licensure in Minnesota.

Subpart 8. Effective Date

The effective date of the rule, July 1, 1990, is reasonable to allow adequate time for implementation of the rule. This enables persons currently in programs to complete the program and obtain licensure. It also provides sufficent time for institutions to design and submit programs for approval.

A. Fiscal Statement

The State Board estimates that the proposed rule will not require any additional expenditure of public monies in either of the two years immediately following adoption and the subsequent implementation of the proposed rule. State Board of Education Rule 3525.2405 currently requires all districts in Minnesota to have access to a director of special education. Therefore, this licensure rule is intended to raise the competency level of entry level directors. It will not require school districts to add any new positions or change the placement of directors in the salary structure.

B. Small Business

This rule will not impact small business.

C. Testimony

Norena A. Hale, Manager
Special Education Section

#12

In the Matter of the Proposed Adoption
of the Rule of the State Board of Education
Governing Licensure for Directors of
Special Education
Minnesota Rules 3510.9100

AFFIDAVIT OF MAILING
THE NOTICE OF
INTENT TO ADOPT A
RULE WITHOUT A
PUBLIC HEARING AND
CERTIFICATE OF
MAILING LIST

STATE OF MINNESOTA

COUNTY OF RAMSEY

TED L. SUSS, being sworn and says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Satutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the state Department of Education rulemaking mailing list is accurate, complete and current as of this 4 day of MAY, 1987

That on the 4 day of MAY, 1987, at the city of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt A Rule Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing, United States mail, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

STATE BOARD OF EDUCATION

Ted Suss
Name

Administrator, State Board of Education
Title

Subscribed and sworn to before me
this 5 day of Sept., 1987

Hollis Dee Britz-Mitchell
Notary Public

Chisago County, Minnesota

My Commission Expires Oct. 4, 1990.

HOLLIS DEE BRITZ - MITCHELL
NOTARY PUBLIC-MINNESOTA
CHISAGO COUNTY
MY COMMISSION EXPIRES OCTOBER 4, 1990

7001.0150; .0520; .0590; .0600; .0620; .0650; .0712; .0720; 7045.0200; .0075; .0080; .0102; .0120; .0125; .0135; .0139; .0140; .0214; .0261; .0275; .0296; .0302; .0395; .0458; .0460; .0468; .0476; .0478; .0482; .0484; .0485; .0538; .0552; .0556; .0584; .0588; .0638 (adopted) 1832
7045.0075, .0219, .0261, .0292, .0381 (adopted) 1950
7045.0534 s.4,5 (repealed) 1832
7046.0031, .0040, 0050, .0070 (adopted) 1993
7046.0030, .0050 subpart 2 (adopted repealer) 1993

PUBLIC SAFETY DEPARTMENT

7406.0100; .0300; .0500; .0700 (withdrawn) 1886

REVENUE DEPARTMENT

8100.0200; .0300 (proposed) 2029

TEACHING BOARD

8700.0210; .4710; .5900; .7800 (correction) 1793
8700.0502; .0900; .1000; .1100; .1300; .1400; .2200; .3110; .3120; .7010 (proposed) 2034
8700.5900; .6600 (proposed repealer) 2034
8700.7000 (proposed repealer effective 7/1/90) 2034

HUMAN SERVICES DEPARTMENT

9525.1500-.1690 (proposed) 1862
9549.0050, .0051, .0052, .0053, .0054, .0055, .0056, .0057, .0058, .0059 (adopted) 1990
9549.0060 (adopted) 1989
9550.6210, .6220 (proposed) 1986
9553.0050; .0060; .0061; .0075 (proposed) 1857

PROPOSED RULES

Pursuant to Minn. Stat. of 1982, §§ 14.22, 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 25 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 the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 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 §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Education

Proposed Permanent Rules Relating to Licensure for Directors of Special Education

Notice of Intent to Adopt a Rule without a Public Hearing

Notice is hereby given that the State Board of Education intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statute Sec. 121.11, subdivision 12 (1986) and Minnesota Statute Sec. 125.05, subdivision 1 (1986).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

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

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

Michael Trepanier
Minnesota Department of Education
819 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-8589

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

The rule proposed would establish criteria for the initial licensure of Directors of Special Education. A copy of the proposed rule is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Michael Trepanier upon request.

The State Board of Education estimates that there will be no cost to small business or to local school districts in the state in order to implement the proposed rule. Payment of the processing fee to become licensed or to renew a license continues to be the responsibility of the applicant.

Changes in the requirements for the Director of Special Education apply only to the first time applicant. A procedure has been identified in the proposed rule allowing applicants for renewal to add the new licensure code at the time of renewal. Therefore, the cost to the applicant will only be the normal processing fee.

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

Dated: 10 March 1987

Ruth E. Randall
Secretary, State Board of Education

Fiscal Statement

The State Board of Education estimates that there will be no cost to local school districts in the state in order to implement the proposed rule. Payment of the processing fee to become licensed or to renew a license continues to be the responsibility of the applicant.

Changes in the requirements for the Director of Special Education apply only to the first time applicant. A procedure has been identified in the proposed rule allowing the applicants for renewal to add the new licensure code at the time of renewal. Therefore, the cost to the applicant will only be the normal processing fee.

Rules as Proposed (all new material)

3510.9100 DIRECTORS OF SPECIAL EDUCATION.

Subpart 1. **Scope.** A person who serves or performs the duties of a director or assistant director of special education as specified in part 3525.2405, shall hold a license as a director of special education. A program supervisor is not required to hold this license. A person holding a Minnesota life license as a supervisor of special education may serve as a director or an assistant director of special education.

Subp. 2. **Licensure requirements.** An applicant for licensure as a director of special education shall:

A. have three years of teaching experience in special education while holding a license valid for the position or positions in which the experience was gained;

B. satisfactorily complete a specialist or doctoral program, or a program consisting of a master's degree plus 45 quarter

credits unless up to 30 credits are waived under subpart 4, in a preparation program approved by the commissioner of education that is offered at a regionally accredited Minnesota graduate school; and

C. be recommended for licensure as a director of special education by a Minnesota college or university that, in making the recommendation, attests to the satisfactory completion by the applicant of the approved program, and the evaluation process.

Subp. 3. **Program requirements.** The approved program must include preparation that enables the candidate to acquire knowledge, understanding, and abilities in the following:

A. General education administration:

(1) Understand, and be able to implement, the principles and strategies that will result in meaningful involvement of parents or guardians in the educational process including development of the verbal and nonverbal language that conveys an attitude of respect for what parents or guardians have to bring to the development of a working partnership with school personnel.

(2) Understand the principles of personnel management, including determining personnel needs, recruitment, assignment, supervision, and evaluation.

(3) Understand state and federal laws and rules regarding education, including data privacy.

(4) Understand the principles of social organization, including school-community relations and parent-school relations and understand communication strategies.

(5) Understand models of professional development and staff preparation.

(6) Know and understand group process, communication, and strategy skills including conflict management and resolution, listening, speaking, principled negotiation, strategies for change, and development of mission.

(7) Know and understand individual or personal behavior styles and how they interact under normal and stress conditions.

(8) Understand models of program planning, design, implementation, evaluation (including design), data collection, and data analysis.

(9) Know and understand different management models and styles.

(10) Know and understand the models of general school finance being used nationally and in Minnesota.

(11) Know case law regarding general education.

(12) Know school organization and administration models being used nationally and understand the models used in Minnesota.

(13) Know and understand elementary and secondary curriculum.

(14) Know and understand school effectiveness research and its effect on instructional programs.

(15) Know and explore current technology tools designed to deliver instruction and manage student instructional data.

B. Special education administration:

(1) Understand, and be able to implement, the principles and strategies that will result in meaningful involvement of parents or guardians in the educational process including development of the verbal and nonverbal language that conveys an attitude of respect for what parents or guardians have to bring to the development of a working partnership with school personnel and strategies on how to present educational and due-process information in a clear, concise, and nonthreatening manner.

(2) Understand the current state and federal laws and rules regarding the delivery of educational programs for handicapped pupils.

(3) Understand the current state and federal laws, rules, and procedures regarding special education finance, budgeting, and accounting.

(4) Understand case law regarding special education and the education of handicapped students.

(5) Understand special education instructional delivery service models including methods and materials.

(6) Understand special education program development, including needs assessment, program design, and evaluation.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

(7) Understand the purpose of and resources available from agencies and organizations serving handicapped pupils and their parents.

(8) Know special education administrative models used nationally, and understand the models being used in Minnesota.

(9) Know and explore current technology tools designed specifically for the handicapped including delivering instruction, student physical assistance (for example, communication and braille translation), and managing student information.

C. The program must provide the candidate with a practicum or field experience, that must include a minimum of 200 hours in an administrative position under the immediate supervision of a functioning director of special education. During the field experience, the candidate shall demonstrate the ability to apply the knowledge and understandings enumerated in items A and B. A person prepared in another state as a director of special education may substitute one year of full-time experience as a director or assistant director of special education in another state for the field experience required by this provision.

Subp. 4. **Institutional requirement.**

A. An institution applying to the commissioner of education for approval of a program leading to licensure of directors of special education shall comply with part 3510.3300. An approved program must include a description of how licensure candidates may have their experience and preparation, in those areas listed in subpart 3, evaluated by the institution.

B. The initial evaluation must include representation from college departments involved with the licensure program and must include practicing directors of special education. The evaluation must occur before the candidate's program is filed with the institution. The evaluation must result in an individual plan for the applicant to attain the necessary knowledge, skills, abilities, and understandings noted in subpart 3, items A and B. If an applicant can demonstrate competencies based on an evaluation of prior experience and training, that has a direct relationship to the requirements noted in subparts 2 and 3, this plan may include a reduction of up to 30 of the required quarter credits. The plan may also include a listing of additional areas of skill development in which the candidate shall consider additional preparation. The structure of the plan must clearly show which experiences or activities relate to which skills.

C. An approved program for the competency and situational observation component must include an exit evaluation that requires a licensure candidate to demonstrate facility with the knowledge and understanding components listed in subpart 3, items A and B. The exit evaluation must focus on those skill components not previously demonstrated during completion of the practicum requirement. One acceptable model for evaluating facility with those components can be achieved by placing the candidate in a series of realistic hypothetical problem-solving situations while being observed by a team of at least two to four persons competent to evaluate the candidate's facility and knowledge of the skill areas. This exit evaluation must allow the candidate to demonstrate facility with the knowledge areas within a reasonable time frame.

Subp. 5. **Issuance and renewal of licenses.** A license must be issued according to part 3510.2800. A continuing license must be renewed according to parts 3510.8500, 3510.8600, and 3510.8700.

Subp. 6. **Continuing license.** A person who meets any one of the following requirements shall, upon application, be granted a continuing license as a director of special education. Later continuing licenses must be renewed according to part 3510.8500.

A. Holds a valid license as a supervisor of special education before July 1, 1990.

B. Holds a valid license as a supervisor of a special education disability area and before July 1, 1990, has a minimum of one year of experience as a director or assistant director of special education.

C. Holds a valid administrative license and before July 1, 1990, has been reimbursed by the department of education as a supervisor or director of special education for a period of at least three years.

Subp. 7. **Out of state applicants.** A person prepared as a director of special education in states other than Minnesota shall meet the requirements of part 3510.3900 for the issuance of an entrance license.

Subp. 8. **Effective date.** This part is effective July 1, 1990, for an applicant for licensure as a director of special education.

Department of Labor and Industry
Labor Standards Division

Notice of withdrawal of Proposed Rules Governing Prevailing Wage

Notice is hereby given that the proposed amendments to rules in the above-captioned matter, as published in 11 S.R. 1778-1779, are hereby withdrawn.

Dated: April 17, 1987

Ray Bohn
Commissioner

#2

NC

Minnesota Department of Education

Capitol Square 550 Cedar Street Saint Paul, Minnesota 55101 Phone:

CERTIFICATE OF THE STATE BOARD

OF EDUCATION'S AUTHORIZING RESOLUTION

I, Ruth E. Randall, do hereby certify that I am the secretary of the State 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 State Board of Education duly and properly called and held on the 10th day of March, 1987, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

RESOLVED, that Ruth E. Randall, secretary of the State Board of Education is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to Adopt A Rule Without a Public Hearing Relating to Education: Directors of Special Education Licensure, to all persons who have registered their names with the Board for that purpose and publish the Notice and rule in the State Register, and to perform any and all acts incidental thereto.

IN WITNESS WHEREOF, I have hereunto subscribed by name this 10 day of March, 1987.

Ruth E. Randall

Ruth E. Randall
Secretary, State Board of Education

Marjorie Johnson

Attest by one Board member

AN EQUAL OPPORTUNITY EMPLOYER

CERTIFICATE OF THE

STATE BOARD OF EDUCATION'S

RESOLUTION ADOPTING THE RULE

I, Ruth Randall, do hereby certify that I am the secretary of the State 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 State Board of Education, duly and properly called and held on the 11th day of August, 1987, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

> "RESOLVED, that the rule relating to Directors of Special Education Licensure, Minn. Rule pt. 3510.9100 is approved and adopted, pursuant to authority vested in the board by Minnesota Statutes 121.11 subd. 12 (1986) and 125.185 subd. 4 (1986). Ruth Randall, the secretary of the board, is authorized to sign the findings of fact, conclusions, and order adopting the rule and further is authorized to modify the rule if necessary to obtain the approval of the rule by the attorney general and to perform the necessary acts to provide that the rule shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of August, 1987.

Ruth E. Randall
Secretary of the Board

Marjorie L. Johnson
Attest by Board member

#3

NC

Minnesota Department of Education

Capitol Square 550 Cedar Street Saint Paul, Minnesota 55101 Phone:

STATE BOARD OF EDUCATION

AUTHORIZING RESOLUTION

RESOLVED, that Ruth E. Randall, secretary of the State Board of Education, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to Adopt a Rule Without a Public Hearing Relating to Education: Directors of Special Education Licensure, to all persons who have registered their names with the Board for that purpose and publish the Notice and rule in the State Register, and to perform any and all acts incidental thereto.

AN EQUAL OPPORTUNITY EMPLOYER

AUTHORIZING RESOLUTION

RESOLVED, that the rule relating to Licensure for Directors of Special Education, Minn. Rule pt. 3510.9100 is approved and adopted, pursuant to authority vested in the board by Minnesota Statutes 121.11 subd. 12 and 125.18 subd. 4 (1986). Ruth Randall, the secretary of the board, is authorized to sign the findings of fact, conclusions, and order adopting the rule and further is authorized to modify the rule if necessary to obtain the approval of the rule by the attorney general and to perform the necessary acts to provide that the rule shall have the force and effect of law.

#5

STATE OF MINNESOTA
STATE BOARD OF EDUCATION
DEPARTMENT OF EDUCATION
PARTNERSHIP DIVISION

In the Matter of the Proposed Adoption of the Rules of the State Department of Education Governing Administrative Licensure for Directors of Special Education Minnesota Rule pt. 3510.9100

FINDINGS OF FACT, CONCLUSIONS, AND OTHER ADOPTING RULES WITHOUT PUBLIC HEARING

FINDINGS OF FACT

Procedural Requirements

1. Notice of the Department of Education's intent to adopt the above referenced rule without a public hearing was published in the State Register on May 4, 1987, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, section 14.14, subdivision 1a and 14.22 on August 11, 1987.

2. The statement of need and reasonableness was prepared before the notice of intent to adopt rules without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

3. All persons were given the opportunity to submit comment on the proposed rule for at least 30 days after notice of intent to adopt the rule without a hearing. The agency received zero (0) requests for a public hearing. Thus, the agency did not receive requests for a public hearing from 25 or more persons relating to proposed adoption of Minn. Rule, part 3510.9100.

4. No requests for notice of submission of the rules to the attorney general regarding Minn. Rule, part 3510.9100 were received by the agency.

Statutory Authority

5. Statutory authority to promulgate the proposed rules is contained in Minn. Stat. Secs. 121.11 subd, 12 (1986) and 125.05, subd. 1 (1986).

Modifications Made to the Proposed Rules

6. No modification has been made to the proposed rule.

7. The Board has demonstrated the need for and reasonableness of the proposed rules.

CONCLUSIONS OF LAW

1. Proper notice of intent to adopt the proposed rules without a public hearing was given.

2. The Board has fulfilled all the procedural requirements of Minn. Stat. Sec. 14.22 - 14.28 and all other procedural requirements of law or rule.

3. The Board has documented its statutory authority to adopt the proposed rules and has fulfilled all substantive requirements of law or rule.

4. The proposed rule is both needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as 3510.9100 is adopted this 11th day of August, 1987, pursuant to authority vested in the Board of Minnesota Statutes, 121.11 subd. 12 (1986) and 125.05, subd. 1 (1986).

9-8-87
Date

Ruth E. Randall
Ruth E. Randall
Secretary, State Board of Education

Minnesota Department of Education

Capitol Square 550 Cedar Street Saint Paul, Minnesota 55101 Phone: 296-8589

MEMORANDUM

October 6, 1987

TO: Rita Desmond
Office of the Attorney General

FROM: Michael F. Trepanier MFT
Educational Specialist

RE: NEW LICENSURE RULE FOR DIRECTORS OF SPECIAL EDUCATION

COST CODE: 0027

Enclosed are the necessary materials specific to passing a new rule without a public hearing. The materials have been reviewed by Charles T. Mottl, Assistant Attorney General. His statement of compliance is also enclosed.

Thankyou.

RECEIVED
ATTORNEY GENERAL'S OFFICE
OCT 06 1987
204 ADMINISTRATION BLDG.
50 SHERBURNE AVENUE
ST. PAUL, MN 55155

RECEIVED
ATTORNEY GENERAL'S OFFICE
OCT 07 1987
204 ADMINISTRATION BLDG.
50 SHERBURNE AVENUE
ST. PAUL, MN 55155

Documents List 9-4-87

1. Notice of Intent to Adopt a Rule without a Public Hearing
2. Certificate of the State Board of Education's Authorizing Resolution
3. State Board of Education Authorizing Resolution
4. Fiscal Statement
5. Findings of Fact, Conclusions, and other Adopting Rules Without Public Hearing
6. Certificate of the State Board of Education's Resolution Adopting the Rule
7. Authorizing Resolution
8. Proposed Permanent Rules Relating to Licensure for Directors of Special Education
9. Outside Opinion Sought Regarding Proposed Rules Governing Licensure for Directors of Special Education Services
10. 3510.9100 Directors of Special Education (Approved by Revisor)
11. 3510.9100 Directors of Special Education (4 copies)
12. Affidavit of Mailing the Notice of Intent to Adopt a Rule without a Public Hearing and Certificate of Mailing List
13. Public Comment Letters
14. Statement of Needs and Reasonableness: Proposed Rule - Issuance and Renewal of Licenses for Directors of Special Education (3510.9100)1

Notice of Intent

Expenditure of Public Money: Although these words are not stated in the Notice, the following may be construed to refer to them:

"Payment of the processing fee to become licensed or to renew a license continues to be the responsibility of the applicant."

Rule

no comments from me

Authority

121.11 subd 12

125.05 subd 1 ok

STATE BOARD OF EDUCATION
DEPARTMENT OF EDUCATION

In the Matter of the Proposed Adoption of the Rule of the State Board of Education Relating to Education: Licensure of Directors of Special Education Minnesota Rules, pt. 3510.9100

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Assistant Attorney General Charles T. Mottl, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Dated: September 14, 1987.

Charles T. Mottl

CHARLES T. MOTTL
Assistant Attorney General

Minnesota Department of Education
Capitol Square 550 Cedar Street Saint Paul, Minnesota 55101 Phone:

FISCAL STATEMENT

The State Board of Education estimates that there will be no cost to local school districts in the state in order to implement the proposed rule. Payment of the processing fee to become licensed or to renew a license continues to be the responsibility of the applicant.

Changes in the requirements for the Director of Special Education apply only to the first time applicant. A procedure has been identified in the proposed rule allowing the applicants for renewal to add the new licensure code at the time of renewal. Therefore, the cost to the applicant will only be the normal processing fee.