

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

DATE : August 14, 1989

TO : ERV CHORN
Minnesota Department of Education
550 Cedar Street, St. Paul MN 55101

FROM : MARTHA J. CASSERLY
Special Assistant Attorney General
515 Transportation Building

PHONE : 6-6839

SUBJECT : In the Matter of the Adopted Rule Relating To Multischool District Organizations (Computer Centers)

The above-refernced rule has been approved as to its legality by the Attorney General on August 14, 1989.

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, submissions or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published 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:bbl
Enclosures

cc: William Brown, Chief Judge
Office of Administrative Hearings
Maryanne Hruby, Exec. Dir.
Legislative Commission to Review
Administrative Rules

mJC
~~JAL~~

RULE REVIEW CHECKLIST

File No. 1616 — Docket No. 05.0009.0021

DATE RECEIVED 7-31-89 — ADOPTED W/O HEARING X

REVIEW DATE 8-9-89 — EMERGENCY RULE _____

DUE DATE 8-14-89 — REVISOR APPROVED ✓

APPROVED 8.14.89-mjc — REVISOR DISAPPROVED _____

DISAPPROVED _____ — FILED W/SEC. OF STATE 8-14-89

WITHDRAWN _____ — RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

_____ ~~Notice to Solicit Outside Information/Opinion (if applicable)~~
- _____ ~~Date published in State Register~~
- _____ ~~Comments~~

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

✓ Board's Authorizing Resolution
- 11/15/89 Date adopted

✓ Proposed Rule
- yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule
- 121.931(6,7,8) 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
- 11/4/89 Date (30/25 days before adoption)
- OK Notice attached
- _____ ~~Copy of rule or summary attached~~

✓ Publication in State Register
- 11/6/89 Date (30/25 days before adoption)

_____ 180-day deadline from:
- * 1980 Effective date of law requiring rule (14.12) (both rules)
- 8/15/89 end of comment period (§ 14.26) (rules without hearing)
- _____ ~~effective date of statutory authority (§ 14.29) (emergency rules)~~

* ✓ Resolution Adopting
- ~~3/14/89~~ Date adopted

* ✓ Findings of Fact, Conclusions & Order Adopting
- 3/13/89 Date

_____ ~~Written requests, submissions or comments~~

✓ Declaration of attorney
- Chuck Mattl Name of SAAG representing agency

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

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

Board of Education

Adopted Permanent Rules Relating to Multischool District Organizations; Elementary, Secondary, and Vocational Computer Centers

Rules as Adopted

CHAPTER 3560
STATE BOARD OF EDUCATION
MULTISCHOOL DISTRICT ORGANIZATIONS; ELEMENTARY, SECONDARY, AND VOCATIONAL COMPUTER CENTERS

3560.0010 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of education or the commissioner's designee.

Subp. 3. **DARC.** "DARC" means the data acquisition review committee of the Department of Education.

Subp. 4. **Department.** "Department" means the Department of Education unless otherwise specifically identified.

Subp. 5. **District.** "District" has the meaning given in Minnesota Statutes, section 121.93, subdivision 2.

Subp. 6. **ESV computer council.** "ESV computer council" has the meaning given in Minnesota Statutes, section 121.93, subdivision 5.

Subp. 7. **ESV regional computer center.** "ESV regional computer center" means a governmental unit formed by a joint powers agreement entered into by school districts to provide computer and related services to its affiliated school districts.

ESV regional computer center, regional management information center, and regional computer center are synonomous terms.

Subp. 8. **ESV-IS.** "ESV-IS" has the meaning given in Minnesota Statutes, section 121.93, subdivision 3.

Subp. 9. **SDE-IS.** "SDE-IS" has the meaning given in Minnesota Statutes, section 121.93, subdivision 4.

Subp. 10. **State board.** "State board" means the State Board of Education or its designee.

3560.0020 DATA STANDARDS.

Subpart 1. **Criteria.** The data standards referred to in this part cover only data submitted to the commissioner or state board by a district or an ESV computer center on behalf of its affiliated districts or itself. The data must conform to the data standards established in the data element dictionary published by the department. To be included in the data element dictionary, a data element must meet one of the following criteria:

A. The data element is used in the ESV-IS or the SDE-IS data bases, or the list of essential data elements that the department maintains according to Minnesota Statutes, section 121.932, subdivision 5.

B. A financial or property data element is established through the Uniform Financial Accounting and Reporting Standards (UFARS).

C. A student, personnel/payroll, curriculum, and other data element is individually defined. The definition also includes the standard name, computer program name, system descriptors, values, and transaction methodology when appropriate.

Subp. 2. **Review criteria.** To be included in the Annual Data Acquisition Calendar (ADAC), data elements must be formatted into a form or another type of data collection instrument used to collect data from districts or regional computer centers. They must then be reviewed by DARC, which recommends approval or disapproval to the commissioner. The recommendation by DARC and the decision of the commissioner must be based on one of the following criteria:

(1) the data element is required by federal or state law or state board rule;

(2) the data element is required to calculate and distribute aids and levies or to distribute other funds;

(3) the data element is used to make program decisions in the management of the department;

(4) the data element is used to monitor compliance to statute or state board rule; or

(5) the data element is used to conduct research or analyze policy as approved by the commissioner.

3560.0030 CREATION OF MANAGEMENT INFORMATION CENTERS.

Subpart 1. **District board resolutions.** Whenever two or more districts decide, by resolution of their respective boards, to establish a regional management information center, the center will come into existence according to Minnesota Statutes, section 121.935, subdivision 1.

Subp. 2. **Approval criteria.** After review and recommendation by the ESV computer council, the state board must approve the creation of a new regional computer center and its effective date if:

A. the proposed regional center has submitted an annual and biennial plan and budget to the state board conforming to Minnesota Statutes, section 121.935, subdivision 4;

B. the proposed regional center has acquired, or will acquire subject to approval of the proposal by the state board, computer and related equipment that has demonstrated its capability to process the ESV-IS or an approved alternative management information system and has demonstrated it is able to assemble and transmit the essential data elements to the department as required in Minnesota Statutes, section 121.932, subdivision 5; if any of the districts include a technical institute, then the ESV-IS must include the fixed assets property management information systems for technical institutes;

C. the proposed regional center has developed a disaster recovery plan;

D. the proposed regional center has established a management plan that includes:

(1) the organizational structure of the board of directors;

(2) the administrative, technical operations, field service, office support, and district training staff necessary to operate the center; and

(3) the type, level, and amount of services provided directly to affiliated districts and provided by other organizations if the regional center does not provide the required ESV-IS service; and

E. the cost of computer systems and staff services received by the districts in the new region, in total, is not greater than the cost for the same or equivalent computer systems and staff services in the region of disaffiliation.

Subp. 3. **Notice.** Notice of intent to establish a new regional management information center must be served on the board of directors of regions with disaffiliating districts, the commissioner, the state board, and the ESV computer council at least one year before July 1 of the proposed effective year of establishment, unless the regions with disaffiliating districts and the state board agree to waive the July 1 date as provided by Minnesota Statutes, section 121.935, subdivision 1.

Subp. 4. **Delay.** The state board may delay the effective date of establishment up to two years beyond the intended effective date if the region of disaffiliation protests the disaffiliation and presents evidence that the disaffiliation will cause financial hardship on the remaining districts in the region so that adjustments in the cost of equipment, staff, and administration cannot be implemented before the intended effective date.

Subp. 5. **Allocation formula.** Regional reporting subsidies appropriated by the legislature must be allocated to the new regional computer center applying the same formula used with the other regions.

3560.0040 TRANSFER OF SCHOOL DISTRICT AFFILIATION.

Subpart 1. **Notice.** A notice of intention to disaffiliate from a regional computer center must be served on the boards of directors of both regional computer centers, the commissioner, state board, and the ESV computer council one year before the intended effective date.

Subp. 2. **Effective date.** Upon resolution of the district board to transfer its affiliation from one regional management information center to another, the transfer will become effective on the next July 1, or another date mutually agreed upon, following approval by the state board.

Subp. 3. **Delay.** The state board may delay the effective date of transfer up to two years beyond the intended effective date if the region of disaffiliation protests the disaffiliation and presents evidence that the disaffiliation will cause financial hardship on the remaining districts in the region so that adjustments in the cost of equipment, staff, and administration cannot be implemented before the intended effective date.

Subp. 4. **Funding transfer.** The transferring district's share of regional reporting subsidies authorized by the legislature shall be paid to the new region of affiliation as of the effective date of the transfer.

3560.0050 ALTERNATIVE FINANCIAL MANAGEMENT INFORMATION SYSTEMS.

Subpart 1. **Council review.** An alternative financial management system proposed for use by a district must be reviewed by the ESV computer council and approved by the state board before purchase, lease, or use.

Subp. 2. **Approval criteria.** After review and recommendation by the ESV computer council, the state board must approve the use of an alternative financial management information system if:

A. The vendor of the alternative financial management information system has applied to the department, the UFARS council, and the ESV computer council, and has received approval

from the state board to market the alternative financial management system to Minnesota districts. The decision to approve the alternative financial management information system must be given if the alternative system meets the following requirements:

(1) The system must provide an accounting function based on generally accepted accounting principles with a double entry (debit/credit), modified accrual accounting system. It must meet the requirements in Minnesota law and in the Uniform Financial Accounting and Reporting Standards (UFARS).

(2) The system must allow for multidimensional coding.

(3) The system must allow the use of encumbrances.

(4) The system must allow period-end and year-end processing.

(5) The system must allow users to configure the system to the individual district.

(6) The system must produce Government Accounting and Auditing Financial Reports (GAAFR).

B. The district has made application to the department, the ESV computer council, and the ESV regional computer center to use an alternative financial management information system. The application must contain the following information:

(1) vendor name, address, and system identification;

(2) a list of computer and related equipment and software that will be used to operate the system;

(3) purchase cost and annual operational costs of computer equipment, computer software, application software, district staff, and other cost items required to operate the system;

(4) a list of benefits, financial and other, that the district expects to realize as a result of using the alternative system;

(5) continuing cost to the district of services

received from the ESV regional computer center to comply with state reporting requirements; and

(6) certification by the vendor that any changes made to the logic or structure of the software are consistent with item A.

C. The ESV computer council has reviewed the application submitted under subpart 2, item A or B, and recommends to the state board that the application conforms to the current "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" adopted by the state board.

Subp. 3. **Annual report.** Any district using an alternative management information system must annually report to its regional computer center and to the ESV computer council the name of the system, the vendor, and any changes made to the structure or logic of the software.

3560.0060 REGIONAL MANAGEMENT INFORMATION CENTER PLANS AND BUDGETS.

Subpart 1. **Budget and plan.** By July 1 of each year, each regional management information center must submit for approval by the state board an annual plan and proposed budget for the next fiscal year. By July 1 of each even-numbered year, each regional management information center must submit a biennial budget and plan for the next biennium as defined in Minnesota Statutes, section 16A.011, subdivision 6, to the commissioner for review by the ESV computer council and approval by the state board.

Subp. 2. **No spending until approved.** A regional management information center must not spend money for administrative or computer center activities until the annual budget has been approved by the state board.

Subp. 3. **Minimum requirements of reports.** The annual plan and budget and the biennial budget must be in the form and format prescribed by the Uniform Financial Accounting and Reporting Standards (UFARS). The biennial plan must be in the form and format recommended by the ESV computer council and

approved by the commissioner. At a minimum, the plan must report:

A. actual and projected usage of each ESV computer system and alternative management information system;

B. the actual and projected cost of computer equipment resources, staff support, and administrative overhead for each affiliated school district;

C. projected or planned changes in affiliation by any school district;

D. projected or planned changes in the amount or cost of computers and related equipment; and

E. projected or planned changes in the amount or cost of services to affiliated school districts.

Subp. 4. **State board criteria.** The criteria used by the state board for approval of the biennial plan and budget are:

A. the computer center complies with the current "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" approved by the state board;

B. the computer center provides ESV-IS services to each of its affiliates or shows that the center has arranged for services to be provided by another center;

C. the computer center uses cost accounting procedures to account by district for resources consumed at the center for support of each ESV-IS system;

D. the ESV computer council has reviewed the budget, plan, and report and has made a recommendation to the state board; and

E. there is sufficient income and operating capital to pay the amount of expenses identified in the expenditure plan.

3560.0070 INCORPORATIONS BY REFERENCE.

The documents described in this part are incorporated by reference in chapter 3560 to the extent referred to in chapter 3560.

A. "Data Element Dictionary," published by the Department of Education, is frequently changed and is accessible

by computer terminal through the Department of Education library. The publication is continuously updated.

B. Uniform Financial Accounting and Reporting Standards (UFARS), published by the Department of Education, is frequently changed and is available through the Minitex interlibrary loan system. The publication is continuously updated.

C. Reporting Requirements of the Department of Education is published annually in the Annual Data Acquisition Calendar and is available through the Minitex interlibrary loan system.

D. Government Accounting and Auditing Financial Reports (GAAFR) is a series of reports used in the audit of a district. A set of sample reports is available through the Minitex interlibrary loan system.

E. "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" is published by the Department of Education. The publication is updated at least biennially. The current update is available through the Minitex interlibrary loan system.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 14 1989

Joan Anderson Growe

Secretary of State

3:20 PM

APPROVED AS TO FORM AND LEGALITY

August 14 1989

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY M J Cassedy

SPECIAL ASSISTANT ATTORNEY GENERAL

C

CERTIFICATE OF AUTHORIZING RESOLUTION

I, Marjorie Johnson, do hereby certify that I am a member of and the President of the Minnesota State Board of Education, an agency 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 Minnesota State Board of Education duly and properly called and held on the 15th day of November, 1988, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution will be set forth in the minutes of said meeting and has not been rescinded or modified:

RESOLVED, that Ruth Randall, Secretary of the Minnesota State Board of Education (Board) is hereby granted the authority, and directed to sign and to give notice of the Board's intent to adopt, without a public hearing, the attached rules, governing Multi School District Organizations; Elementary, Secondary, and Vocational Computer Centers, Minn. Rules Parts 3560.0010 to 3560.0070, to all persons who have registered their names with the Board for that purpose and publish the Notice and the rule in the State Register, and to perform any acts incidental thereto, including making any form changes in the rules that the Revisor of Statutes requires the Board to make in order to obtain the Revisor's certification as required by Minn. Stat. Section 14.07, subd. 2 (1987).

FURTHER RESOLVED, that in the event a public hearing becomes necessary, Ruth Randall is hereby granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as to perform any and all acts incidental thereto, including but not limited to signing an Order for and Notice of Hearing, as well as acting as the Board's representative at all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 15th day of November, 1988.

Marjorie Johnson
Marjorie Johnson

Douglas Wallace
Attested by other Board Members

Board of Education

Proposed Permanent Rules Relating to Multischool District Organizations; Elementary, Secondary, and Vocational Computer Centers

Rules as Proposed (all new material)

CHAPTER 3560

STATE BOARD OF EDUCATION

MULTISCHOOL DISTRICT ORGANIZATIONS;

ELEMENTARY, SECONDARY, AND VOCATIONAL

COMPUTER CENTERS

3560.0010 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of education or the commissioner's designee.

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Subp. 4. **Department.** "Department" means the Department of Education unless otherwise specifically identified.

Subp. 5. **District.** "District" has the meaning given in Minnesota Statutes, section 121.93, subdivision 2.

Subp. 6. **ESV computer council.** "ESV computer council" has the meaning given in Minnesota Statutes, section 121.93, subdivision 5.

Subp. 7. **ESV regional computer center.** "ESV regional computer center" means a governmental unit formed by a joint powers agreement entered into by school districts to provide computer and related services to its affiliated school districts.

ESV regional computer center, regional management information center, and regional computer center are synonomous terms.

Subp. 8. **ESV-IS.** "ESV-IS" has the meaning given in Minnesota Statutes, section 121.93, subdivision 3.

Approved by Revisor

Subp. 9. **SDE-IS.** "SDE-IS" has the meaning given in Minnesota Statutes, section 121.93, subdivision 4.

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A. The data element is used in the ESV-IS or the SDE-IS data bases, or the list of essential data elements that the department maintains according to Minnesota Statutes, section 121.932, subdivision 5.

B. A financial or property data element is established through the Uniform Financial Accounting and Reporting Standards (UFARS).

C. A student, personnel/payroll, curriculum, and other data element is individually defined. The definition also includes the standard name, computer program name, system descriptors, values, and transaction methodology when appropriate.

Subp. 2. **Review criteria.** To be included in the Annual Data Acquisition Calendar (ADAC), data elements must be formatted into a form or another type of data collection instrument used to collect data from districts or regional computer centers. They must then be reviewed by DARC, which recommends approval or disapproval to the commissioner. The recommendation by DARC and the decision of the commissioner must be based on one of the following criteria:

(1) the data element is required by federal or state law or state board rule;

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by Revisor _____

(2) the data element is required to calculate and distribute aids and levies or to distribute other funds;

(3) the data element is used to make program decisions in the management of the department;

(4) the data element is used to monitor compliance to statute or state board rule; or

(5) the data element is used to conduct research or analyze policy as approved by the commissioner.

3560.0030 CREATION OF MANAGEMENT INFORMATION CENTERS.

Subpart 1. **District board resolutions.** Whenever two or more districts decide, by resolution of their respective boards, to establish a regional management information center, the center will come into existence according to Minnesota Statutes, section 121.935, subdivision 1.

Subp. 2. **Approval criteria.** After review and recommendation by the ESV computer council, the state board must approve the creation of a new regional computer center and its effective date if:

A. the proposed regional center has submitted an annual and biennial plan and budget to the state board conforming to Minnesota Statutes, section 121.935, subdivision 4;

B. the proposed regional center has acquired, or will acquire subject to approval of the proposal by the state board, computer and related equipment that has demonstrated its capability to process the ESV-IS or an approved alternative management information system and has demonstrated it is able to assemble and transmit the essential data elements to the department as required in Minnesota Statutes, section 121.932, subdivision 5; if any of the districts include a technical institute, then the ESV-IS must include the fixed assets property management information systems for technical institutes;

C. the proposed regional center has developed a disaster recovery plan;

Approved
by Revisor _____

D. the proposed regional center has established a management plan that includes:

(1) the organizational structure of the board of directors;

(2) the administrative, technical operations, field service, office support, and district training staff necessary to operate the center; and

(3) the type, level, and amount of services provided directly to affiliated districts and provided by other organizations if the regional center does not provide the required ESV-IS service; and

E. the cost of computer systems and staff services received by the districts in the new region, in total, is not greater than the cost for the same or equivalent computer systems and staff services in the region of disaffiliation.

Subp. 3. **Notice.** Notice of intent to establish a new regional management information center must be served on the board of directors of regions with disaffiliating districts, the commissioner, the state board, and the ESV computer council at least one year before July 1 of the proposed effective year of establishment, unless the regions with disaffiliating districts and the state board agree to waive the July 1 date as provided by Minnesota Statutes, section 121.935, subdivision 1.

Subp. 4. **Delay.** The state board may delay the effective date of establishment up to two years beyond the intended effective date if the region of disaffiliation protests the disaffiliation and presents evidence that the disaffiliation will cause financial hardship on the remaining districts in the region so that adjustments in the cost of equipment, staff, and administration cannot be implemented before the intended effective date.

Subp. 5. **Allocation formula.** Regional reporting subsidies appropriated by the legislature must be allocated to the new regional computer center applying the same formula used with the other regions.

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3560.0040 TRANSFER OF SCHOOL DISTRICT AFFILIATION.

Subpart 1. **Notice.** A notice of intention to disaffiliate from a regional computer center must be served on the boards of directors of both regional computer centers, the commissioner, state board, and the ESV computer council one year before the intended effective date.

Subp. 2. **Effective date.** Upon resolution of the district board to transfer its affiliation from one regional management information center to another, the transfer will become effective on the next July 1, or another date mutually agreed upon, following approval by the state board.

Subp. 3. **Delay.** The state board may delay the effective date of transfer up to two years beyond the intended effective date if the region of disaffiliation protests the disaffiliation and presents evidence that the disaffiliation will cause financial hardship on the remaining districts in the region so that adjustments in the cost of equipment, staff, and administration cannot be implemented before the intended effective date.

Subp. 4. **Funding transfer.** The transferring district's share of regional reporting subsidies authorized by the legislature shall be paid to the new region of affiliation as of the effective date of the transfer.

3560.0050 ALTERNATIVE FINANCIAL MANAGEMENT INFORMATION SYSTEMS.

Subpart 1. **Council review.** An alternative financial management system proposed for use by a district must be reviewed by the ESV computer council and approved by the state board before purchase, lease, or use.

Subp. 2. **Approval criteria.** After review and recommendation by the ESV computer council, the state board must approve the use of an alternative financial management information system if:

A. The vendor of the alternative financial management information system has applied to the department, the UFARS council, and the ESV computer council, and has received approval

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from the state board to market the alternative financial management system to Minnesota districts. The decision to approve the alternative financial management information system must be given if the alternative system meets the following requirements:

(1) The system must provide an accounting function based on generally accepted accounting principles with a double entry (debit/credit), modified accrual accounting system. It must meet the requirements in Minnesota law and in the Uniform Financial Accounting and Reporting Standards (UFARS).

(2) The system must allow for multidimensional coding.

(3) The system must allow the use of encumbrances.

(4) The system must allow period-end and year-end processing.

(5) The system must allow users to configure the system to the individual district.

(6) The system must produce Government Accounting and Auditing Financial Reports (GAAFR).

B. The district has made application to the department, the ESV computer council, and the ESV regional computer center to use an alternative financial management information system. The application must contain the following information:

(1) vendor name, address, and system identification;

(2) a list of computer and related equipment and software that will be used to operate the system;

(3) purchase cost and annual operational costs of computer equipment, computer software, application software, district staff, and other cost items required to operate the system;

(4) a list of benefits, financial and other, that the district expects to realize as a result of using the alternative system;

(5) continuing cost to the district of services

Approved by Revisor _____

received from the ESV regional computer center to comply with state reporting requirements; and

(6) certification by the vendor that any changes made to the logic or structure of the software are consistent with item A.

C. The ESV computer council has reviewed the application submitted under subpart 2, item A or B, and recommends to the state board that the application conforms to the current "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" adopted by the state board.

Subp. 3. **Annual report.** Any district using an alternative management information system must annually report to its regional computer center and to the ESV computer council the name of the system, the vendor, and any changes made to the structure or logic of the software.

3560.0060 REGIONAL MANAGEMENT INFORMATION CENTER PLANS AND BUDGETS.

Subpart 1. **Budget and plan.** By July 1 of each year, each regional management information center must submit for approval by the state board an annual plan and proposed budget for the next fiscal year. By July 1 of each even-numbered year, each regional management information center must submit a biennial budget and plan for the next biennium as defined in Minnesota Statutes, section 16A.011, subdivision 6, to the commissioner for review by the ESV computer council and approval by the state board.

Subp. 2. **No spending until approved.** A regional management information center must not spend money for administrative or computer center activities until the annual budget has been approved by the state board.

Subp. 3. **Minimum requirements of reports.** The annual plan and budget and the biennial budget must be in the form and format prescribed by the Uniform Financial Accounting and Reporting Standards (UFARS). The biennial plan must be in the form and format recommended by the ESV computer council and

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approved by the commissioner. At a minimum, the plan must report:

A. actual and projected usage of each ESV computer system and alternative management information system;

B. the actual and projected cost of computer equipment resources, staff support, and administrative overhead for each affiliated school district;

C. projected or planned changes in affiliation by any school district;

D. projected or planned changes in the amount or cost of computers and related equipment; and

E. projected or planned changes in the amount or cost of services to affiliated school districts.

Subp. 4. **State board criteria.** The criteria used by the state board for approval of the biennial plan and budget are:

A. the computer center complies with the current "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" approved by the state board;

B. the computer center provides ESV-IS services to each of its affiliates or shows that the center has arranged for services to be provided by another center;

C. the computer center uses cost accounting procedures to account by district for resources consumed at the center for support of each ESV-IS system;

D. the ESV computer council has reviewed the budget, plan, and report and has made a recommendation to the state board; and

E. there is sufficient income and operating capital to pay the amount of expenses identified in the expenditure plan.

3560.0070 INCORPORATIONS BY REFERENCE.

The documents described in this part are incorporated by reference in chapter 3560 to the extent referred to in chapter 3560.

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D. Government Accounting and Auditing Financial Reports (GAAFR) is a series of reports used in the audit of a district. A set of sample reports is available through the Minitex interlibrary loan system.

E. "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" is published by the Department of Education. The publication is updated at least biennially. The current update is available through the Minitex interlibrary loan system.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Multischool District Organizations; Elementary, Secondary, and Vocational Computer Centers

AGENCY: Board of Education

MINNESOTA RULES: Chapter 3560

The attached rules are approved for publication in the State Register

Richard J. Sands
Senior Assistant Revisor

Minnesota State Board of Education

705 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101 (612) 297-1925

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

State Board of Education

In the Matter of the Proposed Adoption
of the Rule of the State Board of
Education Governing Multischool District
Organizations; Elementary, Secondary and
Vocational Computer Centers.

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 Section 121.931 Subds. 6, 7 and 8.

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 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:

Capitol Square Building
Room 850
550 Cedar Street
St. Paul, MN 55101
ATTENTION: Erv Chorn

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 Erv Chorn 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 who wish to receive a copy of the adopted rule, must submit the written request to Erv Chorn.

The previous announcement in the State Register dated 13 June, 1988, to adopt the above captioned rules is withdrawn.

1-14-89
Date

Ruth E. Randall
[Name]

Commissioner of Education
[Title]

EC:njgSB28-49
12/14/88

STATEMENT OF NEED AND REASONABLENESS FOR PROPOSED RULE CHAPTER 3560

Authority

The legislature has mandated that the State Board of Education adopt rules in the following areas:

1. Data Standards.
2. Creation of Regional Management Information Centers.
3. Transfer of affiliation by a district from one region to another.
4. Use of Alternative Management Information Systems.
5. Review and approval of annual and biennial regional plans and budgets.
6. Use of cost accounting procedures to delineate school district use of computer resources.

This authority is specified in M.S. Sec. 121.931, Subds. 6, 7, and 8.

Background

In the early 1970s, school districts were having financial difficulties which were unrecognized or hidden from review because of the accounting methods being used.

As a result of the legislative review process, the Department was required to develop the Elementary, Secondary, and Vocational Information System (ESV-IS), an administrative data processing system for educational agencies, and did so through the Minnesota Educational Computing Consortium (MECC). Concurrent with this was the development of the Uniform Financial Accounting and Reporting Standards (UFARS) which govern all financial transactions and provides comparable reporting by each district.

When the later seventies saw the development of microcomputer technology, the Regional Computer Center mainframe computer and its associated communications network was no longer the only option for administrative data processing. Systems were developed by commercial vendors for use on microcomputers located in district offices.

Administrative data processing is different than instructional computing in that administrative computing can be processed in a batch mode for overnight delivery, or on-line with immediate feedback, and requires storage of data on both a short and long term basis. Because of this, the legislature established seven regional computing centers which would not only deliver administrative computing to districts, but would also provide technical assistance, and would transfer data from school districts to the state. When the regional computer centers were established, the

legislature mandated the use of UFARS for all financial accounting systems and financial reporting, each district had to affiliate with a regional computer center and use state determined data elements in their reports.

The areas in which the legislature is most concerned are the uniformity of the data used by districts to report to the state, the ability of a district to transfer from one regional center to another, the need to establish more or fewer regional computing centers, and controls over the plans and budgets of the regional centers. The legislature requires the State Board to establish specific criteria by which:

1. Data elements are identified and selected to be included in the data element dictionary and the criteria by which data collection instruments are selected to be included in the data acquisition calendar;

2. Regional management information centers are established;

3. Districts may transfer between regional centers;

4. Alternative management information systems are approved for use by a district; and

5. Annual and biennial plans and budgets are approved. Incorporated into this process is the use of cost accounting procedures to account for services received by districts of the region.

Chapter 3560 is specifically established to contain the rules which meet this legislative mandate.

3560.0010 - Definitions.

The terms used in this part are included in order to avoid any confusion between their use in rule and in statute. Specific reference is made to the term "district" as defined in M.S. Sec. 121.93, Subd. 2, because within the legislation on education, "district" is variously defined in several statutes. In this rule, district means "a school district, an educational cooperative services unit, a cooperative center for vocational education, a cooperative center for special education, an area vocational technical institute, or an intermediate service area." (M.S. 121.93, Sec. Subd. 2) The definition does not include ESV computer centers, since they are the subject of the rule.

The other terms in this part have the meanings given them in statute or are self-explanatory.

Those terms referencing statutes are included not only because of their specific legal meaning, but also to automatically incorporate into the rule any changes made through future legislation, thus avoiding the time and expense of revising the rule.

The ESV Regional Computer Center (Subpart 7) is referenced in M.S. Sec. 121.932, Subd. 5, the same entity is also identified as a regional management information center in M.S. Sec. 121.935, and is frequently referred to in the colloquial by the term "regional computer center." Since these terms refer to the same legal entity, they are used synonomously in the rule.

3560.0020 - Data Standards.

While the computer provides the capability of processing immense amounts of data, it also places a great responsibility on the users of the data to clearly specify their needs and to better plan their data collection efforts. Recognizing this, the legislature required the State Board to develop and publish a Data Base Element Dictionary (DBED) and an Annual Data Acquisition Calendar (ADAC), and to establish the criteria and process used for determining which data and data elements are included in the dictionary and calendar.

In order to understand the rule and its rationale, the language of the statute must be clarified. In M.S. Sec. 121.931, Subd. 6, there is the mandate to adopt rules containing standards for data which shall include a set of naming conventions for data elements, data element definitions, transaction methodology, mathematical computations, and output formats. In M.S. Sec. 121.932, Subds. 1, 2, and 5, there is the mandate to maintain a data element dictionary defining data elements, a data acquisition calendar specifying the reports districts are required to provide the Department, and a list of essential data elements. In M.S. Sec. 121.931, Subd. 8, the Board is required to adopt rules specifying the criteria and process for determining which data and data elements are included in the data dictionary and data acquisition calendar. In M.S. Sec. 121.932, Subd. 3, the data element dictionary, annual data acquisition calendar, and essential data elements are exempt from the administrative procedure act governing the process to establish rules.

Each of the terms used in the statutes are good and proper terms used in the field of computer technology and everyday language. The statute appears to use the term "data" and "data element" synonomously. The American Heritage Dictionary of the English Language (New College Edition, William Morris, Editor, 1979), defines data as "1. information, especially information organized for analysis or used as the basis for a decision. 2. numerical information in a form suitable for processing by a computer." The American National Dictionary for Information Processing (American National Standards Committee, 1977), defines data as "1. a representation of facts, concepts, or instructions in a formalized manner suitable for communication, interpretation, or processing by humans or by automatic means. 2. any representations such as characters or analog quantities to which meaning is or might be assigned." In summary, data is fact.

At the present time, the dictionaries do not give a specific definition to the term "data element." According to The American Heritage Dictionary, the word "element" is defined generally as "a fundamental, essential, or irreducible consitutent of a composite entity" and in mathematics it "is a member of a set." A set "generally is a group of persons or things connected by or collected for their similar appearance, interest, importance, or the like." In mathematics, a set is a "collection of distinct elements." In the dictionary for information processing, an "element" in a "set" is "an object, entity, or concept having the properties that define a set" and is "synonomous with member." The term "member" is not further defined. A "set" is defined as "a finite or

infinite number of objects of any kind, of entities, or of concepts, that have a given property or properties in common." The concept of a "data element," then, is a group of facts having the same characteristics.

In the common usage by data processing personnel, the terms "data" and "data element" are distinctly different. "Data" is "a fact." "Data element" is a set of characteristics about the fact. For example, a student is in "grade 10." The "data" is the number "10." The "data element" is the known characteristics about the number "10." It is a positive number, two characters in length, belongs to the group named "grade." If the group of numbers named "grade" are processed in a computer system with a data element dictionary, then the group named "grade" would have other descriptors added such as the COBOL name used in the computer program (e.g., GRD) a picture of the group (e.g., PIC = 99), the number of times it may appear in the list of all the data elements (e.g., OCCURS = 1), the definition of the term (e.g., the academic level of the student), and the name of the file (or data set) in which it appears (e.g., data set = student grade). All of these items are descriptors of the group of facts (i.e., data element) named "grade" having a fact (i.e., data) of "10."

If a school district wants a report (e.g., a class list) of students in grade 10, staff would look in each student's record and write down the name of the student when a "10" appears in the data element "grade." The final list of names would be called a "file" or "data set." and be located someplace in the computer along with other data sets. The complete group of data sets is called a "data base." The data sets and data base contain only the data itself. They do not contain the data elements, i.e., the list of characteristics about the data. The data elements are contained all together in a data element dictionary. The dictionary describes the characteristics of the data, including the names, definition, transaction methodology, mathematical computation, and output formats. Requiring that a data standard includes each of these characteristics is in fact creating the standard of the content of the data dictionary. Otherwise, there would have to be a rule adopted for each of the thousands of data elements in use. This appears contrary to the exemption of the data dictionary from the administrative procedures act.

In summary, the statutes appear to require the following:

1. There must be a data element dictionary containing the list of data elements in the SDE-IS, ESV-IS, and essential data elements.

2. Each data element must be described by the following characteristics:

   A. Name.

   B. Definition.

   C. Transaction methodology and/or mathematical computations used to create the data.

   D. The picture of how the data finally appears when it is processed by the computer.

Subpart 1 establishes that there is a data dictionary which contains, and is restricted to the data elements in the SDE-IS, ESV-IS, and essential data elements. The additional requirement that the data dictionary refers only to data received from districts or ESV regional computer centers was a recommended limitation of the advisory task forces on uniform data standards and there appears to be no major reason to reject that recommendation.

With the mandate that all districts perform their accounting and reporting according to the Uniform Financial Accounting and Reporting Standards (UFARS), the legislature established the UFARS Council with the responsibility to establish, clarify, and maintain accounting methodologies, structure, and terminology. Recognizing that the UFARS Council had already established the standards for financial data, these standards were mandated into the rule as the standards for all financial accounting and related property data.

Subpart 1(B) enforces the statute to require that financial and property data conform to UFARS. Subpart (1)(C) refers to the criteria in the statute, as explained above, for the other types of data and adds the system descriptors which include the output format and the values of the data itself.

The second requirement of the statute is to establish criteria for the annual data acquisition calendar. There are no data or data elements in the calendar. The calendar is a list of the forms for the collection of data from districts. Therefore, when a sponsor of a form wants to collect data from districts, the sponsor of the form must follow the process outlined by the Data Acquisition Review Committee (DARC).

In 1982, the Department established the DARC with majority membership representative of school districts, plus staff from the major data users within the Department. DARC recommended, and the Commissioner approved, the process that all forms or other data collection instruments had to be revieved by the DARC before they could be sent to school districts. Should a form not have a DARC review, school districts can ignore it. This review by the DARC has proven so successful that the number of forms used by the Department has decreased from over 600 to less than 200 forms. The DARC will continue to review forms and other data collection instruments and, applying the criteria adopted by the Department, make recommendations for their approval and inclusion in the data element dictionary and data acquisition calendar.

The criteria incorporated in this rule mirrors the decisions of the DARC.

1. Approval is given to include the data collection activity in the ADAC when the sponsor of the form establishes the relationship between the need for the data and the requirement of the law or rule.

2. The legislature funds a major portion of district costs. The basis upon which a district is entitled to receive its allocation of state funds is related to such factors as the number of students, geographic location, property valuation, type and size of various educational

programs, and many more. Data about each factor used in the formula comes from many sources, one of which is the district itself. When it is established that the allocation of funds is dependent upon a specific data collection effort, the data collection instrument and its data elements are approved.

3. The Department is held accountable for the establishment, continuance, funding, and approval of a great number of educational programs and projects. In order to ensure the proper use of public funds, both budget and expenditure reports and program operation reports are needed. If a form under review by the DARC is shown to meet this need, that form is approved.

4. Although there is an implied authority to collect data to monitor compliance with laws and rules, this is a separate criteria because of the emphasis placed on this responsibility of the Department and the ESV Computer Council.

5. Periodically, the Department engages in special projects, temporary programs, research and analysis of policies and proposals. When these occur, the sponsor with a need to collect data must follow the same process for approval of his/her data collection project as does the sponsor with any of the other needs. Since the project may be short lived, the form may not be published in the Annual Data Acquisition Calendar (ADAC).

Since the DARC began applying these standards, approximately half a dozen forms have not been approved each year. Although DARC approval is advisory to the Commissioner, generally only DARC approved forms have been approved by her. Since these criteria have stood the test of time, they are incorporated into the rule.

3560.0030 - Creation of Management Information Centers.

This part provides the criteria and the process by which a new regional management information center may be created. The requirements that at least two districts are needed to form a region, and that the effective date is July 1 of any odd-numbered year are established in law (M.S. Sec. 121.935, Subd. 1) and repeated here to establish the timeframe for the supporting documentation and administrative process and to amend the rule without going through the rule making process should the legislature change these requirements.

There are three major components to the creation of a new regional computer center. They are:

1. The ability of the proposed center to perform the duties required of it.

2. The economic impact on the districts creating the center and the member districts in the regions where disaffiliation takes place.

3. The timeframe in which the notice of intent, analysis and approval, and transfer occurs.

Subpart 2, items A through D, are established to assure the member districts and the state that the proposed regional center is viable and can meet its obligations to perform these duties as specified in M.S. Sec. 121.935, Subd. 2. Documentary evidence relating to each of the items must be submitted by the applicant to the State Board.

Subpart 2, item E addresses concerns relating to the cost of services to the districts. By statute (M.S. Sec. 121.935, Subd. 6) and as a condition of the original joint powers agreement, a disaffiliating district is obliged to continue payments to the region of disaffiliation for those computers and other capital items acquired when the district was a member of the region, up to the date when notice of disaffiliation was served.

Computers and related capital equipment are not purchased incrementally; they must be purchased in "chunks" of capacity. Thus, a computer designed to serve one hundred districts cannot be sized downward to service ninety-nine or upward to serve one hundred one. When a computer is purchased, it is sized to produce the computing power needed today and in the foreseeable future, generally five years. It is generally recognized that the useful life expectancy of a computer is five years, less if the demand for services rises above projections, and more if the demand is below expectations. The usual lease/purchase agreement is for five years. Depending upon when the notice of disaffiliation is served, a district may have, at most, four additional years' obligation to pay off existing equipment.

Subpart 2, item E, also sets the standard for the cost comparisons. The elements of cost which must be used are those services which are

equivalent, but not necessarily the same. Thus, if the districts want less service than they are getting from their previous regional centers but may have been paying for more, or if they want more but could not get them, the total costs to the districts would not increase. This criteria conserves public funds and makes the creation of a new regional center dependent on cost efficiencies incorporated in the new center.

Subpart 3 specifies who and when notice must be served so that work schedules can be established to review the proposal. The requirement for a one year notice or otherwise is M.S. Sec. 121.935, Subd. 1.

In Subpart 4, it is recognized that the creation of a new regional center will have an economic impact on the member districts of other regions. This should not be the controlling factor whether or not a new regional center can be established. On the other hand, the one year period may not be sufficient for the regions of disaffiliation to make necessary adjustments in staff or equipment, thereby causing an increased financial burden on the remaining districts. Subpart 4 provides for and limits an additional adjustment period of two years. This really equates to three years if the notification period is included. This length of time is enough to develop specifications, order and install new central computing equipment, and effect staff reductions.

The delay must be based on a finding that there would be a financial hardship on these regions. Financial hardship is defined as an inability to reduce costs and/or increase fees to the level needed to pay the remaining operating expenses for those services and equipment used by the disaffiliating district. Because there can be a great number of variables involved, each situation will have to be examined and judged individually. Variables which may make either little or much difference include: the age of the current equipment, size and number of districts leaving, remaining terms of equipment leases, types of services used by departing districts, projected attrition rate of staff, and number and location of regional centers affected. Other factors may also emerge since there is no experience creating new centers and to date all transfers have been friendly.

Subpart 5 simply assures the new region that it will get its fair share of the funds appropriated by the legislature. Since the current allocation formula is established by the Department, this prohibits the Department from assisting the new region or existing regions unfairly.

In summary, this rule allows for the disaffiliation of districts from existing regions in order to create a new region, assures that public funding is not increased, and that districts are not forced to remain affiliated with a region which does not meet the needs of the districts.

3560.0040 - Transfer of School District Affiliation.

When one district decides to disaffiliate from its regional computer center to affiliate with another, there is no need to show that the new region of affiliation can perform the computer services needed by the district, and while the district has the same obligation for the debt of the disaffiliating region, it does not necessarily incur a new obligation for debt existing in the new region of affiliation. When a district wishes to transfer from one regional center to another, either everyone agrees the transfer is appropriate, or someone protests the transfer.

If everyone agrees, there is no valid reason for the State Board to deny the request, so the transfer will be approved as requested.

In a transfer which is contested, the basic issue is economic, usually relating to the immediate increased cost to the remaining districts, especially if a large district leaves. This rule provides a buffer period during which the region can lay off staff, downgrade its computer, or take other steps necessary to reduce costs. If the protesting region can show that its remaining member districts would experience hardship, then the State Board has the same option as with rule 3560.0030, subpart 4, to delay the effective date of transfer for up to two years to allow for an orderly reduction in costs. The Board does not have the option to prevent the transfer.

3560.0050 - Alternative Financial Management Information Systems.

Recognizing that it is feasible and sometimes desirable for a school district to use a financial, accounting, or property data processing system other than the ESV-IS, the legislature allowed the use of alternative systems provided there is not any distortion in the accuracy of the reports submitted to the Department. By conforming to UFARS and the data element dictionary, any system which is developed for use by a school district must keep records and make reports the same as all other districts, thereby making data comparable across districts.

Statute requires that each district planning to use an alternative management information system must make application to the State Board, the ESV Computer Council, and the regional computer center to which the district is affiliated. The proposal must provide detail data on costs, ability to comply with UFARS, and ability to meet state reporting requirements. (M.S. Sec. 121.936, Subd. 2 and 3). In reality, this requirement for such detail data obstructs and prevents the intent of the statute because the effort required by a district to gather all of the data necessary to submit a proposal exceeds the capacity and ability of the small school districts. Small districts do not have computer specialists and accountants on their staff. These districts need and use a "cookbook" approach, meaning they follow prescribed formulas and rely on regional experts to assist their staff when difficulties arise.

When the legislature allowed the use of alternative management information systems, the only district proposing to use one was Ortonville. This district had staff with the competencies to develop a UFARS compatible system on a microcomputer. Since this was the only proposal, it became the model. However, when districts were relieved from using only the ESV-IS, commercial vendors saw an opportunity to sell UFARS compatible systems to small school districts. As a result, alternative management information systems have been developed for sale to districts. It is now apparent that multiple examinations of the same system will occur if each district buying the same commercial system has to go through the full process of developing cost data, proving UFARS compatibility, and assuring state reporting capacity.

To avoid unnecessary duplication, a two phase approach is being used. The first phase consists of an examination of the system by technical experts in data processing, accounting, and reporting. This is conducted between the staff of the vendor and the Department (a vendor may also be a school district). Should any problems arise, the vendor will make the corrections. The same criteria is used in the analysis conducted by the Department, UFARS Council, ESV Computer Council, and the State Board. Each item in Subpart 2, item A is an essential feature of the UFARS system and is based on the legislative mandate to use a modified accural method of accounting and generally accepted accounting principles. The proposed system must also meet programs and annual audits. When this detailed technical analysis is completed, the UFARS Council and the ESV Computer Council make their recommendations to the State Board for a final decision.

The approval by the State Board permits the vendor to sell the system to districts with the assurance that it is an official alternative to the ESV-IS. The certification required in item B, subitem 6, assures the board that there is continued compliance with the UFARS.

The second phase begins when a district decides to use an alternative management information system and makes application to the ESV Computer Council, the regional management information center, and the State Board. The information listed in Subpart 2, item B, which the district submits with its proposal is necessary to assure all concerned parties that:

1. The system as identified is an unaltered, approved system and therefore will provide valid data to the Department and other district constituents.

2. The district has the computing capability to process its accounting transactions into the regional computer center and can meet required reporting dates.

3. The costs and benefits are identified so that the buyer is aware of the responsibilities inherent in operating a system independent of the region. Should any cost or benefit be overlooked, this can be brought to the attention of the district, thereby either preventing problems in the future or making better use of the system.

The material for review by the ESV Computer Council includes the results of the analysis by the computer center and the long range plan adopted by the State Board. Since the ESV Computer Council must periodically review the plan and make recommendations to the State Board, including the review of applications for alternative management information systems, this not only complies with the statute (M.S. Sec. 121.937, Subd. 1 (a)),but also makes effective use of the Council's expertise.

The requirement to report annually (Subpart 3) allows the Department to fulfill its obligation to report to the legislature on the number and status of districts which have received approval to operate alternative systems. (M.S. Sec. 121.936, Subd. 5).

3560.0060 - Regional Management Information Center Plans and Budgets.

Subparts 1 and 2 reflect the statutory requirement that each regional management information center is required to submit an annual and biennial plan and budget to the Department and the ESV Computer Council for State Board approval. This ensures that each regional management information center knows that it must submit these reports, the timeframe for the reports, and the approval process.

In the analysis of each region's plans and budget, the ESV Computer Council and the State Board must have assurance that the region provides or arranges for all the services specified in M.S. Sec. 121.935, Subd. 2, and has the financial health to carry out its duties. The data listed in Subpart 3 provides that assurance and identifies problem areas upon which the State Board can confer with the region. M.S. Sec 121.931, Subd. 8, requires the regions to use cost accounting procedures. Rather than specifying which cost accounting procedures to use, Subpart 3, item A requires a report which results from using cost accounting. Each region can choose how it wishes to perform cost accounting. Items B through E provide the budget and other information necessary for analysis, and for base data in reports to the legislature.

Subpart 4 reflects M.S. Sec. 121.937, Subd. 2 requiring that the criteria for approval of the regional plans and budget include the compliance of the region with the long range plan, the ability of the region to perform the duties assigned to regions, the cost effectiveness of the region, and the use of cost accounting procedures to account, by district, of the resources used in the ESV-IS. One of the duties imposed on the ESV Computer Council (M.S. Sec. 121.934, Subd. 7) is the review of regional center plans and budgets and advising the State Board on their approval. The criteria in Subpart 4, item D fulfills this mandate and places the basis of their review on the provisions of the Long Range Plan.

The Long Range Plan, into which has been folded the systems architecture plan, is reviewed and adopted by the State Board every two years in conjunction with the development of the biennial budget by the ESV Computer Council and the State Board. This plan establishes the general direction for computer services, incorporates the utilization of emerging technology, and establishes the boundaries placed on districts and regions by the law. Since the plan is reviewed and updated regularly, it is also used to establish the basis for changes in services provided to the districts.

Every business operation must have adequate income to meet expenses. It is illegal to deficit finance a regional computer center from member fees and reporting subsidy except if surplus funds from previous years are available to make up the difference. The criteria in Subpart 4, item E, ensures that there are sufficient funds to prevent unexpected and substantial financial hardship on member districts.

3560.0070 - Incorporations by Reference

Each of the documents referenced in the preceeding rules are lengthy and are revised irregularly (except for the Long Range Plan). Because of this, printed versions are bulky and are generally out of date by the time they are distributed. In order to provide the user with the latest edition, arrangements have been made to provide all or part of each document to anyone requesting it through the Minitex system. For those documents maintained in the computer, arrangements have and/or can be made to access the document via a computer terminal.

The Long Range Plan is revieved and recommended revisions are made biennially by the ESV Computer Council to the State Board. In order to provide the latest version of the document to a requestor, the Plan is kept in the Department library for use through the Minitex system.

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STATE OF MINNESOTA
STATE BOARD OF EDUCATION

In the Matter of the Proposed Rules Governing Multischool District Organizations; Elementary, Secondary, and Vocational Computer Centers, Minn. Rules Parts 3560.0010 through 3560.0070

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

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Ted Suss, being duly sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minn. Stat. § 14.14, subd. 1a and 14.22 that their names be placed on the Minnesota State Board of Education's rulemaking mailing list is accurate, complete, and current as of this 14th day of January, 1989.

That on the 14th day of January, 1989, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States Mail a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Ted Suss

Subscribed and sworn to before me

this 13 day of July, 1989.

Hollis Dee Britz-Mitchell

Notary Public

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

Proposed Rules

Pursuant to Minn. Stat. §§ 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.

Board of Education

Proposed Permanent Rules Relating to Multischool District Organizations; Elementary, Secondary, and Vocational Computer Centers

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 Section 121.931 Subds. 6, 7 and 8.

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 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:

Capitol Square Building
Room 850
550 Cedar Street
St. Paul, MN 55101
ATTENTION: Erv Chorn

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 Erv Chorn 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 who wish to receive a copy of the adopted rule, must submit the written request to Erv Chorn.

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.

The previous announcement in the *State Register* dated 13 June, 1988, to adopt the above captioned rules is withdrawn.

Ruth E. Randall
Commissioner

Rules as Proposed (all new material)

CHAPTER 3560
STATE BOARD OF EDUCATION
MULTISCHOOL DISTRICT ORGANIZATIONS; ELEMENTARY, SECONDARY, AND VOCATIONAL COMPUTER CENTERS

3560.0010 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of education or the commissioner's designee.

Subp. 3. **DARC.** "DARC" means the data acquisition review committee of the Department of Education.

Subp. 4. **Department.** "Department" means the Department of Education unless otherwise specifically identified.

Subp. 5. **District.** "District" has the meaning given in *Minnesota Statutes*, section 121.93, subdivision 2.

Subp. 6. **ESV computer council.** "ESV computer council" has the meaning given in *Minnesota Statutes*, section 121.93, subdivision 5.

Subp. 7. **ESV regional computer center.** "ESV regional computer center" means a governmental unit formed by a joint powers agreement entered into by school districts to provide computer and related services to its affiliated school districts.

ESV regional computer center, regional management information center, and regional computer center are synonomous terms.

Subp. 8. **ESV-IS.** "ESV-IS" has the meaning given in *Minnesota Statutes*, section 121.93, subdivision 3.

Subp. 9. **SDE-IS.** "SDE-IS" has the meaning given in *Minnesota Statutes*, section 121.93, subdivision 4.

Subp. 10. **State board.** "State board" means the State Board of Education or its designee.

3560.0020 DATA STANDARDS.

Subpart 1. **Criteria.** The data standards referred to in this part cover only data submitted to the commissioner or state board by a district or an ESV computer center on behalf of its affiliated districts or itself. The data must conform to the data standards established in the data element dictionary published by the department. To be included in the data element dictionary, a data element must meet one of the following criteria:

A. The data element is used in the ESV-IS or the SDE-IS data bases, or the list of essential data elements that the department maintains according to *Minnesota Statutes*, section 121.932, subdivision 5.

B. A financial or property data element is established through the Uniform Financial Accounting and Reporting Standards (UFARS).

C. A student, personnel/payroll, curriculum, and other data element is individually defined. The definition also includes the standard name, computer program name, system descriptors, values, and transaction methodology when appropriate.

Subp. 2. **Review criteria.** To be included in the Annual Data Acquisition Calendar (ADAC), data elements must be formatted into a form or another type of data collection instrument used to collect data from districts or regional computer centers. They must then be reviewed by DARC, which recommends approval or disapproval to the commissioner. The recommendation by DARC and the decision of the commissioner must be based on one of the following criteria:

(1) the data element is required by federal or state law or state board rule;

(2) the data element is required to calculate and distribute aids and levies or to distribute other funds;

(3) the data element is used to make program decisions in the management of the department;

(4) the data element is used to monitor compliance to statute or state board rule; or

(5) the data element is used to conduct research or analyze policy as approved by the commissioner.

3560.0030 CREATION OF MANAGEMENT INFORMATION CENTERS.

Subpart 1. **District board resolutions.** Whenever two or more districts decide, by resolution of their respective boards, to establish

a regional management information center, the center will come into existence according to *Minnesota Statutes*, section 121.935, subdivision 1.

Subp. 2. **Approval criteria.** After review and recommendation by the ESV computer council, the state board must approve the creation of a new regional computer center and its effective date if:

A. the proposed regional center has submitted an annual and biennial plan and budget to the state board conforming to *Minnesota Statutes*, section 121.935, subdivision 4;

B. the proposed regional center has acquired, or will acquire subject to approval of the proposal by the state board, computer and related equipment that has demonstrated its capability to process the ESV-IS or an approved alternative management information system and has demonstrated it is able to assemble and transmit the essential data elements to the department as required in *Minnesota Statutes*, section 121.932, subdivision 5; if any of the districts include a technical institute, then the ESV-IS must include the fixed assets property management information systems for technical institutes;

C. the proposed regional center has developed a disaster recovery plan;

D. the proposed regional center has established a management plan that includes:

(1) the organizational structure of the board of directors;

(2) the administrative, technical operations, field service, office support, and district training staff necessary to operate the center; and

(3) the type, level, and amount of services provided directly to affiliated districts and provided by other organizations if the regional center does not provide the required ESV-IS service; and

E. the cost of computer systems and staff services received by the districts in the new region, in total, is not greater than the cost for the same or equivalent computer systems and staff services in the region of disaffiliation.

Subp. 3. **Notice.** Notice of intent to establish a new regional management information center must be served on the board of directors of regions with disaffiliating districts, the commissioner, the state board, and the ESV computer council at least one year before July 1 of the proposed effective year of establishment, unless the regions with disaffiliating districts and the state board agree to waive the July 1 date as provided by *Minnesota Statutes*, section 121.935, subdivision 1.

Subp. 4. **Delay.** The state board may delay the effective date of establishment up to two years beyond the intended effective date if the region of disaffiliation protests the disaffiliation and presents evidence that the disaffiliation will cause financial hardship on the remaining districts in the region so that adjustments in the cost of equipment, staff, and administration cannot be implemented before the intended effective date.

Subp. 5. **Allocation formula.** Regional reporting subsidies appropriated by the legislature must be allocated to the new regional computer center applying the same formula used with the other regions.

3560.0040 TRANSFER OF SCHOOL DISTRICT AFFILIATION.

Subpart 1. **Notice.** A notice of intention to disaffiliate from a regional computer center must be served on the boards of directors of both regional computer centers, the commissioner, state board, and the ESV computer council one year before the intended effective date.

Subp. 2. **Effective date.** Upon resolution of the district board to transfer its affiliation from one regional management information center to another, the transfer will become effective on the next July 1, or another date mutually agreed upon, following approval by the state board.

Subp. 3. **Delay.** The state board may delay the effective date of transfer up to two years beyond the intended effective date if the region of disaffiliation protests the disaffiliation and presents evidence that the disaffiliation will cause financial hardship on the remaining districts in the region so that adjustments in the cost of equipment, staff, and administration cannot be implemented before the intended effective date.

Subp. 4. **Funding transfer.** The transferring district's share of regional reporting subsidies authorized by the legislature shall be paid to the new region of affiliation as of the effective date of the transfer.

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.

3560.0050 ALTERNATIVE FINANCIAL MANAGEMENT INFORMATION SYSTEMS.

Subpart 1. **Council review.** An alternative financial management system proposed for use by a district must be reviewed by the ESV computer council and approved by the state board before purchase, lease, or use.

Subp. 2. **Approval criteria.** After review and recommendation by the ESV computer council, the state board must approve the use of an alternative financial management information system if:

A. The vendor of the alternative financial management information system has applied to the department, the UFARS council, and the ESV computer council, and has received approval from the state board to market the alternative financial management system to Minnesota districts. The decision to approve the alternative financial management information system must be given if the alternative system meets the following requirements:

(1) The system must provide an accounting function based on generally accepted accounting principles with a double entry (debit/credit), modified accrual accounting system. It must meet the requirements in Minnesota law and in the Uniform Financial Accounting and Reporting Standards (UFARS).

(2) The system must allow for multidimensional coding.

(3) The system must allow the use of encumbrances.

(4) The system must allow period-end and year-end processing.

(5) The system must allow users to configure the system to the individual district.

(6) The system must produce Government Accounting and Auditing Financial Reports (GAAFR).

B. The district has made application to the department, the ESV computer council, and the ESV regional computer center to use an alternative financial management information system. The application must contain the following information:

(1) vendor name, address, and system identification;

(2) a list of computer and related equipment and software that will be used to operate the system;

(3) purchase cost and annual operational costs of computer equipment, computer software, application software, district staff, and other cost items required to operate the system;

(4) a list of benefits, financial and other, that the district expects to realize as a result of using the alternative system;

(5) continuing cost to the district of services received from the ESV regional computer center to comply with state reporting requirements; and

(6) certification by the vendor that any changes made to the logic or structure of the software are consistent with item A.

C. The ESV computer council has reviewed the application submitted under subpart 2, item A or B, and recommends to the state board that the application conforms to the current "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" adopted by the state board.

Subp. 3. **Annual report.** Any district using an alternative management information system must annually report to its regional computer center and to the ESV computer council the name of the system, the vendor, and any changes made to the structure or logic of the software.

3560.0060 REGIONAL MANAGEMENT INFORMATION CENTER PLANS AND BUDGETS.

Subpart 1. **Budget and plan.** By July 1 of each year, each regional management information center must submit for approval by the state board an annual plan and proposed budget for the next fiscal year. By July 1 of each even-numbered year, each regional management information center must submit a biennial budget and plan for the next biennium as defined in *Minnesota Statutes*, section 16A.011, subdivision 6, to the commissioner for review by the ESV computer council and approval by the state board.

Subp. 2. **No spending until approved.** A regional management information center must not spend money for administrative or computer center activities until the annual budget has been approved by the state board.

Subp. 3. **Minimum requirements of reports.** The annual plan and budget and the biennial budget must be in the form and format prescribed by the Uniform Financial Accounting and Reporting Standards (UFARS). The biennial plan must be in the form and format recommended by the ESV computer council and approved by the commissioner. At a minimum, the plan must report:

A. actual and projected usage of each ESV computer system and alternative management information system;

B. the actual and projected cost of computer equipment resources, staff support, and administrative overhead for each affiliated school district;

C. projected or planned changes in affiliation by any school district;

D. projected or planned changes in the amount or cost of computers and related equipment; and

E. projected or planned changes in the amount or cost of services to affiliated school districts.

Subp. 4. **State board criteria.** The criteria used by the state board for approval of the biennial plan and budget are:

A. the computer center complies with the current "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" approved by the state board;

B. the computer center provides ESV-IS services to each of its affiliates or shows that the center has arranged for services to be provided by another center;

C. the computer center uses cost accounting procedures to account by district for resources consumed at the center for support of each ESV-IS system;

D. the ESV computer council has reviewed the budget, plan, and report and has made a recommendation to the state board; and

E. there is sufficient income and operating capital to pay the amount of expenses identified in the expenditure plan.

3560.0070 INCORPORATIONS BY REFERENCE.

The documents described in this part are incorporated by reference in chapter 3560 to the extent referred to in chapter 3560.

A. "Data Element Dictionary," published by the Department of Education, is frequently changed and is accessible by computer terminal through the Department of Education library. The publication is continuously updated.

B. Uniform Financial Accounting and Reporting Standards (UFARS), published by the Department of Education, is frequently changed and is available through the Minitex interlibrary loan system. The publication is continuously updated.

C. Reporting Requirements of the Department of Education is published annually in the Annual Data Acquisition Calendar and is available through the Minitex interlibrary loan system.

D. Government Accounting and Auditing Financial Reports (GAAFR) is a series of reports used in the audit of a district. A set of sample reports is available through the Minitex interlibrary loan system.

E. "Long Range Plan for the Elementary, Secondary, and Vocational (ESV) Information System" is published by the Department of Education. The publication is updated at least biennially. The current update is available through the Minitex interlibrary loan system.

Minnesota State Board of Education

705 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101 (612) 297-1925

CERTIFICATE OF RESOLUTION ADOPTING RULE

I, Ruth Randall, do hereby certify that I am the Secretary of the Minnesota State Board of Education, an agency 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 Minnesota State Board of Education duly and properly called and held on the 13th day of March, 1989, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution will be set forth in the minutes of said meeting and has not been rescinded or modified:

BE IT RESOLVED, that the Minnesota State Board of Education (Board) hereby approves and adopts the rule governing Multischool District Organizations: Elementary, Secondary and Vocational Computer Centers pursuant to the authority vested in the Board by Minn. Stat. § 121.931, Subds. 6, 7 and 8 (1987).

BE IT FURTHER RESOLVED, that prior to publishing the rule as adopted in the State Register, the Secretary of the Minnesota State Board of Education is authorized to make any form changes in the rule that the Revisor of Statutes or the Attorney General requires the Board to take.

BE IT FURTHER RESOLVED, that the Board adopts the attached Findings of Fact, Conclusions and Order Adopting Rule and that the Secretary of the Minnesota State Board of Education is hereby authorized to sign the above-mentioned document on behalf of the Board 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 14 day of March, 1989.

Ruth E. Randall
Secretary State Board of Education

Marjorie Johnson
Attest by other Board member

STATE OF MINNESOTA
STATE BOARD OF EDUCATION

In the Matter of the Proposed Rule Governing Multischool District Organizations; Elementary, Secondary and Vocational Computer Centers Minn. Rules Parts 3560.0010 through 3560.0070

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE

The above-titled matter came on for decision before the Minnesota State Board of Education (Board) on the 13th day of March, 1989. After affording all interested persons the opportunity to present written and oral data, statements and arguments to the Board, in accordance with statutory requirements regarding the adoption of noncontroversial rules, after considering all of the evidence adduced upon the records, files and proceedings herein, the Board, being fully advised in the premises, hereby adopts the following Findings of Fact, Conclusions and Order:

FINDINGS OF FACT

1. Notice of the Minnesota State Board of Education's intent to adopt the above-entitled rule without a public hearing was published in the State Register on January 16, 1989, and was sent by mail to all persons on the list maintained by the Board pusuant to Minn. Stat. §§ 14.14, subd. 1a and 14.22 on January 14, 1989.

2. The Statement of Need and Reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking list and published in the State Register and was available to the public.

3. All persons were given the opportunity to submit comments on the rule for 30 days after notice of proposed rulemaking. The 30-day comment period, as set out in the notice, expired on February 16, 1989.

4. During the comment period the Board received no requests for public

hearing. Therefore, the Board did not receive requests for a public hearing from 25 or more persons which were not withdrawn.

5. No requests for notice of submission to the Attorney General were received by the Board.

6. During the comment period the Board received no written comment.

7. The Board finds that no modifications to the proposed rules are justified by the record in this proceeding.

8. The Board adopts the Statement of Need and Reasonableness, in its entirety, as the factual basis for the proposed rules. The Board hereby incorporates the Statement of Need and Reasonableness into these findings.

9. The above-captioned rule is needed and reasonable.

CONCLUSIONS

1. The Minnesota State Board of Education duly acquired and has jurisdiction over this proceeding.

2. The Board published and served due, timely and adequate notice of the intent to adopt the rules without a public hearing.

3. All relevant legal and procedural requirements of statute and rule have been complied with.

4. The modifications to the proposed rules are supported by the record and do not result in a substantial change in the proposed rules.

ORDER

NOW, THEREFORE, IT IS ORDERED that the attached Minn. Rules pts. 3560.0010 through 3560.0070 governing Multischool District Organizations, Elementary, Secondary and Vocational Computer Centers, is adopted pursuant to the authority vested in the Minnesota State Board of Education by Minn. Stat. § 121.931, Subds. 6, 7 and 8 (1987).

STATE BOARD OF EDUCATION

Ruth E. Randall

Ruth E. Randall, Secretary

Minnesota State Board of Education

STATE OF MINNESOTA
STATE BOARD OF EDUCATION

In the Matter of the Adoption
of the Rule of the State Board of
Education Governing Multischool
District Organizations; Elementary,
Secondary and Vocational Computer
Centers

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 ch. 2010 have been followed. For Attorney General billing purposes, the docket client code is 40.3A71.0021.

Dated: July 28, 1989

Charles T. Mottl
Assistant Attorney General

.CD5

Minnesota Department of Education

Capitol Square 550 Cedar Street Saint Paul, Minnesota 55101

July 31, 1989

Martha Cassrely
Special Assistant Attorney General
Office of the Attorney General
515 Transportation Bldg.
John Ireland Blvd.
St. Paul, Minnesota 55101

RE: PROPOSED RULES GOVERNING MULTISCHOOL DISTRICT ORGANIZATIONS: ELEMENTARY, SECONDARY AND VOCATIONAL COMPUTER CENTERS

Dear Ms. Casserly:

Enclosed are the forms and statements as required by the Administrative Procedure Act and Minnesota Rules Chapter 2010.

No one has requested notification of the rule to the Attorney General.

Please call me (296-5647) if you have any questions.

Thank you for your assistance.

Sincerely,

Erv Chorn

EJC:ejc

AN EQUAL OPPORTUNITY EMPLOYER

Minnesota Department of Education

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

July 7, 1989

Charles Mottl
Special Assistant Attorney General
Office of the Attorney General
11th Floor, Bremer Tower
Seventh and Minnesota Streets
St. Paul, Minnesota 55101

RE: PROPOSED RULES GOVERNING MULTISCHOOL DISTRICT ORGANIZATIONS: ELEMENTARY, SECONDARY AND VOCATIONAL COMPUTER CENTERS

Dear Mr. Mottl:

On March 13, 1989, the Minnesota State Board of Education adopted the above captioned rules. These rules were reviewed by you previously and found to have a fatal flaw which required the Board to repeat the adoption process.

Enclosed for your review are the following documents or explanations as required by Rule Part 2010.0300.

A. There was no notice of solicitation of outside information or opinions published in the State Register.

B. There was no petition.

C. Certificate of authorizing resolution.

D. Copy of proposed rule with certificate of approval by the revisor of statutes.

E. The notice of intent to adopt the rule without public hearing as mailed.

F. Statement of need and reasonableness.

G. Affidavit of mailing the notice.

H. A copy of the notice as published in the State Register.

I. Four copies of the rule as adopted.

AN EQUAL OPPORTUNITY EMPLOYER

J. The resolution adopting the rule.

K. Findings of fact, conclusions and order adopting the rule.

L. There were no written requests, submissions, or comments on the rule.

M. The declaration of the attorney is your form.

N. No one requested to be advised of the submission to the attorney general.

O. An affidavit of mailing is not applicable.

If I understand the statute governing submission of rules to the attorney general, We must complete this process by August 16, 1989. If there are any questions relating to these rules, please call me at 296-5647.

Thank you for your assistance.

Sincerely,

Erv Chorn