


# Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

File No. 152

Docket . 05.0009.0831

DATE RECEIVED 10/11/88

ADOPTED W/O HEARING X

REVIEW DATE 10/20/88

EMERGENCY RULE _____

DUE DATE 10/25/88

REVISOR APPROVED _____

APPROVED 10-24-88

REVISOR DISAPPROVED _____

DISAPPROVED _____

FILED W/SEC. OF STATE 10-24

WITHDRAWN _____

RETURNED TO Atty. for AGENCY 10-24

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✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion (if applicable)

12/7/87 Date published in State Register

_____ Comments

_____ ~~Petition for Adoption of a Rule (if applicable)~~

✓ Board's Authorizing Resolution

1/12/88 Date adopted

✓ Proposed Rule

yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule

136C.04(9) Statutory Authority

NO Small Business Statement

NO Expenditure of public money statement

yes Signature

✓ Statement of Need and Reasonableness (if applicable)

NO Small Business Statement

n/a Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule

7/27/88 Date (30)/25 days before adoption

OK Notice attached

OK Copy of rule or summary attached

✓ Publication in State Register

8/1/88 Date (30)/25 days before adoption

✓ 180-day deadline from:

9/1/88 end of comment period (§ 14.26) (rules without hearing)

_____ ~~effective date of statutory authority (§ 14.29) (emergency rules)~~

✓ Resolution Adopting

9/12/88 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting

9/13/88 Date

✓ Written requests, submissions or comments

✓ Declaration of attorney

Chuck Mott Name of SAAG representing agency

_____ ~~Notice of Submission to Atty. Gen. (if applicable)~~

_____ ~~Aff. of Mailing Notice to Atty. Gen. (if applicable)~~

ATTORNEY GENERAL

October 24, 1988

Georgia Pemroy
Special Assistant
Attorney General

MJCassedy

MARTHA J. CASSERLY
Special Assistant
Attorney General

6-6839

In the Matter of the Adopted Rule Relating to Administrative Licenses; Director and Assistant Director

The above-referenced rule has been approved as to its legality by the Attorney General on October 12, 1988.

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 accoradance 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:sc

Enclosures

cc: Maryanne Hruby
William Brown

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 24 1988

Joan Anderson Growe

Secretary of State

2:20 pm

APPROVED AS TO FORM AND LEGALITY

October 24 1988

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY M J Cassedy

SPECIAL ASSISTANT ATTORNEY GENERAL

education director. During the period when both procedures apply, an applicant for any of these licenses may proceed under either procedure. A year after parts 3700.0900 to 3700.0903 are effective, parts 3515.8400 to 3515.8800 and 3515.9000 are repealed, and thereafter an applicant for any of these licenses may only proceed under parts 3700.0900 to 3700.0903.



Approved
by Revisor _____

instruction, and course construction or development.

(3) Three quarter credits in philosophy of vocational technical education.

(4) Nine quarter credits or 135 clock hours in educational administration or supervision/management of institutional operations that must include three quarter credits or 45 clock hours in instructional supervision in vocational technical education.

B. Experience in vocational education. An applicant must have three years of verified vocational educational experience in an accredited postsecondary institution or state agency functioning in a position that has vocational education as its focus.

C. Occupational experience. Four thousand hours of verified occupational experience outside of education with no recency requirement.

3700.0903 EXISTING LICENSES; CONVERSION TO NEW LICENSES.

Five working days following the publication in the State Register of adopted parts 3700.0900 to 3700.0903, the state board shall convert the adult vocational education license category to the license category of assistant director in a district with a technical institute. At the licensee's next renewal date, the renewed license must show the new license category. A person holding a license as director, assistant director, or adult vocational education director before the effective date of parts 3700.0900 to 3700.0903 may renew the license by complying with parts 3515.7300 to 3515.8300 and upon compliance must be issued the revised license designated in parts 3700.0901, 3700.0902, or 3700.0903, as applicable.

OVERLAP PERIOD; REPEALER. For a year after the date parts 3700.0900 to 3700.0903 are effective, parts 3515.8400 to 3515.8800 and 3515.9000 continue to apply to the application, qualifications, or criteria for initial licensure of technical institute director, assistant director, or adult vocational



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A. policy: recommend and implement institute policy in accordance with governing law and policy;

B. planning: plan according to community needs to meet the goals of the institution;

C. programs and curriculum: identify, develop, implement, and revise all programs and courses;

D. services: provide leadership, development, and supervision of services to all students and staff;

E. personnel: recruit, recommend for employment, assign, orient, supervise, evaluate, or recommend terminations;

F. fiscal: develop, prepare, revise, and manage institution finances;

G. public relations:

(1) plan, develop, and implement all marketing and public relations activities; and

(2) develop and maintain a liaison with labor, business, and community agencies;

H. facilities: plan for the short or long term, acquire, maintain, and account for all property, facilities, equipment, and services; and

I. evaluation: conduct ongoing evaluations of items A to F via consultations with staff, industry, pertinent community resources, and State Board of Vocational Technical Education staff.

Subp. 3. **Licensure requirement.** A person holding the position of assistant director of a postsecondary technical institute, regardless of the title of the position at the technical institute, must be licensed under this part.

Subp. 4. **Licensure criteria.** An applicant for licensure as a technical institute assistant director shall meet the following requirements:

A. Education.

(1) Baccalaureate or graduate level degree from an accredited college.

(2) Three quarter credits of pedagogy in each of the following: educational tests and measurements, methods of



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(5) A total of twelve quarter credits or 180 clock hours covering at least three of the following subjects: school law, institutional and educational planning, program or curriculum development ~~or~~, supervision, personnel management, finance and budget, public relations, building management, organization and administration, labor relations, and evaluation techniques. If clock hours are used, the subjects must be covered in units of no fewer than 15 clock hours.

B. Experience in vocational education. Six thousand hours of verified vocational educational experience as an employee in an accredited postsecondary institution or state agency functioning in a position that has vocational education as its focus. This position must be at an administrative, supervisory, managerial, or student developmental level.

C. Experience in administration. Six thousand hours of verified administrative, supervisory, or managerial level experience in education, business, industry, government, or social service agencies. Two thousand of the 6,000 hours must be within five years before applying for a license.

D. Occupational experience. Four thousand hours of verified occupational experience outside of education with no recency requirement.

3700.0902 ASSISTANT DIRECTOR IN A DISTRICT OPERATING A TECHNICAL INSTITUTE.

Subpart 1. **Assistant director; when position and license required.** A district designated and approved by the State Board of Vocational Technical Education to operate a technical institute shall employ an assistant director in addition to a director if at the institute more than 40 percent of a person's time is spent assisting the director, and the person is assigned by the director to be responsible for four or more of the activities in subpart 2. The person is an assistant director and must have an assistant director's license.

Subp. 2. **Activities requiring a license.** The activities referred to in subpart 1 are:



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assign, orient, supervise, and evaluate or recommend terminations;

F. fiscal: develop, prepare, revise, and manage institution finances;

G. public relations:

(1) plan, develop, and implement all marketing and public relations activities; and

(2) develop and maintain a liaison with labor, business, and community agencies;

H. facilities: plan for the short or long term, acquire, maintain, and account for all property, facilities, equipment, and services; and

I. evaluation: conduct ongoing evaluations of items A to F via consultations with staff, industry, pertinent community resources, and State Board of Vocational Technical Education staff.

Subp. 3. **Licensure requirement.** A person who is responsible for the activities listed in subpart 2 at a postsecondary technical institute regardless of the title of the person's position must be licensed under this part.

Subp. 4. **Licensure criteria.** An applicant for licensure as a technical institute director shall meet the following requirements:

A. Education.

(1) Baccalaureate or graduate level degree from an accredited college.

(2) Three quarter credits of pedagogy in each of the following: educational tests and measurements, methods of instruction, and course construction or development.

(3) Three quarter credits in philosophy of vocational technical education.

(4) Nine quarter credits or 135 clock hours in educational administration or supervision/management of institutional operations that must include three quarter credits or 45 clock hours in instructional supervision in vocational technical education.



Approved
by Revisor _____

State Board of Vocational Technical Education

Adopted Permanent Rules Relating to Administrative Licenses; Director and Assistant Director

Rules as Adopted

3700.0900 GENERAL REQUIREMENTS.

An applicant for a license for postsecondary director or assistant director of a technical institute must meet the requirements listed or referred to in this part. These requirements are in addition to the requirements of the specific license requested.

A. An applicant shall meet the general provisions and procedures for licensure of instructional and supportive personnel except when superseded by parts 3700.0900 to 3700.0903.

B. The applicant must comply with parts 3515.7400 to 3515.8300.

C. Parts 3515.8400 to 3515.8800 and 3515.9000 no longer apply for parts 3700.0901 to 3700.0903.

3700.0901 DIRECTOR IN DISTRICTS OPERATING A TECHNICAL INSTITUTE.

Subpart 1. **Must have director.** A district designated and approved by the State Board of Vocational Technical Education to operate a technical institute shall employ a full-time director for the technical institute.

Subp. 2. **Director's responsibilities.** The director is responsible for the following activities:

A. policy: recommend and implement institute policy in accordance with governing law and policy;

B. planning: plan according to community needs to meet the goals of the institution;

C. programs and curriculum: identify, develop, implement, and revise all programs and courses;

D. services: provide leadership, development, and supervision of services of all students and staff;

E. personnel: recruit, recommend for employment,



Approved by Revisor

Rule is not a resubmission

Sorry Marty
I dont think you can reject
these rules- Maybe the next ones.

Authority: ok

## MINNESOTA STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

Statement of Need and Reasonableness for
Proposed Rules Governing the Licensure of
Postsecondary Vocational Technical Education
Administrative Personnel, Director and Assistant
Director

The Statutory authority for the State Board of Vocational Technical Education to promulgate these rules is contained in Minnesota Statutes Section 136C.04, subdivision 9, 1986.

Rules as Proposed

Minnesota Rules 3700.0900 to 3700.0903 Postsecondary Directors and Assistant Directors of Technical Institutes.

Authority of the State Board of Vocational Technical Education to promulgate these rules is found in Minnesota Statutes Section 136C.04, subdivision 9, 1986, Powers and Duties of the Board which states:

> Licensure. The State Board may promulgate rules, according to the provisions of Chapter 14, for licensure of teaching, support, and supervisory personnel in postsecondary and adult vocational education.

The State Board of Vocational Technical Education determined a need to revise postsecondary and extension vocational educational licensure. A review of the existing rules suggested the licensure rules should be clarified for the benefit of existing parties. The rules had not been revised for over ten years. The majority of the issues identified were related to interpretation of the terms relevant education, relevant occupational experience, and vague or nonexistent course work requirements.

The formal rule revision occurs through a process which involves a general advisory committee. Representatives from licensed postsecondary: administrators, supervisory staff, vocational instructors and support staff, private trade schools and the Board of Teaching, State Board of Vocational Technical Education staff, the Minnesota Council of Vocational Education and the State Board of Education Licensure section serves on the committee in an ex-officio status. This committee formulates general licensure guidelines and procedures for selecting individuals to serve on specific committees. This committee then reviews and recommends on the final licensure draft.

A Note of Intent to Solicit Outside Opinion Regarding Proposed Rules for Licensure of Postsecondary Vocational Technical Administrative Licenses was published in the *State Register* on December 7, 1987. Five subcommittee meetings, consultation with the Attorney General's office and the Revisor of Statutes resulted in a proposed rule. The State Board of Vocational Technical Education then made the Final Rule Recommendations.

Proposed Permanent Rules Relating to Administrative Licenses: Director and Assistant Director

3700.0900 GENERAL REQUIREMENTS. This subpart notifies the applicant of the need to meet general licensure rules currently in place as well as the new revised rules specific to the licensure area the applicant seeks.

A. This statement replaces 3515.7300 and 3515.8400 QUALIFICATION FOR LICENSURE with the only change being in rules referenced from 3515.7300 to 3515.7600, now to read 3700.0901 to 3700.0903.

B. This part indicates to the applicant the specific 3515 rule numbers which continue and still apply. 3515.7400 to 3515.8300 remain intact, and are referenced to assure the applicant is apprised of that fact.

C. These parts are deleted for Director, Assistant Director and Adult Extension Director (now covered by Assistant Director license according to 3700.0903). 3515.8400 to 3515.8800 and 3515.9000 are replaced by 3700.0900 to 3700.0903.

3700.0901 DIRECTOR IN DISTRICTS OPERATING A TECHNICAL INSTITUTE

Subpart 1. Licensure Requirements. Retains and moves statement from 3515.8700, subp. 1 which identifies requirement to employ a director. There are no changes in this part.

Subpart 2. Identifies the specific activities a director might be responsible for which would require licensure. In revising the activities previously listed in 3515.8700, subp. 2, A through K, the committee more clearly defined the functions but simplified the language, using all previous rule components. There are no major activity changes.

Subpart 3. Licensure Requirement. Clarifies when an individual must be licensed. This part was necessary to assure compliance with the rule despite local titles provided subp. 2 activities are used.

Subpart 4. Licensure Criteria.

A. Education

1. The degree has been broadened to include any baccalaureate or higher degree. The previous requirement that the degree be in specified vocational services, vocational guidance, counseling or the equivalent was felt to be too narrow. The rationale was "equivalent" had been open for interpretation. In addition, by allowing any baccalaureate degree, future degrees currently in development stages would be included. This is reasonable because the additional specified experiences allow for the breadth and depth of knowledge required for this position and opens up a larger pool of candidates.

2. Three quarters credits in each of the following: Educational Tests and Measurements (evaluation), Methods of Instruction and Course Construction or Development were added. This addition was necessary to assure the applicant is cognizant of educational methods used by instructors under his or her supervision. The content is available through educational programs throughout the state. It is reasonable since an education major or licensed teacher would normally already have the required content. Applicants holding degrees in areas broadened in sub. 3, A would then be exposed to the same educational material which allows for a more common base.

3. This part has been moved from 3515.8700, subp. 3, Licensure Criteria. No changes in this part.

4. This part has been moved from 3515.8700, sub. 3. A new provision allows for clock hours as well as quarter credits and specifies a minimum of three quarter credits (45 clock hours) in instructional supervision in vocational technical education. The remainder may be in educational administration and/or institutional operations. This allows for exposure to situations which deal directly with education, institutions and vocational education. Experience under the existing rule leads to the conclusion that it is vague and difficult to interpret since it did not set parameters on the type of educational experience. This is reasonable because it does not represent an increase in credit or clock hours required.

5. Twelve additional quarter credits or 280 clock hours have been added to assure individuals who apply without the vocational education or service degree will have been exposed to the knowledge, skills and attitudes required of a Director. The course content required relates directly to the activities as listed in subp. 3. It is reasonable to add this subpart, since the degree criteria has been broadened, assurance of competencies in educational leadership is necessary.

B. Experience in Vocational Education. To assure familiarity with the vocational system, the applicant is required to have three years of vocational education experience. State agency experience in vocational education was added since experience includes exposure to most of the activities required in the technical institute systems. The years have been decreased from the current rule of five years in order to recognize the increase in administrative experience from one year to three as represented in C. This is reasonable because the total number of years of experience has not increased. The level of experience has been changed as indicated and reasoned in C.

C. Experience in Administration. This experience has been increased from one to three years. This is reasonable to allow an equal amount of experience on the administrative level for the highest position in a technical institute. The recency clause allows for the applicant to be cognizant of changes which have and are now occurring since the State Board of Vocational Technical Education separated from the Department of Education in 1984. The recency requirement is 2000 hours or one year in the past five and is reasonable since that experience may be in a broad variety of environments.

D. Occupational experience. The occupational experience has been decreased from 6000 hours to 4000 hours. The decrease is justified because the rationale is for exposure to the world of work outside of education rather than expertise in a specific occupational area. The occupational area is not defined because of the inability to identify changes in specific occupations which occur continually.

3700.0902 ASSISTANT DIRECTOR IN DISTRICTS OPERATING A TECHNICAL INSTITUTE

Subpart 1. Assistant Director: When position and licensure required. Clearly identifies activities requiring a license for institutes when an Assistant Director license is required. 3515 rules did not clearly define this resulting in confusion and inconsistency. The 40% time and 4 or more activities allow flexibility to the smaller institutes if there is not enough activity to generate use of an Assistant Director.

Subpart 2. Lists the same activities as Directors license 3700.0901, subp. 2, with the exception that the activities take place when assisting the Director. This is reasonable since the level of administrative education and experience is substantially less than that required of a Director.

Subpart 3 and Subpart 4. Licensure Criteria.

A. Education. 1 through 4 repeats the same criteria as listed for the Director, subp. 4, 1 through 4. The need and rationale are the same. Number 5 is not part of the requirements for the Assistant Director as it is for the Director. This is reasonable since the Assistant Director's duties are assigned and supervised by the Director and the responsibility remains with the Director. This allows the Assistant Director an opportunity to continue educational administrative experience through a career ladder process.

B. Experience in Vocational Education. Same criteria as indicated for the Director, subp. 4, B. Increased to three years from 3515. rule for Assistant Director which required two years of experience. This is reasonable since occupational experience was decreased by 2000 hours allowing the combined experience totals to remain the same. More experience in vocational education and less in occupational allows the applicant the opportunity to become more knowledgeable in the operations of the technical institute system. The Assistant Director is not required to have experience in administration (Director, subp. 3, C) since this individual functions under the direction of the Director and is expected to develop under this system. This experience will allow the applicant to acquire the unique abilities and knowledge under the supervision of the Director.

C. Occupational Experience. Same as for Director, subp. 4, D. Rationale and Need are the same.

3700.0903. Converts existing Director, Assistant Director and Adult Director licenses to new 3700._____ rules. It is reasonable to convert the Adult Director license to the Assistant Director since the functions are essentially the same.

Overlap Period Repealer. This allows applicants a one year period during which applicant may proceed under 3515 or 3700 rule. This is reasonable and necessary since some individuals may be currently preparing themselves under 3515 rule.

Minnesota
State Board of Vocational
Technical Education
Capitol Square Bldg.
550 Cedar Street
St. Paul, MN 55101

STATE OF MINNESOTA
Board of Vocational Technical Education

## Office Memorandum

**TO:** Martha Casserly, Office of the Attorney General

**FROM:** Georgia Pomroy, Licensure Revision Specialist

**DATE:** October 11, 1988

**PHONE:** 6-3929

**SUBJECT:** Permanent Licensure Revision Director and Assistant Director

The following documents are enclosed for your review and submission to the office of the Attorney General:

Administrative Licensure Director and Assistant Director

- Notice of Solicitation/Outside Opinion
- SBVTE Authorizing Resolution
- Revisor Copy/Proposed Rule
- Notice of Intent as Mailed
- Need and Reasonableness
- Affidavit of Mailing
- Register Copy/Rule Intent
- SBVTE Resolution to Adopt
- Revisor copy/adopted rule
- Findings of Fact/Conclusions of Law
- Comments on Rule
- Declaration of Attorney General

GP/cs

**DEPARTMENT OF THE STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION**

**In the Matter of the Proposed Adoption of the Rule of the State of Minnesota Governing Postsecondary Vocational Technical Administrative Licensure, Director and Assistant Director Rules 3700.0900 to 3700.0903**

**SUPPLEMENTAL FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Correction of typographical error has been made 3700.0901 Director in Districts OPERATING A TECHNICAL INSTITUTE, Subpart 4 licensure criteria item 5. A total of twelve quarter credits or 180 clock hours covering at least three of the following subjects: school law, institutional and educational planning, program or curriculum development, ~~or~~ supervision, personnel management, finance and budget, public relations, building management, organization and administration, labor relations, and evaulation techniques. If clock hours are used, the subjects must be covered in units of no fewer than 15 clock hours.

NOW, THEREFORE, IT IS ORDERED that the rule identified as 3700.0900 to 3700.0903 Postsecondary Vocational Technical Licensure; Director and Assistant Director is corrected this 21st day of October, 1988, pursuant to authority vested in the State Board of Vocational Technical Education by Minnesota Statutes, section 136C.04, Subdivision 9.

Helen Henrie October 21, 1988

Helen Henrie Date
Deputy Director
State Board of Vocational Technical Education

In the Matter of the Adoption of
the Rule of the State Board of
Vocational Technical Education
Governing 3700.0900 to 3700.0903,
Postsecondary Vocational
Administrative Licensure, Director
and Assistant Director

DECLARATION OF COUNSEL

I, Charles T. Mottl, Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0831.

Dated: October 10, 1988.

Charles T. Mottl
Assistant Attorney General

State of Minnesota

# STATE REGISTER

Department of Administration—Documents Division




Published every Monday

**1 August 1988**

**Volume 13, Number 5**

**Pages 211-298**

~~A minimum of four feet composite depth of porous formation for each installation shall be provided in one or more pits.~~

~~All pits shall have an inside diameter of at least five feet.~~

~~(5) Construction of all seepage pits shall conform to the following requirements:~~

~~(a) To prevent cave-in, the pit shall be precast concrete or lined with brick, stone, or block at least four inches thick, laid in a radial arch to support the pit walls.~~

~~(b) The brick, stone, or block shall be laid watertight above the inlet and with open joints below the inlet to provide adequate passage of liquids.~~

~~(c) A minimum annular space of 12 inches between the pit lining and excavation wall shall be filled with crushed rock or gravel.~~

~~(d) The seepage pit shall be so constructed at the top as to be capable of supporting the overburden of earth and any reasonable load to which it is subjected. Access to the pit shall be provided by means of a manhole or inspection hole equipped with a watertight cover. The seepage pit may terminate in a conventional manhole top, frame, and cover to a point within 12 inches, but no closer than six inches below finished grade. The manhole cover shall be covered with at least six inches of earth. The top of the seepage pit shall be not less than 12 inches below the ground surface. The top shall be provided with an inspection pipe of not less than four-inch diameter extending through the cover to a point flush with finished ground level. The top of the inspection pipe shall be provided with a readily removable watertight cap.~~

~~E.~~ B. Other systems. Where unusual conditions exist, special systems of treatment and disposal other than those specifically mentioned in ~~items~~ item A ~~to F~~, may be employed provided:

(1) reasonable assurance of performance of ~~such~~ the system is presented to the permitting authority;

(2) the engineering design of ~~such~~ the system is first approved by the permitting authority;

(3) there is no discharge to the ground surface or to surface waters;

(4) treatment and disposal of wastes is in such a manner so as to protect the public health and general welfare;

(5) ~~such~~ the systems comply with all applicable requirements of these standards and with all local codes and ordinances.

Subp. 6. **Class IV alternatives, holding tanks.** Holding tanks:

A. Holding tanks may be allowed only as replacements for existing nonconforming systems or on existing parcels or lots as of the date of the enactment of these standards and only where it can conclusively be shown that a standard, Class I, Class II, Class III, or mound system cannot be feasibly installed.

B. to H. [Unchanged.]

Subp. 7. to 15. [Unchanged.]

**REPEALER.** *Minnesota Rules,* parts 7080.0020, subparts 17, 22, and 51; 7080.0220; 7080.0230; and 7080.0240 are repealed.

# State Board of Vocational Technical Education

## Proposed Permanent Rules Relating to Administrative Licenses; Director and Assistant Director

### Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State of Minnesota 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 rules is *Minnesota Statutes* 136c.04, Subdivision 9.

All persons have 30 days until 4:30 p.m., Thursday, September 1, 1988, 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 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 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 either:

Glenda Moyers, Supervisor
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: (612) 296-6516

Georgia Pomroy, License Revision Specialist
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: (612) 296-0680

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.

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 Glenda Moyers or Georgia Pomroy at the above address and phone, upon request.

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 wish to receive a copy of the adopted rule must submit a written request to either:

Glenda Moyers
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-6516

Georgia Pomroy
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-0680

Helen Henrie, Deputy Director
Minnesota Technical Institute System

## Rules as Proposed (all new material)

### 3700.0900 GENERAL REQUIREMENTS.

An applicant for a license for postsecondary director or assistant director of a technical institute must meet the requirements listed or referred to in this part. These requirements are in addition to the requirements of the specific license requested.

A. An applicant shall meet the general provisions and procedures for licensure of instructional and supportive personnel except when superseded by parts 3700.0900 to 3700.0903.

B. The applicant must comply with parts 3515.7400 to 3515.8300.

C. Parts 3515.8400 to 3515.8800 and 3515.9000 no longer apply for parts 3700.0901 to 3700.0903.

### 3700.0901 DIRECTOR IN DISTRICTS OPERATING A TECHNICAL INSTITUTE.

Subpart 1. **Must have director.** A district designated and approved by the State Board of Vocational Technical Education to operate a technical institute shall employ a full-time director for the technical institute.

Subp. 2. **Director's responsibilities.** The director is responsible for the following activities:

A. policy: recommend and implement institute policy in accordance with governing law and policy;

B. planning: plan according to community needs to meet the goals of the institution;

C. programs and curriculum: identify, develop, implement, and revise all programs and courses;

D. services: provide leadership, development, and supervision of services of all students and staff;

E. personnel: recruit, recommend for employment, assign, orient, supervise, and evaluate or recommend terminations;

F. fiscal: develop, prepare, revise, and manage institution finances;

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.

G. public relations:

(1) plan, develop, and implement all marketing and public relations activities; and

(2) develop and maintain a liaison with labor, business, and community agencies;

H. facilities: plan for the short or long term, acquire, maintain, and account for all property, facilities, equipment, and services; and

I. evaluation: conduct ongoing evaluations of items A to F via consultations with staff, industry, pertinent community resources, and State Board of Vocational Technical Education staff.

Subp. 3. **Licensure requirement.** A person who is responsible for the activities listed in subpart 2 at a postsecondary technical institute regardless of the title of the person's position must be licensed under this part.

Subp. 4. **Licensure criteria.** An applicant for licensure as a technical institute director shall meet the following requirements:

A. Education.

(1) Baccalaureate or graduate level degree from an accredited college.

(2) Three quarter credits of pedagogy in each of the following: educational tests and measurements, methods of instruction, and course construction or development.

(3) Three quarter credits in philosophy of vocational technical education.

(4) Nine quarter credits or 135 clock hours in educational administration or supervision/management of institutional operations that must include three quarter credits or 45 clock hours in instructional supervision in vocational technical education.

(5) A total of twelve quarter credits or 180 clock hours covering at least three of the following subjects: school law, institutional and educational planning, program or curriculum development or supervision, personnel management, finance and budget, public relations, building management, organization and administration, labor relations, and evaluation techniques. If clock hours are used, the subjects must be covered in units of no fewer than 15 clock hours.

B. Experience in vocational education. Six thousand hours of verified vocational educational experience as an employee in an accredited postsecondary institution or state agency functioning in a position that has vocational education as its focus. This position must be at an administrative, supervisory, managerial, or student developmental level.

C. Experience in administration. Six thousand hours of verified administrative, supervisory, or managerial level experience in education, business, industry, government, or social service agencies. Two thousand of the 6,000 hours must be within five years before applying for a license.

D. Occupational experience. Four thousand hours of verified occupational experience outside of education with no recency requirement.

**3700.0902 ASSISTANT DIRECTOR IN A DISTRICT OPERATING A TECHNICAL INSTITUTE.**

Subpart 1. **Assistant director; when position and license required.** A district designated and approved by the State Board of Vocational Technical Education to operate a technical institute shall employ an assistant director in addition to a director if at the institute more than 40 percent of a person's time is spent assisting the director, and the person is assigned by the director to be responsible for four or more of the activities in subpart 2. The person is an assistant director and must have an assistant director's license.

Subp. 2. **Activities requiring a license.** The activities referred to in subpart 1 are:

A. policy: recommend and implement institute policy in accordance with governing law and policy;

B. planning: plan according to community needs to meet the goals of the institution;

C. programs and curriculum: identify, develop, implement, and revise all programs and courses;

D. services: provide leadership, development, and supervision of services to all students and staff;

E. personnel: recruit, recommend for employment, assign, orient, supervise, evaluate, or recommend terminations;

F. fiscal: develop, prepare, revise, and manage institution finances;

G. public relations:

(1) plan, develop, and implement all marketing and public relations activities; and

(2) develop and maintain a liaison with labor, business, and community agencies;

H. facilities: plan for the short or long term, acquire, maintain, and account for all property, facilities, equipment, and services; and

I. evaluation: conduct ongoing evaluations of items A to F via consultations with staff, industry, pertinent community resources, and State Board of Vocational Technical Education staff.

Subp. 3. **Licensure requirement.** A person holding the position of assistant director of a postsecondary technical institute, regardless of the title of the position at the technical institute, must be licensed under this part.

Subp. 4. **Licensure criteria.** An applicant for licensure as a technical institute assistant director shall meet the following requirements:

A. Education.

(1) Baccalaureate or graduate level degree from an accredited college.

(2) Three quarter credits of pedagogy in each of the following: educational tests and measurements, methods of instruction, and course construction or development.

(3) Three quarter credits in philosophy of vocational technical education.

(4) Nine quarter credits or 135 clock hours in educational administration or supervision/management of institutional operations that must include three quarter credits or 45 clock hours in instructional supervision in vocational technical education.

B. Experience in vocational education. An applicant must have three years of verified vocational educational experience in an accredited postsecondary institution or state agency functioning in a position that has vocational education as its focus.

C. Occupational experience. Four thousand hours of verified occupational experience outside of education with no recency requirement.

**3700.0903 EXISTING LICENSES; CONVERSION TO NEW LICENSES.**

Five working days following the publication in the *State Register* of adopted parts 3700.0900 to 3700.0903, the state board shall convert the adult vocational education license category to the license category of assistant director in a district with a technical institute. At the licensee's next renewal date, the renewed license must show the new license category. A person holding a license as director, assistant director, or adult vocational education director before the effective date of parts 3700.0900 to 3700.0903 may renew the license by complying with parts 3515.7300 to 3515.8300 and upon compliance must be issued the revised license designated in parts 3700.0901, 3700.0902, or 3700.0903, as applicable.

**OVERLAP PERIOD; REPEALER.** For a year after the date parts 3700.0900 to 3700.0903 are effective, parts 3515.8400 to 3515.8800 and 3515.9000 continue to apply to the application, qualifications, or criteria for initial licensure of technical institute director, assistant director, or adult vocational education director. During the period when both procedures apply, an applicant for any of these licenses may proceed under either procedure. A year after parts 3700.0900 to 3700.0903 are effective, parts 3515.8400 to 3515.8800 and 3515.9000 are repealed, and thereafter an applicant for any of these licenses may only proceed under parts 3700.0900 to 3700.0903.

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.

CERTIFICATE OF THE STATE OF MINNESOTA
STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

AUTHORIZING RESOLUTION FOR ADOPTION OF A RULE WITHOUT A PUBLIC HEARING

I, Patricia Allinder, do hereby certify that I am a member and the President of the State Board of Vocational Technical 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 Vocational Technical Education, duly and properly called and held on the 12 th day of September, 1988, 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 rules relating to Postsecondary Licensure Criteria, Administrative Licenses; Director and Assistant Director Rules 3700.0900 to 3700.0903 are approved and adopted, pursuant to authority vested in the State Board of Vocational Technical Education by Minnesota Statutes 136C.04, Subdivision 9. Helen Henrie, the Deputy Director of the State Board of Vocational Technical Education, 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 12th day of September, 1988.

Officer of the Board

Attest by one other Board member

**Brainerd Technical Institute**
300 Quince Street, Brainerd, MN 56401
(218) 828-5344 MN 1-800-247-2574 USA 1-800-237-0630

RECD AUG - 4 1988

August 2, 1988

Georgia Pomroy, License Revision Specialist
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

Dear Georgia;

After reading the proposed and current guidelines for Director and Assistant Director, we would make the following recommendations:

> Education: A minimum of a master's degree from an accredited college.
>
> Occupation: A minimum of three years of teaching if the assistant directorship is in instruction and a minimum of three years of counseling student development services if the position is in the Student Development Services.

These changes should reflect the skills and education needed to direct or lead an institution of higher education. As we enter more cooperative agreements with the Community College, State University, and University systems, our administrators must be able to share not only similar credentials, but also educational philosophy which is based upon experiences in higher education. Persons wishing to lead our technical institutes should be willing to achieve graduate degrees in preparation for those careers. Certainly there could be grandfathering or recognition of people close to attainment of those credentials but if we are to improve our image in the world of higher education, then we must be willing to pay the price.

Finally, degrees or courses in higher education administration address areas of equity, finances, curriculum leadership, staff development, and other current topics that are absolute musts for anyone in a leadership position in this system.

Sincerely yours,

Harold P. Erickson, Ph.D.
Assistant Director

Kevin Kopischke
Assistant Director

In the Matter of the Proposed Adoption of the Rule of the State Board of Vocational Technical Education Governing Permanent Rules Relating to Administrative Licenses: Director and Assistant Director

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

STATE OF MINNESOTA ]
] ss.
COUNTY OF RAMSEY ]

LeAnn R. VanDorsten, being sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the State Board of Vocational Technical Education rulemaking mailing list is accurate, complete, and current as of this 27th day of July, 1988.

That on the 27th day of July, 1988, 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 #3700.0900 to 3700.0903, by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

LeAnn R. VanDorsten
(Name)

Executive I
(Title)

Subscribed and sworn to before me
this 27th day of July, 1988.

Caroline E. Wisniewski

22109920

CAROLINE E. WISNIEWSKI
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES MARCH 28, 1991

Mailing List for Director and Assistant Director

July 27, 1988

1. Cabinet and Education Specialists (see attached list with addressees marked in pink)
2. Directors
3. Assistant Directors
4. Adult Extension Directors
5. Permanent Rule Making Mailing List (see attached)
6. General Advisory Committee (see attached)

USER NAME : LEANN
BANNER : LST:

[redacted] = mailing list

Full copy

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| Name | Ph.# | Secy. |
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| Pederson, Kathy | 6-9472 | Donna S. |
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| Senn, Darla | 6-6580 | |
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| Sklenar, Cindy | 6-0680 | |
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| VanDorsten, LeAnn | 6-3938 | |
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Rev. 6/2/88 For editing contact Barb 6-6481

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Vernon M. Vick
Roseville Area Schools
1252 West County Road B2
Roseville, MN 55113

Brian Ingualson
Director of Vocational Education
ISD 14, 6000 W. Moore Lake Dr.
Fridley, MN 55432

Howard Wynse
Business Education Dept.
Moorhead State University
Moorhead, MN 56560

W. D. Lindberg, Superintendent
Fertile School District #599
Fertile, MN 56540

Vern Thoreson
Vocational Director
Minnetonka High School
18301 Highway 7
Minnetonka, MN 55345

Gerrie Driessen
Secondary Vocational Director
11299 Hanson Boulevard NW
Coon Rapids, MN 55433

Ellsworth R. Holm
Jefferson Sr. High School
Alexandria, MN 56308

Darrell J. Bormann
Fairbault Senior High School
330 Southwest Ninth Avenue
Faribault, MN 55021

Rose K. Reban
Business Education Dept.
St. Cloud State Unversity
St. Cloud, MN 56301

Nicholas Waldoch, Director
Pine to Prairie Co-op Center
Red Lake Falls, MN 55092

Joleen Durken
732 Capitol Square Building
INTER OFFICE

Dr. D. Hedtke
Assistant Vocational Director
ISD 623
15 East County Road B2
St. Paul, MN 55117

Loren Boyum
Mid State Educational Co-op
100 SE 11th Street
Little Falls, MN 56345

~~Glenda Moyers~~
SBUTE

~~Judy McGilvrey~~
SBUTE

~~Jack Sullivan~~
SBUTE

~~Jerry Briggs~~
SBUTE

# Office of the Revisor of Statutes
## Administrative Rules

Richard J. Sands
Senior Assistant Revisor
296-2798

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

October 20, 1988

Georgia Pomroy
State Board of Vocational
Technical Education
550 Cedar Street
Saint Paul, Minnesota 55101

RE: AR1303 - Administrative Licenses; Director and Assistant Director

Dear Ms. Pomroy:

I have approved your rules adopted without a public hearing, and am enclosing a copy of these rules for your records.

I have also delivered two copies of these rules to the Attorney General for approval. If they are approved, the Attorney General will file two copies of the approved rules with the Secretary of State. The Secretary of State will then notify me of that fact.

After I am notified that the rules are filed with the Secretary of State, I will prepare three copies of a notice of adoption for you.

If you have any questions, please call me.

Very truly yours,

Richard J. Sands

Note correction on p 3, line 4

RJS/ly
Encl.

# Office of the Revisor of Statutes
## Administrative Rules

Richard J. Sands
Senior Assistant Revisor
296-2798

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

July 7, 1987

Ms. Georgia Pomroy
State Board of Vocational Technical Education
550 Cedar Street
Saint Paul, Minnesota 55155

RE: RD1303 Administrative Licenses

Dear Ms. Pomroy:

I am enclosing six copies of your rules, approved as to form. Please submit two copies to the State Register for publication.

If you have any questions, please call me.

Very truly yours,

Richard J. Sands

RJS/mk
Encl.

# Office of the Revisor of Statutes

## Administrative Rules

**TITLE:** Proposed Permanent Rules Relating to Administrative Licenses; Director and Assistant Director

**AGENCY:** State Board of Vocational Technical Education

**MINNESOTA RULES:** Chapter 3700

The attached rules are approved for publication in the State Register

Richard J. Sands
Senior Assistant Revisor

State Board of Vocational Technical Education

Proposed Permanent Rules Relating to Administrative Licenses; Director and Assistant Director

Rules as Proposed (all new material)

3700.0900 GENERAL REQUIREMENTS.

An applicant for a license for postsecondary director or assistant director of a technical institute must meet the requirements listed or referred to in this part. These requirements are in addition to the requirements of the specific license requested.

A. An applicant shall meet the general provisions and procedures for licensure of instructional and supportive personnel except when superseded by parts 3700.0900 to 3700.0903.

B. The applicant must comply with parts 3515.7400 to 3515.8300.

C. Parts 3515.8400 to 3515.8800 and 3515.9000 no longer apply for parts 3700.0901 to 3700.0903.

3700.0901 DIRECTOR IN DISTRICTS OPERATING A TECHNICAL INSTITUTE.

Subpart 1. **Must have director.** A district designated and approved by the State Board of Vocational Technical Education to operate a technical institute shall employ a full-time director for the technical institute.

Subp. 2. **Director's responsibilities.** The director is responsible for the following activities:

A. policy: recommend and implement institute policy in accordance with governing law and policy;

B. planning: plan according to community needs to meet the goals of the institution;

C. programs and curriculum: identify, develop, implement, and revise all programs and courses;

D. services: provide leadership, development, and supervision of services of all students and staff;

E. personnel: recruit, recommend for employment,



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assign, orient, supervise, and evaluate or recommend terminations;

F. fiscal: develop, prepare, revise, and manage institution finances;

G. public relations:

(1) plan, develop, and implement all marketing and public relations activities; and

(2) develop and maintain a liaison with labor, business, and community agencies;

H. facilities: plan for the short or long term, acquire, maintain, and account for all property, facilities, equipment, and services; and

I. evaluation: conduct ongoing evaluations of items A to F via consultations with staff, industry, pertinent community resources, and State Board of Vocational Technical Education staff.

Subp. 3. **Licensure requirement.** A person who is responsible for the activities listed in subpart 2 at a postsecondary technical institute regardless of the title of the person's position must be licensed under this part.

Subp. 4. **Licensure criteria.** An applicant for licensure as a technical institute director shall meet the following requirements:

A. Education.

(1) Baccalaureate or graduate level degree from an accredited college.

(2) Three quarter credits of pedagogy in each of the following: educational tests and measurements, methods of instruction, and course construction or development.

(3) Three quarter credits in philosophy of vocational technical education.

(4) Nine quarter credits or 135 clock hours in educational administration or supervision/management of institutional operations that must include three quarter credits or 45 clock hours in instructional supervision in vocational technical education.



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(5) A total of twelve quarter credits or 180 clock hours covering at least three of the following subjects: school law, institutional and educational planning, program or curriculum development or supervision, personnel management, finance and budget, public relations, building management, organization and administration, labor relations, and evaluation techniques. If clock hours are used, the subjects must be covered in units of no fewer than 15 clock hours.

B. Experience in vocational education. Six thousand hours of verified vocational educational experience as an employee in an accredited postsecondary institution or state agency functioning in a position that has vocational education as its focus. This position must be at an administrative, supervisory, managerial, or student developmental level.

C. Experience in administration. Six thousand hours of verified administrative, supervisory, or managerial level experience in education, business, industry, government, or social service agencies. Two thousand of the 6,000 hours must be within five years before applying for a license.

D. Occupational experience. Four thousand hours of verified occupational experience outside of education with no recency requirement.

3700.0902 ASSISTANT DIRECTOR IN A DISTRICT OPERATING A TECHNICAL INSTITUTE.

Subpart 1. **Assistant director; when position and license required.** A district designated and approved by the State Board of Vocational Technical Education to operate a technical institute shall employ an assistant director in addition to a director if at the institute more than 40 percent of a person's time is spent assisting the director, and the person is assigned by the director to be responsible for four or more of the activities in subpart 2. The person is an assistant director and must have an assistant director's license.

Subp. 2. **Activities requiring a license.** The activities referred to in subpart 1 are:



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A. policy: recommend and implement institute policy in accordance with governing law and policy;

B. planning: plan according to community needs to meet the goals of the institution;

C. programs and curriculum: identify, develop, implement, and revise all programs and courses;

D. services: provide leadership, development, and supervision of services to all students and staff;

E. personnel: recruit, recommend for employment, assign, orient, supervise, evaluate, or recommend terminations;

F. fiscal: develop, prepare, revise, and manage institution finances;

G. public relations:

(1) plan, develop, and implement all marketing and public relations activities; and

(2) develop and maintain a liaison with labor, business, and community agencies;

H. facilities: plan for the short or long term, acquire, maintain, and account for all property, facilities, equipment, and services; and

I. evaluation: conduct ongoing evaluations of items A to F via consultations with staff, industry, pertinent community resources, and State Board of Vocational Technical Education staff.

Subp. 3. **Licensure requirement.** A person holding the position of assistant director of a postsecondary technical institute, regardless of the title of the position at the technical institute, must be licensed under this part.

Subp. 4. **Licensure criteria.** An applicant for licensure as a technical institute assistant director shall meet the following requirements:

A. Education.

(1) Baccalaureate or graduate level degree from an accredited college.

(2) Three quarter credits of pedagogy in each of the following: educational tests and measurements, methods of



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instruction, and course construction or development.

(3) Three quarter credits in philosophy of vocational technical education.

(4) Nine quarter credits or 135 clock hours in educational administration or supervision/management of institutional operations that must include three quarter credits or 45 clock hours in instructional supervision in vocational technical education.

B. Experience in vocational education. An applicant must have three years of verified vocational educational experience in an accredited postsecondary institution or state agency functioning in a position that has vocational education as its focus.

C. Occupational experience. Four thousand hours of verified occupational experience outside of education with no recency requirement.

3700.0903 EXISTING LICENSES; CONVERSION TO NEW LICENSES.

Five working days following the publication in the State Register of adopted parts 3700.0900 to 3700.0903, the state board shall convert the adult vocational education license category to the license category of assistant director in a district with a technical institute. At the licensee's next renewal date, the renewed license must show the new license category. A person holding a license as director, assistant director, or adult vocational education director before the effective date of parts 3700.0900 to 3700.0903 may renew the license by complying with parts 3515.7300 to 3515.8300 and upon compliance must be issued the revised license designated in parts 3700.0901, 3700.0902, or 3700.0903, as applicable.

OVERLAP PERIOD; REPEALER. For a year after the date parts 3700.0900 to 3700.0903 are effective, parts 3515.8400 to 3515.8800 and 3515.9000 continue to apply to the application, qualifications, or criteria for initial licensure of technical institute director, assistant director, or adult vocational



Approved
by Revisor _____

education director. During the period when both procedures apply, an applicant for any of these licenses may proceed under either procedure. A year after parts 3700.0900 to 3700.0903 are effective, parts 3515.8400 to 3515.8800 and 3515.9000 are repealed, and thereafter an applicant for any of these licenses may only proceed under parts 3700.0900 to 3700.0903.



Approved
by Revisor _____

State of Minnesota

# STATE REGISTER

Department of Administration—Documents Division




Published every Monday

**7 December 1987**

**Volume 12, Number 23**

**Pages 1169-1200**

# Teachers' Retirement Association

## Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers' Retirement Association, will hold a meeting on Thursday, December 10 at 9:00 a.m. in Suite 500 Gallery Building, 17 West Exchange Street, St. Paul, Minnesota to consider matters which may properly come before the board, and to consider recommendations of the administrative hearing judge in a contested case.

# Department of Trade and Economic Development

## Solicitation of Outside Opinion on Possible Federal Procurement Assistance

The Minnesota Department of Trade and Economic Development is exploring ways the state can facilitate Minnesota businesses' receiving a larger share of federal procurement dollars. The department is seeking opinions from interested and affected parties as to (1) the needs of current and potential federal contractors for procurement-related services and assistance and, (2) ways in which needed services and assistance might best be delivered.

Comments on practical needs, possible state policy direction, and possible state service program initiatives are welcome. For purposes of this solicitation, federal procurement means federal supply contracts, federal construction contracts, and federal R&D contracts. Comments on needed assistance relating to federal research or research and development grants will also be received.

At present this opinion and comment collection process is for needs assessment and planning purposes only. All comments received will be public information under the Data Practices Act.

Written comments should be addressed to:

Charles A. Schaffer
Minnesota Department of Trade and Economic Development
900 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101

# Department of the State Board of Vocational Technical Education

## Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Rules for Licensure of Postsecondary and Adult Vocational Technical Education Personnel

Notice is hereby given that the State Board of Vocational Technical Education is seeking information or opinions from sources outside the agency in preparing to amend Chapter Thirty-Five: Rules for Licensure of Vocational Technical Education Personnel and specifically in Administrative Personnel, Special Needs Personnel & Support Services Personnel. The promulgation of these rules is authorized by *Minnesota Statutes*, sections 136C.04, subd. 9 and 125.185 subd. 4.

The State Board of Vocational Technical Education requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Ms. Glenda Moyers
State Board of Vocational Technical Education
522 Capital Square Bldg.
550 Cedar Street
St. Paul, MN 55101
(612) 296-9444

Ms. Georgia Pomroy
State Board of Vocational Technical Education
520 Capital Square Bldg.
550 Cedar Street
St. Paul, MN 55101
(612) 296-0680

Oral statements will be received during regular business hours over the telephone at (612) 296-0680 or in person at the above address.

All statements of information and comments shall be accepted until Thursday, January 21, 1988. Any written material received by the State Board of Vocational Technical Education shall become part of the record in the event that the rules are amended.

Helen Henrie, Deputy Director
State Board of Vocational
Technical Education

CERTIFICATE OF THE

STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

AUTHORIZING RESOLUTION FOR RULE WITHOUT A PUBLIC HEARING

I, Donald C. Ingram, do hereby certify that I am a member and the President of the State Board of Vocational Technical 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 Vocational Technical Education duly and properly called and held on the 12th day of January, 1988, 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 Helen Henrie, Deputy State Director of the State Board of Vocational Technical 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 governing Postsecondary Vocational Licensure of personnel in Administration, Special Needs, Support Services, Technical Occupations and Marketing Occupations 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 my name this 12th day of January, 1988.

Donald C. Ingram
President
State Board of Vocational Technical Education

Attest by one other Board member

**DEPARTMENT OF THE STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION**

**In the Matter of the Proposed Adoption of the Rules of the State of Minnesota Governing Permanent Rules Relating to Administrative Licenses: Director and Assistant Director**

**NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING**

Notice is hereby given that the State of Minnesota 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, Section 14.22 to 14.28. The statutory authority to adopt the rules is Minnesota Statutes 136c.04, Subdivision 9.

All persons have 30 days until 4:30 p.m., Thursday, September 1, 1988, 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 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 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 either:

Glenda Moyers, Supervisor
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: (612) 296-6516

Georgia Pomroy, License Revision Specialist
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: (612) 296-0680

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.

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 Glenda Moyers or Georgia Pomroy at the above address and phone, upon request.

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 wish to receive a copy of the adopted rule must submit the written request to either:

Glenda Moyers
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-6516

Georgia Pomroy
Minnesota Technical Institute System
101 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
(612) 296-0680

June 11, 1988
Date

Helen Henrie
Helen Henrie, Deputy Director
Minnesota Technical Institute System

20109915.FRM

# Office of the Revisor of Statutes

## Administrative Rules

**TITLE:** Proposed Permanent Rules Relating to Administrative Licenses; Director and Assistant Director

**AGENCY:** State Board of Vocational Technical Education

**MINNESOTA RULES:** Chapter 3700

The attached rules are approved for publication in the State Register

Richard J. Sands
Senior Assistant Revisor

State Board of Vocational Technical Education

Proposed Permanent Rules Relating to Administrative Licenses; Director and Assistant Director

Rules as Proposed (all new material)

3700.0900 GENERAL REQUIREMENTS.

An applicant for a license for postsecondary director or assistant director of a technical institute must meet the requirements listed or referred to in this part. These requirements are in addition to the requirements of the specific license requested.

A. An applicant shall meet the general provisions and procedures for licensure of instructional and supportive personnel except when superseded by parts 3700.0900 to 3700.0903.

B. The applicant must comply with parts 3515.7400 to 3515.8300.

C. Parts 3515.8400 to 3515.8800 and 3515.9000 no longer apply for parts 3700.0901 to 3700.0903.

3700.0901 DIRECTOR IN DISTRICTS OPERATING A TECHNICAL INSTITUTE.

Subpart 1. **Must have director.** A district designated and approved by the State Board of Vocational Technical Education to operate a technical institute shall employ a full-time director for the technical institute.

Subp. 2. **Director's responsibilities.** The director is responsible for the following activities:

A. policy: recommend and implement institute policy in accordance with governing law and policy;

B. planning: plan according to community needs to meet the goals of the institution;

C. programs and curriculum: identify, develop, implement, and revise all programs and courses;

D. services: provide leadership, development, and supervision of services of all students and staff;

E. personnel: recruit, recommend for employment,

assign, orient, supervise, and evaluate or recommend terminations;

F. fiscal: develop, prepare, revise, and manage institution finances;

G. public relations:

(1) plan, develop, and implement all marketing and public relations activities; and

(2) develop and maintain a liaison with labor, business, and community agencies;

H. facilities: plan for the short or long term, acquire, maintain, and account for all property, facilities, equipment, and services; and

I. evaluation: conduct ongoing evaluations of items A to F via consultations with staff, industry, pertinent community resources, and State Board of Vocational Technical Education staff.

Subp. 3. **Licensure requirement.** A person who is responsible for the activities listed in subpart 2 at a postsecondary technical institute regardless of the title of the person's position must be licensed under this part.

Subp. 4. **Licensure criteria.** An applicant for licensure as a technical institute director shall meet the following requirements:

A. Education.

(1) Baccalaureate or graduate level degree from an accredited college.

(2) Three quarter credits of pedagogy in each of the following: educational tests and measurements, methods of instruction, and course construction or development.

(3) Three quarter credits in philosophy of vocational technical education.

(4) Nine quarter credits or 135 clock hours in educational administration or supervision/management of institutional operations that must include three quarter credits or 45 clock hours in instructional supervision in vocational technical education.

(5) A total of twelve quarter credits or 180 clock hours covering at least three of the following subjects: school law, institutional and educational planning, program or curriculum development or supervision, personnel management, finance and budget, public relations, building management, organization and administration, labor relations, and evaluation techniques. If clock hours are used, the subjects must be covered in units of no fewer than 15 clock hours.

B. Experience in vocational education. Six thousand hours of verified vocational educational experience as an employee in an accredited postsecondary institution or state agency functioning in a position that has vocational education as its focus. This position must be at an administrative, supervisory, managerial, or student developmental level.

C. Experience in administration. Six thousand hours of verified administrative, supervisory, or managerial level experience in education, business, industry, government, or social service agencies. Two thousand of the 6,000 hours must be within five years before applying for a license.

D. Occupational experience. Four thousand hours of verified occupational experience outside of education with no recency requirement.

3700.0902 ASSISTANT DIRECTOR IN A DISTRICT OPERATING A TECHNICAL INSTITUTE.

Subpart 1. **Assistant director; when position and license required.** A district designated and approved by the State Board of Vocational Technical Education to operate a technical institute shall employ an assistant director in addition to a director if at the institute more than 40 percent of a person's time is spent assisting the director, and the person is assigned by the director to be responsible for four or more of the activities in subpart 2. The person is an assistant director and must have an assistant director's license.

Subp. 2. **Activities requiring a license.** The activities referred to in subpart 1 are:

A. policy: recommend and implement institute policy in accordance with governing law and policy;

B. planning: plan according to community needs to meet the goals of the institution;

C. programs and curriculum: identify, develop, implement, and revise all programs and courses;

D. services: provide leadership, development, and supervision of services to all students and staff;

E. personnel: recruit, recommend for employment, assign, orient, supervise, evaluate, or recommend terminations;

F. fiscal: develop, prepare, revise, and manage institution finances;

G. public relations:

(1) plan, develop, and implement all marketing and public relations activities; and

(2) develop and maintain a liaison with labor, business, and community agencies;

H. facilities: plan for the short or long term, acquire, maintain, and account for all property, facilities, equipment, and services; and

I. evaluation: conduct ongoing evaluations of items A to F via consultations with staff, industry, pertinent community resources, and State Board of Vocational Technical Education staff.

Subp. 3. **Licensure requirement.** A person holding the position of assistant director of a postsecondary technical institute, regardless of the title of the position at the technical institute, must be licensed under this part.

Subp. 4. **Licensure criteria.** An applicant for licensure as a technical institute assistant director shall meet the following requirements:

A. Education.

(1) Baccalaureate or graduate level degree from an accredited college.

(2) Three quarter credits of pedagogy in each of the following: educational tests and measurements, methods of

instruction, and course construction or development.

(3) Three quarter credits in philosophy of vocational technical education.

(4) Nine quarter credits or 135 clock hours in educational administration or supervision/management of institutional operations that must include three quarter credits or 45 clock hours in instructional supervision in vocational technical education.

B. Experience in vocational education. An applicant must have three years of verified vocational educational experience in an accredited postsecondary institution or state agency functioning in a position that has vocational education as its focus.

C. Occupational experience. Four thousand hours of verified occupational experience outside of education with no recency requirement.

3700.0903 EXISTING LICENSES; CONVERSION TO NEW LICENSES.

Five working days following the publication in the State Register of adopted parts 3700.0900 to 3700.0903, the state board shall convert the adult vocational education license category to the license category of assistant director in a district with a technical institute. At the licensee's next renewal date, the renewed license must show the new license category. A person holding a license as director, assistant director, or adult vocational education director before the effective date of parts 3700.0900 to 3700.0903 may renew the license by complying with parts 3515.7300 to 3515.8300 and upon compliance must be issued the revised license designated in parts 3700.0901, 3700.0902, or 3700.0903, as applicable.

OVERLAP PERIOD; REPEALER. For a year after the date parts 3700.0900 to 3700.0903 are effective, parts 3515.8400 to 3515.8800 and 3515.9000 continue to apply to the application, qualifications, or criteria for initial licensure of technical institute director, assistant director, or adult vocational

education director. During the period when both procedures apply, an applicant for any of these licenses may proceed under either procedure. A year after parts 3700.0900 to 3700.0903 are effective, parts 3515.8400 to 3515.8800 and 3515.9000 are repealed, and thereafter an applicant for any of these licenses may only proceed under parts 3700.0900 to 3700.0903.