

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

AR 1607

MJC

State Bd. Vo. Tech. Ed. - Commercial Occupation Licensing

RULE REVIEW CHECKLIST

File No. 1703

Docket No. 05-0009-0831

DATE RECEIVED 5-21-90

ADOPTED W/O HEARING ✓

REVIEW DATE 5-30-90

EMERGENCY RULE _____

DUE DATE 6-4-90

TO REVISOR 5-22-90

REVISOR APPROVED 5-31-90

APPROVED 6-1-90 mjc

REVISOR DISAPPROVED _____

DISAPPROVED ✓

FILED W/SEC. OF STATE 6-5-90

WITHDRAWN _____

RETURNED TO AGENCY 6-5-90

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4 Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion (if applicable)
June 5, 1989 Date published in State Register
_____ Comments

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

✓ Board's Authorizing Resolution
June 20, 1989 Date adopted

✓ Proposed Rule
✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule
136C.04 subd 8 Statutory Authority
NA Small Business Statement
NA Expenditure of public money statement
3-13-90 Signature

✓ Statement of Need and Reasonableness (if applicable)
NA Small Business Statement
NA Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
March 22, 1990 Date (30)/25 days before adoption
✓ Notice attached
_____ Copy of rule or summary attached

✓ Publication in State Register
March 19, 1990 Date (30)/25 days before adoption

✓ 180-day deadline from:
NA Effective date of law requiring rule (14.12) (both rules) not mandatory
✓ end of comment period (§ 14.26) (rules without hearing)
_____ effective date of statutory authority (§ 14.29) (emergency rules)

✓ Resolution Adopting
May 8, 1990 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
May 9, 1990 Date

_____ ~~Written requests, submissions~~ or comments

_____ Declaration of attorney
Charles Mottl Name of SAAG representing agency

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

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

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

DATE : June 5, 1990

TO : GEORGIA POMROY
License Revision Specialist
Board of Vocational Technical Education

FROM : MARTHA J. CASSERLY
Special Assistant Attorney General
525 Park Street, Suite 500 (55103) mjC

PHONE : 296-6839

SUBJECT : In the Matter of the Adopted Permanent Rules Relating to Commercial Occupation Licensing

The above-referenced rule has been approved as to its legality by the Attorney General on June 1, 1990.

Enclosed is your 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 along with any extra copies of documents which you 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.

CH/rlb
Enclosures
cc: William Brown, Chief Judge (memo only)
MaryAnn Hruby " "
Charles Mottl " "

State Board of Vocational Technical Education

Adopted Permanent Rules Relating to Commercial Occupation Licensing

Rules as Adopted

3700.0500 LICENSES IN MARKETING OCCUPATIONAL AREA.

Subpart 1. **Listed here.** An applicant for a license to teach technical college courses and programs in the marketing occupational area must meet the requirements in this part. The requirements are in addition to the requirements in part 3700.0100 and for a particular license (listed under the part that covers that particular license).

Subp. 2. **Recent occupational experience.** An applicant for a license to teach in the marketing occupational area must have 2,000 hours of occupational experience within the five years just before applying for that license.

Subp. 3. **Does not apply.** Part 3515.9921 does not apply to parts 3700.0505 to 3700.0515.

3700.0510 BUSINESS TO BUSINESS TELEMARKETING.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

[For text of subps 3 and 4, see M.R.]

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience at an accredited postsecondary institution, industrial or business setting in primary content of business to business telemarketing for 1,500 of the 2,000 hours required under part 3700.0500. Two hours of teaching equal one hour of the occupational experience.

3700.0515 COMPUTERIZING SMALL BUSINESS.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the

requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience with a minimum of 6,000 hours as a working proprietor or managerial level employee responsible for, and making decisions based on, sources and use of capital. The remaining 2,000 hours must be in one or both of the following:

A. using a microcomputer system with multiapplication software for use in managing daily operations of a small business; or

B. selling a combination of microcomputer hardware systems and software packages for use in managing the daily operations of a small business.

The 8,000 hours must include verification of experience in developing a combination of microcomputer hardware and software processes for computerizing small businesses. Computerizing a small business means to do a feasibility study that includes analyzing, prioritizing, researching availability, evaluating, and reviewing computer needs.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution. Notwithstanding this substitution, the applicant must not substitute for the experience developing a combination of microcomputer hardware and software processes for computerizing small business or the 2,000 hours of specialized experience as stated in subpart 3.

A. A bachelor's or higher degree with a major in business administration, business management, or accounting may be substituted for 4,000 hours.

B. An associate degree in accounting, business management, business entrepreneurship, or microcomputer sales and service may be substituted for 2,000 hours.

C. A diploma in business entrepreneurship, small

business management, preparation for small business ownership, accounting, or computerizing small business may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in computer systems design, accounting, business management, and business computer applications may be substituted. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting for 1,500 of the 2,000 hours required in part 3700.0500, subpart 2, if the teaching is done during this five-year period. The teaching must be in computerizing small business, small business management, or preparation for small business ownership. Two hours of teaching equal one hour of occupational experience.

3700.0520 CUSTOMER SERVICE.

Subpart 1. **May teach.** A teacher who has a customer service license may teach in the customer service program and may also teach customer specific courses such as:

A. consumer behavior;

B. consumer credit and collections;

C. introduction to customer service technology;

D. consumer problem solving;

E. customer service conflict and management; and

F. customer service telemarketing.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The

applicant must have 8,000 hours of occupational experience with a minimum of 4,000 hours at the management/supervisory level doing the hiring, training, and development of individuals for customer contact involving problem solving and proactive activities. The remaining experience may be in any of the following activities:

A. budgeting and long range planning for customer service;

B. customer advocate liaison within a company;

C. assessing, measuring, and defining customer expectation for future applications; and

D. development and implementation of procedural processes and subsequent applications for customer service.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education in items A to D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution. The education may not substitute for the 4,000 hours of management/supervisory level occupational experience.

A. A bachelor's or higher degree with a major in business, management, or marketing may be substituted for 4,000 hours.

B. An associate degree in business, customer service, management, marketing, or supervision may be substituted for 2,000 hours.

C. A diploma or certificate in business, customer service, management, marketing, or supervision may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in customer service specific content. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.**

The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in customer service. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0525 ELECTRONIC SERVICE/SALES REPRESENTATIVE.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience in electronic-based applications as follows:

A. a minimum of 2,000 hours in commercial or industrial sales, installation, and maintenance or troubleshooting equipment; and

B. a minimum of 2,000 hours in customer needs analysis including equipment determination and selection, hardware configuration, product presentation, and demonstration or account management.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described in item A, B, or C for up to 4,000 hours of occupational experience required under subpart 3. The education must be from an accredited postsecondary institution. An applicant cannot substitute for the 2,000 hours of experience required in subpart 3, item A.

A. A bachelor's or higher degree with a major in applied electrical engineering may be substituted for 4,000 hours.

B. An associate degree in electronics or electronic service/sales may be substituted for 2,000 hours.

C. A diploma in electronics or electronic service/sales may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A

two-year program or a program of 90 or more quarter credits equals 2,100 hours.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2, if the teaching is done during the five-year period. The teaching must be in electronics or electronic service/sales. Two hours of teaching equal one hour of occupational experience. An applicant cannot substitute for the 2,000 hours of experience required under subpart 3, item A.

3700.0530 FASHION MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a fashion management license may teach the fashion management program, retail management program, marketing careers core, fashion specific courses, and courses in the marketing occupational area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self-development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) inventory planning and control;

(3) marketing research fundamentals;

(4) principles of management;

(5) retail buying;

(6) retail principles;

(7) retail trends;

(8) sales promotion/advertising;

(9) store layout and presentations;

(10) store operations;

(11) supervision fundamentals;

(12) telemarketing fundamentals; and

(13) visual merchandising.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning, forecasting, and analysis.

The remaining 2,000 hours must include the recency requirement of part 3700.0500, subpart 2, and must be in the area of fashion apparel and accessory, to include direct responsibility for the following: inventory control dollar and unit, merchandise pricing, layout of selling floor, retail financial applications, physical inventory, and sales.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration, business management, distributive education, marketing, merchandising, or retailing may be substituted for 4,000 hours.

B. An associate degree in management, marketing, merchandising, sales, or telemarketing may be substituted for 2,000 hours.

C. A diploma or certificate in management, marketing, merchandising, sales, or telemarketing may be substituted. A one-year program or a program of 45 quarter credits equals 1,050

hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in management, marketing, merchandising, sales, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in fashion apparel and accessory sales and management. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0535 POSTAL SERVICE MANAGEMENT.

Subpart 1. **May teach.** An instructor with a postal service management license may teach postal service specific content in the postal service management program and may also teach postal specific courses throughout the technical college system.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have occupational experience in a classified United States Postal Service position as described in item A, B, or C.

A. 3,000 hours as a bargaining unit employee and 5,000 hours in an initial level supervisor position or above. The recency experience described in part 3700.0500, subpart 2, must be as an initial level supervisor or above.

B. 3,000 hours as a bargaining unit employee and 5,000 hours as a postal service training technician with sole training responsibility in an office of 200 or more employees.

The recency experience described in part 3700.0500, subpart 2, must be as a postal service training technician with sole training responsibility in an office of 200 or more employees.

C. An associate degree in postal service management with 3,000 hours as a bargaining unit employee and 3,000 hours as an initial level supervisor or above. The recency experience described in part 3700.0500, subpart 2, must be as an initial level supervisor or above.

D. An associate degree in postal service management with 3,000 hours as a bargaining unit employee and 3,000 hours as a postal service training technician with sole responsibility in an office of 200 or more employees. The recency experience described in part 3700.0500, subpart 2, must be as a postal service training technician.

Subp. 4. **Substitution for recent occupational experience.** An applicant currently employed by the United States Postal Service may substitute teaching experience in postal service content in a postal service management program at an accredited postsecondary institution for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0540 PREPARATION FOR SMALL BUSINESS OWNERSHIP.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience as a working proprietor or managerial level employee responsible for, and making decisions based on, sources and use of capital.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described in item A, B, C, or D for up to 4,000 hours required under subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in marketing, business, or finance may be substituted for 4,000 hours.

B. An associate degree in business or marketing may be substituted for 2,000 hours.

C. A diploma in business or marketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses or clock hours for credit in business or marketing may be substituted.

One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting in accounting, business management, computer applications for small business management, and sales and marketing, for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2, if the teaching is done during the five-year period. Two hours of teaching equal one hour of occupational experience.

3700.0545 PRODUCTIVITY TECHNICIAN/PRODUCTIVITY AND INVENTORY MANAGEMENT.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience as a manager, facilitator, or trainer in two or more of the following:

A. management/employee involvement (MEI);

B. statistical process control (SPC);

C. quality assurance or quality control systems (QAQC);

D. problem solving/decision making techniques;

E. just in time techniques (JIT); and

F. production and inventory control.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration or management, industrial engineering or management, economics, personnel management, organizational development, or marketing may be substituted for 4,000 hours.

B. An associate degree in production and inventory management, production technician, supervisory management, personnel management, manufacturing management, quality technician, business administration, or marketing management may be substituted for 2,000 hours.

C. A diploma in production and inventory management, productivity technician, supervisory management production technician, or marketing management may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit or seminars and workshops by professional organizations in transformation of American industry, manufacturing process, production and inventory management techniques, engineering drawings, quality assurance product development, work simplifications, organizational structure of business, material requirements planning, industrial master planning, capacity management, production activity management, inventory management, employee involvement, statistical process, problem solving, or socio-economic systems may be substituted. One clock hour of instruction equals one hour of occupational

experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution, industrial or military setting for 1,500 of the 2,000 hours required in part 3700.0100, subpart 2, if the teaching is done during this five-year period. The teaching must be in production and inventory management, productivity technician, supervisory management, statistical process control, quality assurance or quality control systems, participation management/employee involvement process, problem solving/decision making techniques, just in time techniques, or production/inventory control. Two hours of teaching equal one hour of occupational experience.

3700.0550 RETAIL MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a retail management license may teach the retail management program, marketing careers core, courses in the marketing area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) inventory planning and control;

(3) marketing research fundamentals;

(4) principles of management;

(5) retail buying;

(6) retail principles;

(7) retail trends;

(8) sales promotion and advertising;

(9) store layout and presentations;

(10) store operations;

(11) supervision fundamentals;

(12) telemarketing fundamentals; and

(13) visual merchandising.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning and forecasting analysis.

The remaining 2,000 hours must include the recency requirement in part 3700.0500, subpart 2, and be in retail sales and management with direct responsibility in the following areas: inventory control dollar and unit, merchandise pricing, layout of selling floor, retail financial applications, taking inventory, and retail sales.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in marketing, business administration, business management, merchandising, retailing, or distributive education may be substituted for 4,000 hours.

B. An associate degree in marketing, management, merchandising, telemarketing, or sales may be substituted for 2,000 hours.

C. A diploma or certificate in sales, marketing, merchandising, management, or telemarketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in sales, marketing, merchandising, management, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. This teaching experience must be in retail sales and management. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0555 SALES MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a sales management license may teach the sales management program, marketing careers core, courses in the marketing area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self-development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) marketing research fundamentals;

(3) negotiation sales;

(4) principles of management;

(5) sales management;

(6) sales promotion and advertising;

(7) sales record management;

(8) supervision fundamentals;

(9) telemarketing fundamentals;

(10) territory management;

(11) visual merchandising; and

(12) wholesale buying and selling techniques.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning, forecasting, and analysis.

The remaining 2,000 hours must include the recency requirement in part 3700.0500, subpart 2, and be in a nonretail store environment, industrial or institutional setting in multilevel marketing or telemarketing sales. The activities must include three of the following: individual or group sales, territory management, trade show presentation, bid and proposal writing, sales contract negotiations, account management, and sales and personal records management. A way to partially substitute for these hours is described in subpart 5.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration, business management, distributive

education, marketing, merchandising, or retailing may be substituted for 4,000 hours.

B. An associate degree in management, marketing, merchandising, sales, or telemarketing may be substituted for 2,000 hours.

C. A diploma or certificate in management, marketing, merchandising, sales, or telemarketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in management, marketing, merchandising, sales, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in sales representation, sales management, or wholesale and industrial sales. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0560 SUPERVISORY MANAGEMENT.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience in a managerial level position including but not limited to budget development or control, employee selection and supervision, employee performance appraisal and evaluation, and assessment of employee training needs.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business, marketing, or management may be substituted for 4,000 hours.

B. An associate degree in business, management, or marketing may be substituted for 2,000 hours.

C. A diploma in supervision or management programs. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in business administration, business management, finance, human resource management, accounting, training and development, supervisory management, manufacturing management, and productivity and management. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting may be substituted for 1,500 of the 2,000 hours required in part 3700.0500, subpart 2, if the teaching is done during this five-year period. The teaching must be in management programs or courses that include supervision or management content. Two hours of teaching equal one hour of occupational experience.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN - 5 1990

Joan Anderson Growe

Secretary of State

9:00 AM

APPROVED AS TO FORM AND LEGALITY

June 1 1990

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY MJ Cassedy

SPECIAL ASSISTANT ATTORNEY GENERAL

Statutory Authority 136C.04 subd 9
The state board may promulgate rules, according to the provisions of Chapter 14, for licensure of teaching, support and supervisory personnel

comment period ends April 26, 1990
march 22 - april 26 = 30 + days

Statement of need -
3. Editorial and minor rule modification new venture programs were developed and placed in a temporary rule number until permanent occupational block licensure revision? I don't understand temporary rule numbers

STATE OF MINNESOTA
Board of Vocational Technical Education
100 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

Office Memorandum

TO: Patricia Nolte
Office of the Attorney General, 525 Park Avenue, St. Paul, MN

FROM: Georgia Pomroy, License Revision Specialist

DATE: May 21, 1990

PHONE: 296-3929

SUBJECT: Document Review for Marketing Occupations Licensure Rules 3700.0500 to 3700.0560

Enclosed is a copy of the following documents for your review:

MARKETING OCCUPATIONS LICENSURE RULES 3700.0500 TO 3700.0560

1. Resolution by the Board - June 20, 1989
2. *State Register* Copy - Solicitation of Outside Opinion - June 5, 1989
3. Copy of Proposed Rules Approved by Revisor
4. Signed Notice of Intent to Adopt a Rule as Mailed - March 3, 1990
5. Statement of Need and Reasonableness
6. Affidavit of Mailing - March 22, 1990
7. *State Register* Copy of Proposed Rules - March 19, 1990
   (published one week earlier than requested)
8. Four copies of rule as adopted and approved by Revisor of Statutes
9. State Board's Resolution Adopting Rules - May 8, 1990
10. Findings of Fact and Conclusions of Law - May 9, 1990
11. Request for Need and Reasonableness
12. Attorney General Declaration - May 21, 1990

GP:lrv
MOTTLMKT

Enclosures

CERTIFICATE OF THE

STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

AUTHORIZING RESOLUTION FOR RULE WITHOUT A PUBLIC HEARING

I, JoAnn Cardenas Enos, do hereby certify that I am a member and the President of the State Board of Vocational Technical Education, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the State Board of Vocational Technical Education duly and properly called and held on the 20th day of June 1989 that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

"RESOLVED, that Helen Henrie, Deputy State Director of the Minnesota Technical Institute System is hereby granted the authority and directed to sign and to give the Notice of Board's Intent to Adopt a rule without a public hearing governing Post-Secondary Vocational Licensure of personnel for Permanent rules for Marketing, Health, Technical, Business and Office, and Permissive to all persons who have registered their names with the Board for that purpose and publish the Notice and rule in the *State Register* and to perform any and all acts incidental thereto."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 20th day of June 1989.

JoAnn Cardenas Enos
President
State Board of Vocational Technical Education

Allan F. Olson
Attest by one other Board Member

20109910.FRM

State of Minnesota

STATE REGISTER

Department of Administration—Print Communications Division



Published every Monday

5 June 1989

Volume 13, Number 49

Pages 2891-2922

State Board of Vocational Technical Education

Opinion Sought Regarding Proposed Rules Governing the Rules for Licensure of Postsecondary Technical Education Personnel

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

The State Board of Vocational Technical Education requests information and comments concerning the subject matter of these rules. Interested or affected persons may submit written statements of information or comment orally. Written comments should be addressed to:

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

Ms. Georgia Pomroy
State Board of Vocational
Technical Education
100 Capitol Square Bldg.
550 Cedar Street
St. Paul, MN 55101
(612) 296-3929

Oral Statements will be received during regular business hours over the telephone at (612) 296-3929 or in person at the above address.

All statements of information and comments shall be accepted until 4:30 p.m., Wednesday, July 5, 1989. Any written material received by the State Board of Vocational Technical Education shall become part of the record to be submitted to the Attorney General or Administrative Law Judge in the event the rule is adopted.

Helen Henrie, Deputy Director
State Board of Vocational
Technical Education

NOTARY PUBLIC LAWS

Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of office and procedures for removal from office. Code No. 2-13. $4.00.



Jane Smith
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
My Commission Expires January 1, 1994

U.S. SMALL BUSINESS ADMINISTRATION PUBLICATIONS:

Insurance and Risk Management for Small Business	Code No. 16-50. $3.00.
Small Business Finance	Code No. 16-42. $2.00.
Starting and Managing a Small Business of Your Own	Code No. 16-40. $4.75.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add $1.50 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard orders accepted over phone and through mail. **Prices are subject to change.**

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

DEPARTMENT OF THE STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

In the Matter of the Proposed Adoption of the Rules of the State of Minnesota, State Board of Vocational Technical Education, Governing Marketing rules, 3700.0500 to 3700.0560, Business to Business Telemarketing, Computerizing Small Business, Customer Service, Electronic Service/Sales Representative, Fashion Management, Postal Service Management, Preparation for Small Business Ownership, Productivity Technician/Productivity and Inventory Management, Retail Management, Sales Management, Supervisory Management

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

(1) Notice is hereby given that the State Board of Vocational Technical 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, Section 14.22 to 14.28. The statutory authority to adopt the rules is Minnesota Statutes 136C.04, Subdivision 9.

(2) All persons have 30 days until 4:30 p.m., Thursday, April 26, 1990, 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. (3) Each comment should identify the portion of the proposed rule addressed, the reason for comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. (4) 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. (6) 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. (7) If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, Sections 14.131 to 14.20.

(5) Comments or written requests for a public hearing must be submitted to either:

Jeanette Daines, Supervisor
Minnesota Technical College System
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: 612-296-0679

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

(8) 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.

(11) A copy of the proposed rule is attached to this notice.

(12) 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 Jeanette Daines or Georgia Pomroy at the above address and phone, upon request.

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

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550 Cedar Street
St. Paul, MN 55101
Telephone: 612-296-0680

Helen Henrie

Helen Henrie, Interim State Director
State Board of Vocational Technical Education

Date: 3/3/90

9915MKT

Georgia Pomroy

Minnesota Technical Institute System

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

Campus Locations
ALBERT LEA
ALEXANDRIA
ANOKA
AUSTIN
BEMIDJI
BRAINERD
BROOKLYN PARK
CANBY
DETROIT LAKES
DULUTH
EAST GRAND FORKS
EDEN PRAIRIE
EVELETH
FARIBAULT
GRANITE FALLS
HIBBING
HUTCHINSON
JACKSON
MANKATO
MINNEAPOLIS
MOORHEAD
PINE CITY
PIPESTONE
RED WING
ROCHESTER
ROSEMOUNT
ST. CLOUD
ST. PAUL
STAPLES
THIEF RIVER FALLS
WADENA
WHITE BEAR LAKE
WILLMAR
WINONA

MEMORANDUM

TO: Persons Registered with the State Board of Vocational Technical Education to Receive Notice of Any Rulemaking Proceedings

FROM: Helen Henrie, Interim State Director
State Board of Vocational Technical Education

DATE: March 20, 1990

RE: Notice of Proposed Adoption of Permanent Rules

Enclosed you will find the Notice of Proposed Adoption of Rules relating to licensure criteria 3700.0140, 3700.0150, 3700.0155, and 3700.0500 to 3700.0560

Postsecondary Vocational Technical Education relating to
Marketing Occupations, Licensure Fees, Voluntary Surrender of Licenses, and Letters of Approval

Licensure Fees, Voluntary Surrender of Licenses and Letters of Approval

3700.0140 General Provisions for Vocational Licensure
3700.0150 Procedures for Voluntary Surrender of Technical College Licenses
3700.0155 Letters of Approval

Marketing

3700.0510 Business to Business Telemarketing
3700.0515 Computerizing Small Business
3700.0520 Customer Service
3700.0525 Electronic Service/Sales Representative
3700.0530 Fashion Management
3700.0535 Postal Service Management
3700.0540 Preparation for Small Business Ownership
3700.0545 Productivity Technician/Productivity and Inventory Management
3700.0550 Retail Management
3700.0555 Sales Management
3700.0560 Supervisory Management

GP:lrv
MEMF&MKT

Enclosures

An Equal Opportunity EDUCATOR and EMPLOYER

DEPARTMENT OF THE STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

In the Matter of the Proposed Adoption of the Rules of the State of Minnesota, State Board of Vocational Technical Education, Governing Licensure Fees, Voluntary Surrender of Licenses, and Letters of Approval, Rules 3700.0140, 3700.0150, 3700.0155, and repeal of Rules 3515.0300 and 3515.0400

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

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

All persons have 30 days until 4:30 p.m., Thursday, April 26, 1990, in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for comment, and any change proposed.

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

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

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100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: 612-296-0679

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

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

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Jeanette Daines or Georgia Pomroy at the above address and phone, upon request.

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

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Telephone: 612-296-0679

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

Helen Henrie, Interim State Director
State Board of Vocational Technical Education

9915FEES.2

Board of Vocational Technical Education

Proposed Permanent Rules Relating to Technical College Licenses

Rules as Proposed (all new material)

3700.0140 GENERAL PROVISIONS FOR VOCATIONAL LICENSURE.

Subpart 1. **Licenses requirement.** Licensed personnel shall meet licensure requirements set forth in Minnesota Rules pertaining to the licensure of technical college personnel for the areas in which such personnel practice.

Subp. 2. **License issuance.** Licenses are issued by the licensure unit within the State Board of Vocational Technical Education.

Subp. 3. **Fees.** License fees are established by the State Board of Vocational Technical Education and are nonrefundable except in accordance with the rules of the State Board of Vocational Technical Education. A fee established by the State Board of Vocational Technical Education shall be charged to the applicant for each application. If a renewal and additional license category requests are submitted for review simultaneously, one processing fee covers both the renewal and the new categories. Effective after July 1, 1990, each application for the issuance, renewal, or voluntary surrender of a license to teach shall be accompanied by a processing fee in the amount of $50. When an applicant requests review by committee, an application must be submitted to the State Board of Vocational Technical Education in accordance with parts 3515.4100 to 3515.4400 and shall be accompanied by an additional processing fee to apply to the cost of the review in the amount of $100. Upon presentation of evidence by a government agency indicating that the applicant is unable to pay the petition fee, the fee may be waived by the State Board of Vocational Technical Education.

The fee shall be paid to the State Board of Vocational Technical Education who shall deposit it with the state

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treasurer, as provided by law, and report each month to the commissioner of finance the amount of fees collected.

The fees are nonrefundable for applicants not qualifying for a license. However, the fee is refundable when the applicant for a license already holds the license for which application is made and that license does not expire in the year the application is submitted.

Subp. 4. **License validity.** Licenses become valid on the date of approval by the State Board of Vocational Technical Education. An individual shall hold a license before receiving payment for services that require a license. If a processing error results in issuance of a license to an individual who does not meet rule requirements for the license, the license is invalid. It is the applicant's responsibility to return the license for corrections to the licensing unit of the State Board of Vocational Technical Education. All licenses shall bear the date of issuance and shall expire the specified number of years from the July 1 nearest the date the license was approved.

Subp. 5. **Correlation of expiration dates.** If an applicant applies for and meets the requirements for an additional license which has the same renewal requirements as the applicant's existing license, the licensing unit will correlate the expiration dates.

When renewing an existing field, one of the following may occur for the purpose of correlating multiple expiration dates if the renewal conditions pertaining to both have been met and verified according to rules. Subsequent renewal will require compliance with customary renewal requirements.

A. Request renewal of another existing licensure field one year early.

B. Request that the expiring fields receive less than the full renewal period.

3700.0150 PROCEDURES FOR VOLUNTARY SURRENDER OF TECHNICAL COLLEGE LICENSES.

Subpart 1. **Materials required to surrender license.** The

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person holding a technical college teaching license granted by the State Board of Vocational Technical Education may voluntarily surrender the license by submitting to the licensing unit the following:

A. An application for voluntary surrender which specifies the license category or categories to be surrendered. This application must include the signatures of the district superintendent and the technical college director. The signatures will serve as verification to the State Board of Vocational Technical Education that the district superintendent and the technical college director have been notified of the applicant's intent to remove a category or categories from a license.

B. The applicants copy of the most recently issued license.

C. The required processing fee.

Subp. 2. **Voluntary surrender date.** When the licensing unit receives the materials listed in subpart 1, postmarked by January 1, the date of surrender is July 1 of that year. When the materials are postmarked after January 1, the date of surrender is July 1 of the following calendar year.

Subp. 3. **Withdrawal of request.** A request may be withdrawn by the applicant on or before December 31 of the year in which the request was made without refund of fee.

Subp. 4. **Notification.** Upon receipt of the signed application for voluntary surrender, the State Board of Vocational Technical Education will request in writing the copies of the applicant's original license from the offices of the district superintendent and technical college director. It is the responsibility of the applicant to file with the offices of the district superintendent and the technical college director the revised license.

Subp. 5. **When voluntary surrender is prohibited.** A person may not voluntarily surrender a license under any of the following circumstances:

A. the school board has begun proceedings to

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terminate the continuing contract, pursuant to Minnesota Statutes, section 125.12, subdivision 6 or 8, or 125.17, subdivision 4;

B. the State Board of Vocational Technical Education or its designee has begun proceedings to suspend or revoke the license pursuant to part 8700.7500 or Minnesota Statutes, sections 125.09 and 214.10; or

C. any educational agency or board has begun proceedings which could result in alteration of the status of the teaching license due to the person's conduct.

Subp. 6. **Entrance license after voluntary surrender.** A person whose technical college license has been voluntarily surrendered may apply for entrance licensure in the category for which licensure was previously surrendered. An entrance license must be granted to the applicant if the following criteria are met:

A. a licensure rule exists in the category for which licensure was previously surrendered;

B. the applicant meets the entrance licensure criteria that are in effect for that category at the time of application; and

C. the required processing fee accompanies the application for entrance licensure.

Subp. 7. **Effect of voluntary surrender.** Nothing in subparts 1, 2, and 4 prohibits a person from holding or applying for a license in any other category upon surrender of a license in another category.

3700.0155 LETTERS OF APPROVAL.

Subpart 1. **Issuance.** The State Board of Vocational Technical Education may issue letters of approval under the conditions of subpart 3 that permit a licensed individual to undertake an assignment for which that individual is not currently licensed to resolve a hardship.

Subp. 2. **Hardship.** For letter of approval purposes, the state director's designee determines whether a hardship exists

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by Revisor _____

because of item A, B, or C subject to the conditions of subpart 3:

A. an immediate need exists due to an unexpected resignation, death, dismissal, or long-term leave of absence of a licensed staff member;

B. an immediate need exists due to the inability to recruit an individual who is licensable for the assignment and who is available for hire; or

C. an unavoidable situation exists that prevents the offering of needed instruction or service without resort to the letter of approval.

Subp. 3. **Conditions.** Letters of approval authorized by subpart 1 must be issued to a technical college director if the state director's designee finds that the conditions in this subpart are met:

A. the technical college director has requested a letter of approval in accordance with this part;

B. the technical college director has verified in writing that:

(1) a specific assignment vacancy exists that requires a technical college license in the licensure category for which a letter of approval is requested;

(2) reasonable recruitment efforts have been made, as specified by local policy;

(3) no person with appropriate technical college licensure who wishes to undertake the assignment is available for hire or reassignment to this area;

(4) no person who wishes to undertake the assignment and who has been placed on unrequested leave by the technical college has filed with the district a current technical college license that is valid for the assignment for which the letter of approval is requested; and

(5) the person for whom the request is made:

(a) holds a valid license issued by the State Board of Vocational Technical Education;

(b) is technically qualified for the

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assignment as evidenced by documentation of training or occupational experience of sufficient substance that in part would qualify for a full license in the requested licensure category without regard to the occupational recency and teacher education sequence provisions; and

(c) has had 12 clock hours of teaching techniques as determined by the local technical college if the request is in an instructional field.

Subp. 4. **Duration, renewal of letters of approval.** A letter of approval is valid for no longer than the rest of the fiscal year in which it is issued. A letter of approval involving the same individual and circumstance may be renewed only once and only if the conditions of subpart 3, items A and B, are met again. The renewal is valid for no longer than the rest of the school year in which the renewal is approved.

REPEALER. Minnesota Rules, parts 3515.0300 and 3515.0400, are repealed.

Approved
by Revisor _____

DEPARTMENT OF THE STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

In the Matter of the Proposed Adoption of the Rules of the State of Minnesota, State Board of Vocational Technical Education, Governing Marketing rules, 3700.0500 to 3700.0560, Business to Business Telemarketing, Computerizing Small Business, Customer Service, Electronic Service/Sales Representative, Fashion Management, Postal Service Management, Preparation for Small Business Ownership, Productivity Technician/Productivity and Inventory Management, Retail Management, Sales Management, Supervisory Management

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

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

All persons have 30 days until 4:30 p.m., Thursday, April 26, 1990, in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for comment, and any change proposed.

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

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Telephone: 612-296-0679

Georgia Pomroy, License Revision Specialist
Minnesota Technical College System
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550 Cedar Street
St. Paul, MN 55101
Telephone: 612-296-0680

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

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Jeanette Daines or Georgia Pomroy at the above address and phone, upon request.

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

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Telephone: 612-296-0680

Helen Henrie, Interim State Director
State Board of Vocational Technical Education

9915MKT

State Board of Vocational Technical Education

Proposed Permanent Rules Relating to Commercial Occupation Licensing

Rules as Proposed

3700.0500 LICENSES IN MARKETING OCCUPATIONAL AREA.

Subpart 1. **Listed here.** An applicant for a license to teach technical college courses and programs in the marketing occupational area must meet the requirements in this part. The requirements are in addition to the requirements in part 3700.0100 and for a particular license (listed under the part that covers that particular license).

Subp. 2. **Recent occupational experience.** An applicant for a license to teach in the marketing occupational area must have 2,000 hours of occupational experience within the five years just before applying for that license.

Subp. 3. **Does not apply.** Part 3515.9921 does not apply to parts 3700.0505 to 3700.0515.

~~3709.0360~~ 3700.0510 BUSINESS TO BUSINESS TELEMARKETING.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

[For text of subps 3 and 4, see M.R.]

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience at an accredited postsecondary institution, industrial or business setting in primary content of business to business telemarketing for 1,500 ~~hours~~ of the 2,000 hours required under part ~~3709.0100, subpart 1, item A~~ 3700.0500. Two hours of teaching equal one hour of the occupational experience.

~~3709.0330~~ 3700.0515 COMPUTERIZING SMALL BUSINESS.

[For text of subpart 1, see M.R.]

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Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience with a minimum of 6,000 hours as a working proprietor or managerial level employee responsible for, and making decisions based on, sources and use of capital. ~~A minimum of 2,000 hours of this experience must be~~ The remaining 2,000 hours must be in one or both of the following:

A. using a microcomputer system with multiapplication software for use in managing daily operations of a small business; or

B. selling a combination of microcomputer hardware systems and software packages for use in managing the daily operations of a small business.

The 8,000 hours must include verification of experience in developing a combination of microcomputer hardware and software processes for computerizing small businesses. Computerizing a small business means to do a feasibility study that includes analyzing, prioritizing, researching availability, evaluating, and reviewing computer needs.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution. Notwithstanding this substitution, the applicant must not substitute for the ~~2,000 hours of~~ experience ~~in~~ developing a combination of microcomputer hardware and software processes for computerizing small business or the 2,000 hours of specialized experience as stated in subpart 3.

A. A bachelor's or higher degree with a major in business administration, business management, or accounting may be substituted for 4,000 hours.

B. An associate degree in accounting, business management, business entrepreneurship, or microcomputer sales

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and service may be substituted for 2,000 hours.

C. A diploma in business entrepreneurship, small business management, preparation for small business ownership, accounting, or computerizing small business may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in computer systems design, accounting, business management, and business computer applications may be substituted. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~Occupational experience substitution~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting ~~may be substituted~~ for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0500, subpart ~~1, item A~~ 2, if the teaching is done during this five-year period. The teaching must be in computerizing small business, small business management, or preparation for small business ownership. Two hours of teaching equal one hour of occupational experience.

3700.0520 CUSTOMER SERVICE.

Subpart 1. **May teach.** A teacher who has a customer service license may teach in the customer service program and may also teach customer specific courses such as:

A. consumer behavior;

B. consumer credit and collections;

C. introduction to customer service technology;

D. consumer problem solving;

E. customer service conflict and management; and

F. customer service telemarketing.

Subp. 2. **Other requirements.** The applicant must meet the

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requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience with a minimum of 4,000 hours at the management/supervisory level doing the hiring, training, and development of individuals for customer contact involving problem solving and proactive activities. The remaining experience may be in any of the following activities:

A. budgeting and long range planning for customer service;

B. customer advocate liaison within a company;

C. assessing, measuring, and defining customer expectation for future applications; and

D. development and implementation of procedural processes and subsequent applications for customer service.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education in items A to D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution. The education may not substitute for the 4,000 hours of management/supervisory level occupational experience.

A. A bachelor's or higher degree with a major in business, management, or marketing may be substituted for 4,000 hours.

B. An associate degree in business, customer service, management, marketing, or supervision may be substituted for 2,000 hours.

C. A diploma or certificate in business, customer service, management, marketing, or supervision may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in customer service specific content. One hour of instruction equals one hour of occupational experience. One

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quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in customer service. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0110~~ 3700.0525 ELECTRONIC SERVICE/SALES REPRESENTATIVE.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** ~~An~~ The applicant must have 8,000 hours of ~~verified~~ occupational experience in electronic-based applications as follows:

A. a minimum of 2,000 hours in commercial or industrial sales ~~and~~, installation, and maintenance or troubleshooting equipment; and

B. a minimum of 2,000 hours in customer needs analysis including equipment determination and selection, hardware configuration, product presentation, and demonstration or account management.

Subp. 4. **Substitution for occupational experience.** ~~An~~ The applicant may substitute the education described in item A, B, or C for up to 4,000 hours of occupational experience required under subpart 3. The education must be from an accredited postsecondary institution. An applicant cannot substitute for the 2,000 hours of experience required in subpart 3, item A.

A. A bachelor's or higher degree with a major in applied electrical engineering may be substituted for 4,000 hours.

B. An associate degree in electronics or electronic service/sales may be substituted for 2,000 hours.

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C. A diploma in electronics or electronic service/sales may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

Subp. 5. ~~Occupational-recency-substitution~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting ~~may-be-substituted~~ for 1,500 of the 2,000 hours required under part ~~3709.0500~~ 3700.0500, subpart ~~1, item A~~ 2, if the teaching is done during the five-year period. The teaching must be in electronics or electronic service/sales. Two hours of teaching equal one hour of occupational experience. An applicant cannot substitute for the 2,000 hours of experience required under subpart 3, item A.

3700.0530 FASHION MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a fashion management license may teach the fashion management program, retail management program, marketing careers core, fashion specific courses, and courses in the marketing occupational area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self-development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) inventory planning and control;

(3) marketing research fundamentals;

(4) principles of management;

(5) retail buying;

(6) retail principles;

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(7) retail trends;

(8) sales promotion/advertising;

(9) store layout and presentations;

(10) store operations;

(11) supervision fundamentals;

(12) telemarketing fundamentals; and

(13) visual merchandising.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning, forecasting, and analysis.

The remaining 2,000 hours must include the recency requirement of part 3700.0500, subpart 2, and must be in the area of fashion apparel and accessory, to include direct responsibility for the following: inventory control dollar and unit, merchandise pricing, layout of selling floor, retail financial applications, physical inventory, and sales.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration, business management, distributive education, marketing, merchandising, or retailing may be substituted for 4,000 hours.

B. An associate degree in management, marketing,

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merchandising, sales, or telemarketing may be substituted for 2,000 hours.

C. A diploma or certificate in management, marketing, merchandising, sales, or telemarketing may be substituted. A one-year program or a program of 45 quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in management, marketing, merchandising, sales, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in fashion apparel and accessory sales and management. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0535 POSTAL SERVICE MANAGEMENT.

Subpart 1. **May teach.** An instructor with a postal service management license may teach postal service specific content in the postal service management program and may also teach postal specific courses throughout the technical college system.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have occupational experience in a classified United States Postal Service position as described in item A, B, or C.

A. 3,000 hours as a bargaining unit employee and 5,000 hours in an initial level supervisor position or above.

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The recency experience described in part 3700.0500, subpart 2, must be as an initial level supervisor or above.

B. 3,000 hours as a bargaining unit employee and 5,000 hours as a postal service training technician with sole training responsibility in an office of 200 or more employees. The recency experience described in part 3700.0500, subpart 2, must be as a postal service training technician with sole training responsibility in an office of 200 or more employees.

C. An associate degree in postal service management with 3,000 hours as a bargaining unit employee and 3,000 hours as an initial level supervisor or above. The recency experience described in part 3700.0500, subpart 2, must be as an initial level supervisor or above.

D. An associate degree in postal service management with 3,000 hours as a bargaining unit employee and 3,000 hours as a postal service training technician with sole responsibility in an office of 200 or more employees. The recency experience described in part 3700.0500, subpart 2, must be as a postal service training technician.

Subp. 4. **Substitution for recent occupational experience.** An applicant currently employed by the United States Postal Service may substitute teaching experience in postal service content in a postal service management program at an accredited postsecondary institution for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0150~~ 3700.0540 PREPARATION FOR SMALL BUSINESS OWNERSHIP.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** ~~An~~ The applicant must have 8,000 hours of ~~verified~~ occupational experience as a working proprietor or managerial level employee

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responsible for, and making decisions based on, sources and use of capital.

Subp. 4. **Substitution for occupational experience.** An The applicant may substitute the education described in item A, B, C, or D for up to 4,000 hours required under subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in marketing, business, or finance~~, or accounting~~ may be substituted for 4,000 hours.

B. An associate degree in ~~advertising, preparation for small business ownership, small business management, business marketing, accounting, retailing, fashion merchandising, hospitality management, manufacturing management, sales, finance, or insurance~~ business or marketing may be substituted for 2,000 hours.

C. A diploma in ~~advertising, fashion merchandising, professional and industrial sales, hotel, motel management, general merchandising and retail sales, business to business telemarketing, marketing management, preparation for small business ownership, small business management, international marketing, sporting goods sales and management, financial services marketing, supermarket marketing and management, and hardware and home center management~~ business or marketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses or clock hours for credit in business, or marketing~~, distributive education, finance, or accounting~~ may be substituted.

One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~Occupational recency substitution~~ Substitution for recent occupational experience. ~~Postsecondary~~ The applicant may substitute teaching experience in ~~small business management,~~

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primary program content at an accredited postsecondary institution or industrial setting in accounting, ~~practical business management, sales and marketing,~~ business management, ~~or~~ computer applications for small business management ~~may be substituted~~, and sales and marketing, for 1,500 of the 2,000 hours required under part ~~3709.0100~~ 3700.0500, subpart ~~1, item A~~ 2, if the teaching is done during the five-year period. Two hours of teaching equal one hour of occupational experience.

~~3709.0340~~ 3700.0545 PRODUCTIVITY TECHNICIAN/PRODUCTIVITY AND INVENTORY MANAGEMENT.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience as a manager, facilitator, or trainer in two or more of the following:

A. management/employee involvement (MEI);

B. statistical process control (SPC);

C. quality assurance or quality control systems (QAQC);

D. problem solving/decision making techniques;

E. just in time techniques (JIT); and

F. production and inventory control.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration or management, industrial engineering or management, economics, personnel management, organizational development, or marketing may be substituted for 4,000 hours.

B. An associate degree in production and inventory

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management, production technician, supervisory management, personnel management, manufacturing management, quality technician, business administration, or marketing management may be substituted for 2,000 hours.

C. A diploma in production and inventory management, productivity technician, supervisory management production technician, or marketing management may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit or seminars and workshops by professional organizations in transformation of American industry, manufacturing process, production and inventory management techniques, engineering drawings, quality assurance product development, work simplifications, organizational structure of business, material requirements planning, industrial master planning, capacity management, production activity management, inventory management, employee involvement, statistical process, problem solving, or socio-economic systems may be substituted. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~Occupational recency substitution~~ Substitution for recent occupational experience. The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution, ~~or at an~~ industrial or military setting ~~may be substituted~~ for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0100, subpart ~~1, item A~~ 2, if the teaching is done during this five-year period. The teaching must be in production and inventory management, productivity technician, supervisory management, statistical process control, quality assurance or quality control systems, participation management/employee involvement process, problem solving/decision making techniques, just in time techniques, or

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production/inventory control. Two hours of teaching equal one hour of occupational experience.

3700.0550 RETAIL MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a retail management license may teach the retail management program, marketing careers core, courses in the marketing area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) inventory planning and control;

(3) marketing research fundamentals;

(4) principles of management;

(5) retail buying;

(6) retail principles;

(7) retail trends;

(8) sales promotion and advertising;

(9) store layout and presentations;

(10) store operations;

(11) supervision fundamentals;

(12) telemarketing fundamentals; and

(13) visual merchandising.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

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C. promotion or advertising with intent to sell the product or service; and

D. business operations planning and forecasting analysis.

The remaining 2,000 hours must include the recency requirement in part 3700.0500, subpart 2, and be in retail sales and management with direct responsibility in the following areas: inventory control dollar and unit, merchandise pricing, layout of selling floor, retail financial applications, taking inventory, and retail sales.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in marketing, business administration, business management, merchandising, retailing, or distributive education may be substituted for 4,000 hours.

B. An associate degree in marketing, management, merchandising, telemarketing, or sales may be substituted for 2,000 hours.

C. A diploma or certificate in sales, marketing, merchandising, management, or telemarketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in sales, marketing, merchandising, management, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or

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industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. This teaching experience must be in retail sales and management. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0555 SALES MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a sales management license may teach the sales management program, marketing careers core, courses in the marketing area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self-development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) marketing research fundamentals;

(3) negotiation sales;

(4) principles of management;

(5) sales management;

(6) sales promotion and advertising;

(7) sales record management;

(8) supervision fundamentals;

(9) telemarketing fundamentals;

(10) territory management;

(11) visual merchandising; and

(12) wholesale buying and selling techniques.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

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B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning, forecasting, and analysis.

The remaining 2,000 hours must include the recency requirement in part 3700.0500, subpart 2, and be in a nonretail store environment, industrial or institutional setting in multilevel marketing or telemarketing sales. The activities must include three of the following: individual or group sales, territory management, trade show presentation, bid and proposal writing, sales contract negotiations, account management, and sales and personal records management. A way to partially substitute for these hours is described in subpart 5.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration, business management, distributive education, marketing, merchandising, or retailing may be substituted for 4,000 hours.

B. An associate degree in management, marketing, merchandising, sales, or telemarketing may be substituted for 2,000 hours.

C. A diploma or certificate in management, marketing, merchandising, sales, or telemarketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in management, marketing, merchandising, sales, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of

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occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in sales representation, sales management, or wholesale and industrial sales. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0320~~ 3700.0560 SUPERVISORY MANAGEMENT.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience in a managerial level position including but not limited to budget development or control, employee selection and supervision, employee performance appraisal and evaluation, and assessment of employee training needs.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business, marketing, or management may be substituted for 4,000 hours.

B. An associate degree in business, management, or marketing may be substituted for 2,000 hours.

C. A diploma in supervision or management programs. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

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D. The completion of courses for credit or clock hours for credit in business administration, business management, finance, human resource management, accounting, training and development, supervisory management, manufacturing management, and productivity and management. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~Occupational recency substitution~~ Substitution for recent occupational experience. The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting may be substituted for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0500, subpart ~~17 item A~~ 2, if the teaching is done during this five-year period. The teaching must be in management programs or courses that include supervision or management content. Two hours of teaching equal one hour of occupational experience.

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NEED AND REASONABLENESS

MINNESOTA STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

Statement of Need and Reasonableness
for licensure of Postsecondary
Technical College Personnel in
Marketing Occupations.

Revision of Marketing Occupational licenses in:

3700.0530 FASHION MANAGEMENT
3700.0550 RETAIL MANAGEMENT
3700.0555 SALES MANAGEMENT

New Venture Marketing Program licenses in:

3700.0520 CUSTOMER SERVICE
3700.0535 POSTAL SERVICE MANAGEMENT

Minor editorial modifications and rule number changes in:

3700.0515 COMPUTERIZING SMALL BUSINESS
3700.0525 ELECTRONIC SERVICE/SALES REPRESENTATIVE
3700.0540 PREPARATION FOR SMALL BUSINESS OWNERSHIP
3700.0545 PRODUCTIVITY TECHNICIAN/PRODUCTIVITY AND INTENTORY MANAGEMENT
3700.0560 SUPERVISORY MANAGEMENT

The statutory authority for the State Board of Vocational Technical Education to promulgate these rules is contained in Minnesota Statutes section 136C.04, subd. 9 which states:

Licensure. The State Board may promulgate rules, according to the provisions of Chapter 14, for licensure of teaching, support, and supervisory personnel in postsecondary and adult vocational education. The State Board may adopt licensure rules according to Sections 14.29 to 14.36 when necessary for continuous programs approved by the Board and when the Board determines appropriate licensure standards do not exist.

BACKGROUND INFORMATION

3700.0400 Marketing occupational licensure rules represented here focus on three processes. For the purpose of clarification each process will be defined here.

1. New Venture Program Licenses

The State Board of Vocational Technical Education evaluates and approves initial and annual program applications according to the State Board of Education rules 3505.6100 to 3505.6400. Approximately ten to fifteen new venture programs receive approval annually. A new venture program is one which has not been previously offered within the technical institute system and represents an entirely new program to be delivered. The Office of the Attorney General advised the State Board of Vocational Technical Education that the emergency rulemaking power of the Board according to sections 14.29 to 14.36 no longer was in effect. The Board, therefore, is using the permanent rule process for new venture programs since no appropriate licenses for these categories exist. The new venture programs represented in this statement are:

3700.0520 CUSTOMER SERVICE
3700.0535 POSTAL SERVICE MANAGEMENT

A notice of Intent to Solicit Outside Opinion Regarding the Proposed Rule for Licensure of Postal Service Management and Customer Service instructors was published in the State Register on October 9, 1989. A resolution to authorize rule development was passed by the State Board of Vocational Technical Education on October 10, 1989.

2. Revision of Existing Licenses

The State Board of Vocational Technical Education determined a need to revise postsecondary and extension vocational education licenses for instructors and support staff. A review of existing rules suggested the licensure rules needed clarification for the benefit of existing parties. The rules had not been revised for over ten years. The majority of the issues identified were related to interpretation of the terms: relevant education, relevant occupational experience, and vague or nonexistent course requirements. In addition, the technical college system is undergoing a major restructuring of programs. The restructuring effort structures programs into individual courses and identifies the course into credit hours. The State program specialists are also in the process of initiating, organizing and implementing state curriculum guides for all programs in the Technical College System. These activities have produced an added incentive for licensure revision due to the fact existing licenses restrict an instructor to remain within their program area only, thus limiting him or her from teaching a particular area of expertise to anyone other than a student within that particular program.

The licenses which are revised from 3515 rule to 3700 rule are as follows:

3700.0530. FASHION MANAGEMENT
3700.0550. RETAIL MANAGEMENT
3700.0555. SALES MANAGEMENT

A Notice of Intent to Solicit Outside Opinion was published in the State Register on December 8th, 1988, and Authorization from the State Board of Vocational Technical Education was received on December 13th, 1988, for the purpose of rule development in Marketing Occupations.

3. Editorial and minor rule modification.

New venture programs were developed and placed in a temporary rule number until permanent occupational block licensure revision began. The temporary rule number is 3709. The following licenses in the marketing occupational areas will be moved to the permanent marketing occupational rule numbers of 3700.0500. The language changes are editorial and represent the format used in the permanent revisions.

3700.0510 BUSINESS TO BUSINESS TELEMARKETING
3700.0525 ELECTRONIC SERVICE/SALES REPRESENTATIVE
3700.0540 PREPARATION FOR SMALL BUSINESS OWNERSHIP
3700.0545 PRODUCTIVITY TECHNICIAN/PRODUCTIVITY AND INVENTORY MANAGEMENT.
3700.0560 SUPERVISORY MANAGEMENT

The Notice of Intent to Solicit Outside Opinion was published in the State Register on December 5th, 1988, and Authorization from the State Board of Vocational Technical Education to begin the rule process was received on December 13th, 1989.

GENERAL INFORMATION

The formal rule revision occurs through a process which involves a general advisory committee. Representatives from licensed postsecondary administrators, supervisory staff, vocational instructors and support staff, and finally licensure staff from the State Board of Vocational Technical Education serve in an ex-officio status. This committee formulates general licensure guidelines and procedures for selecting individuals to serve on a specific committee. This committee then reviews and makes recommendations on the final licensure draft. As the restructuring effort on a program is completed and state guides are prepared the licensure revision for that specific area is started.

General Licensure Information

The proposed permanent rules follow the precedent set by the revised agricultural instructor requirements adopted September 12, 1987, the revised business and office rules adopted February 6, 1988, and administrative licenses adopted on November 26, 1988. There are four major changes within the previous revisions and reflected within these revisions.

1. Crossover areas. The crossover areas compliment the technical college system program restructuring. This effort converts programs to courses and then courses to credits. Thus the license allows the holder to teach a particular program and specified courses in any program throughout the college. The

courses listed as crossovers are reasonable since they are a result of the expertise acquired via the occupational and/or educational experiences specifically required of the license holder. This is needed to remove an artificial barrier which, in the past, allowed the individual to teach only within a program. This makes it possible to implement the restructured programs with appropriately credentialed staff, allowing an instructor to teach specific courses anywhere within a college.

2. Occupational experience requirements. The occupational experience requirement identifies the job titles which will be accepted to meet licensure requirements. This specificity is needed to provide both the applicant and the hiring authority with information which will be used in making application for the license. The occupational experience requirements are reasonable because they are conceptually and functionally represented in the education programs and in the occupations for which the programs prepare individuals. There is also an increase in the total number of occupational hours from current rule of 6000 hours to revised rule of 8000 hours. This is reasonable since credit is given for educational experiences which relate directly to the occupation in question. In addition, credit will be given for teaching experience as it relates directly to the occupation being taught. Since these substitutions allow for a total of 4000 hours of occupational experience, the increase to 8000 hours is reasonable. In addition, the increase to 8000 hours represents only a total of one year. Since the crossover areas require more specificity required to teach individual courses throughout the college, a greater depth and breadth of knowledge is required which is represented in the additional year of experience or education.

3. Recent occupational experience. There is an increase in recent occupational experience form "500 to 1000 hours in the last five years" to "2000 hours in the last five years". This increase is necessary so that individuals teaching programs and courses are knowledgeable about technical, economic and industrial changes as they relate to their specific occupational field. It is reasonable since it allows a five year time frame in which to acquire one year or 2000 hours of occupational experience. It would be possible, therefore, to obtain the total 2000 hours by working only four summers.

4. Substitution for occupational experience. This subpart is necessary as a means of allowing teachers to expand into new, modified or restructured programs which reflect both new content area and existing content. The utilization of teaching experience in specified programs assures that only teaching experience which is conceptually related to the new, modified, or restructured program is allowed as a substitute for recent occupational experience. This recognizes specific knowledge not in current programs as applicable to new programs which contain a major portion of the same or similar content. 500 hours of recent occupational experience is still retained for the new licensure area to assure up-to-date industrial exposure to the occupation. This amount is reasonable because it can be obtained over five years and is only 12 1/2 weeks.

3700.0500 LICENSES IN THE MARKETING OCCUPATIONAL AREA

Subpart 1. Listed Here. This subpart informs the applicant of the requirements which must be met for an instructor seeking licensure under rules 3700.0500. It also refers to 3700.0100 which contains the general licensure requirements for all instructors in the Technical Institute System.

Subpart 2. Recent Occupational Experience. Indicates to the applicant the total number of occupational recency hours required within the five years preceding the application for licensure.

Subpart 3. Does Not Apply. Repeals existing 3515 charts for the specified 3700.0500 rules and specific 3515 rules which conflict with the revised rules now numbered 3700.

3700.0510 to 3700.0560 Specific Licensure requirements. Specifies for the applicant specific authorization and requirements for each individual license.

Subpart 1. May Teach. Lists programs and courses which license holder may teach.

Subpart 2. Other Requirements. Refers to the other requirements an applicant must meet for licensure as referred to above.

Subpart 3. Occupational Experience Requirement. Specifies number of hours and specific occupational areas acceptable for instructor licensure in the specific occupational program.

Subpart 4. Substitutions for Occupational Experience. Degrees, diplomas, or coursework is identified which enables the applicant to substitute specific educational experience for a designated number of occupational hours.

Subpart 5. Substitution for Recent Occupational Experience. Identifies relevant current teaching experience which can substitute for a portion of the recency requirement of 3700.0500, subpart 2.

The 3700.0500 rules will be implemented using current processes and should not incur additional expense.

SPECIFIC LICENSURE REQUIREMENTS

License Revision

3700.0530 FASHION MANAGEMENT

Subpart 1. May teach. The experience as required in subpart 3 is the basis for the teaching authorization of this subpart. Since the experience as described is essentially the same in the Retail Management program, this program is also authorized for instruction under this license. The marketing career core is common to all marketing areas which includes the Fashion

Management program. The other areas of crossover are the fashion specific content and specific crossover areas to other marketing programs and finally other vocational programs. Items A through E are limited to crossover in the marketing occupational area only. Interpersonal relations, human resource management, applied oral communications, professional self development, business ethics and legal issues are topics which within the realm of marketing differ considerably from the area of health, trade and industry or other occupational areas. The profit motive in marketing necessitates a different aspect of interpersonal relationships for example then that which might be found in a human service area such as nursing. It therefore is necessary to restrict items A to E to the marketing areas only. Items 1 through 11 are items unique to the marketing area and deal primarily with marketing, retail, sales and basic supervision principles. The experience as listed in subpart 3 allows the applicant the experience which should give them the basis for this content. This experience will be described in detail under subpart 3.

3700.0550 RETAIL MANAGEMENT

Subpart 1. May teach. The crossover areas in Retail Management are essentially the same as in Fashion Management and for the rationale as described above. The exceptions are the lack of crossover in the Fashion Management program in total and the crossover in fashion specific content. While fashion merchandising is retail it does not follow that retail is necessarily fashion. In fact the retail experience may be in any retail area. For example hardware, paint, etc. While the business and marketing principles are essentially the same the application to fashion necessary for the fashion program would not be there. Therefore, it is necessary and reasonable to restrict this crossover area to the general retail content.

3700.0555 SALES MANAGEMENT

Subpart 1. May teach. This license also allows crossover in the marketing careers core, specific marketing occupational content and content for other occupational areas within the technical college system. The rationale for the crossover is listed under Fashion Management, subpart 1 in this statement. These programs are programs which teach professional selling skills for the purpose of selling products or services to other business-industrial people as well as non-profit and social service organizations and agencies. For this reason this individual may not have retail experience. Therefore it is necessary to eliminate all fashion or retail crossover areas from this license. However, due to the specific hours of experience required in a nonretail setting in multilevel marketing sales, which include time and territory management, trade show presentation, bid and proposal writing, sales contract negotiations, account management, and sales and personal records it is reasonable to allow this instructor to crossover in the specific content area. These areas are territory management, record management, negotiation sales, and wholesale buying techniques.

Subpart 2. Other requirements. This subpart informs the applicant of other rule numbers which contain criteria of significance. In this instance this rule refers to current licensure criteria standard for all applicants. There is no change in this criteria.

Subpart 3. Occupational experience requirement. The first portion of this subpart, Items A to D are common to all three of the revised licenses. Therefore, this need and rationale will apply to Retail, Fashion and Sales Management. The experience which is unique to each license will be so stated. There is a common knowledge and experience base to which all sales and marketing programs look for expertise. This base includes product presentation, supervision of human resources, advertising and actual business operations. All three programs require principles of marketing, sales techniques, business operations, supervision fundamentals, inventory planning, and merchandising. The activities as listed requirements relate directly to the base content knowledge for the marketing careers programs. Product and/or customer service presentation sales: principles of marketing, sales techniques, and merchandising. Supervision/management of human resources, and store or business operations: business operations, and supervision fundamentals. Promotion or advertising with intent to sell the product or service: sales techniques and merchandising. Business operations planning, forecasting, and analysis: business operations, inventory planning and merchandising. These are the broad areas of content and do not contain each specific course which addresses these issues within all the programs. It is necessary therefore to have instructors with this base of knowledge to teach the foundation content. It is a reasonable requirement since marketing is a widely available field and the experiences as listed would frequently be acquired in complement to each other. The ratio of total hours as required are the same as previously revised licenses and there is no change in this ratio. The total hours of this part of the experience is 6000 hours. An additional 2000 hours to make up the required 8000 will be required in the specificity of the program.

Specific Occupational Experiences.

3700.0530 FASHION MANAGEMENT.

Subp.3. Occupational experience requirement.

2000 hours of the total experience must be fashion specific retail experience. This is necessary since a portion of this program has fashion specific application. The content is in fashion orientation, fashion marketing, fashion trend and fashion show production. Although the general retail experience is applicable some fashion experience is necessary to teach the 9 fashion specific credits. 2000 hours or 1 year of experience is a reasonable amount of time since it represents only one fourth of the total experience.

3700.0550 RETAIL MANAGEMENT

2000 hours of the experience must be retail specific since this marketing program is retail focused. It is not reasonable to specify the specific retail area since there are so many applications of retail sales. To assure the applications would be broad enough to encompass the retail content of the program the activities included inventory, pricing, floor layout, and retail sales. Unlike fashion the retail setting was not specified so as to allow all retail experience which meets the criteria to qualify. This is reasonable since the principles are the same and only the applications may vary.

3700.0555 SALES MANAGEMENT

Subpart 3. Occupational experience requirement. Since this program deals with wholesale and business sales it is necessary to have the experience specific to this field to teach the content which would not be part of a retail program. The content of this program includes territory management, negotiation sales, and wholesale buying and selling techniques. In order to have the skills and knowledge to instruct in this area it is reasonable to require a minimum of 2000 hours of business to business sales which would contain the experiences necessary to have this knowledge base. The multilevel marketing experience is a process whereby no middle person is involved. The distributors sell the product and create more networks. The experiences must be in a non-retail setting to assure the activities of territory management, trade shows, bid and proposal writing and sales contract negotiations are part of the knowledge base of the applicant. This base is needed to teach the unique aspect of wholesale and professional sales not in the retail programs and is therefore reasonable.

Subpart 4. Substitution for occupational experience. The substitutions allowed for occupational experience are the same for all three revised licenses. This is reasonable since the substitutions are only for the 6000 hours of common experience for all three licenses. There is no substitution for the experiences which are unique to each program. The substitution ratio is the same as for previously revised licenses. There is no change in these ratios. The degrees, diplomas and courses allowed are in business administration, business management, accounting, entrepreneurship, microcomputer sales and service, small business ownership, computerizing small business or in specific courses which are in the primary program content of these studies. The areas were chosen for their direct applicability to core content, specific sales and marketing content, business application and accounting and record keeping skills. These are therefore reasonable substitutions.

Subpart 5. Substitution for recent occupational experience. The substitutions allowed are the same for all three revised marketing licenses and are allowed only in the 6000 hours of experience common to all three licenses. It is therefore reasonable to allow the same substitution for all three licenses. The substitutions follow the precedent and ratio set by previously revised licenses and there is no change in this ratio. The experiences allowed are only in primary program content in specific teaching areas directly related to core and common

program content. It is reasonable to assume an applicant would have recent experiences by virtue of advisory committee contact, business and industrial visits and up to date computer and office equipment. In addition the ratio requires two hours of teaching for one hour of occupational experience and requires at least 500 hours of actual working recency. This is therefore a reasonable substitution.

NEW VENTURE PROGRAMS

3700.0520 CUSTOMER SERVICE

Subpart 1. May teach. The only content which the customer service instructor may teach is customer service specific. This is a reasonable limitation since the experience required in subpart 3 is only within the customer service area and an applicant may not have the skills and knowledge required to teach any other content.

Subpart 2. Other requirements. Refers to existing rule requirements an applicant must meet. There are no changes in this subpart.

Subpart 3. Occupational experience requirement. The applicant is required to have 8000 hours with a minimum of 4000 at a supervisory level. The experiences as described are customer specific. To teach the program content of consumer behavior, credit and collections, customer service technology and proactive activities as well as handle the data equipment necessary for implementing good customer service the activities which may best give an applicant that experience are described. The supervisory experience is mandated at a higher level to assure the applicant will have experienced the full operations of a customer service department or agency. Customer satisfaction is the primary outcome of a good employee and a supervisory level individual would be in a position to assess that outcome. Therefore it is reasonable to require some of the experience at this level. The range of activities as listed represent the breadth and depth required to teach the total customer service content in this program.

Subpart 4. Substitution for occupational experience. The substitutions allowed in this subpart follow the precedent and ratio of previously revised licenses. There is no change in these ratios. The degrees, diplomas, and courses in marketing, management, business, supervision or customer service are chosen for the content which is similar or the same as offered within the customer service program and are therefore reasonable substitutions.

Subpart 5. Substitution for recent occupational experience.

This subpart follows the precedent and ratio set by previously revised licenses. There is no change in this ratio. The substitution allowed is only in customer service and is reasonable by virtue of an applicant's exposure to advisory committees and business and industrial visits. There is no

substitution for 500 hours of recent occupational experience to assure a minimum of recency in the work world. This experience can be obtained in only one summer and is therefore reasonable.

3700.0535 POSTAL SERVICE MANAGEMENT

Subpart 1. May Teach. This license will allow the individual to teach in postal service content within the postal service management program and postal service courses to other programs which may have a need for that content. This is a reasonable crossover authorization by virtue of the total 8000 hours of experience as described in subp. 3.

Subpart 2. Listed here. Refers to the general requirements as specified in 3700.0100.

Subpart 3. Occupational experience requirement. Individuals graduating from this program are expected to have a base knowledge of postal service and the beginning capabilities of management in the U. S. Postal Service. Items A, B, and C all allow 3000 of the hours to be as a bargaining unit employee. An initial employee of the postal service would begin at this level. The bargaining units referred to are clearly classified as CRAFT: maintenance, clerk, and carrier, and training technician. Since management in the service implies supervision of bargaining unit employees it is reasonable to allow a portion of the occupational experience to be at that level.

5000 hours is described in item A as supervisory level or above. The positions are classified at this level and above as initial level supervisor, support management, administrative management and Postmaster General. The content in this program includes employee service, labor relations, postal economics, finance and problem analysis. Bargaining unit employees would not have this level of service in their position and it is therefore reasonable to require this level of experience.

Item B allows a bargaining unit employee at the level of training technician responsible for training in an office of 200 or more employees. This is a reasonable option since a training technician in an office environment of that size will encompass many of the activities associated with supervision. Whereas a smaller operation may train only one classification of employee a larger operation would be responsible for all of the CRAFT classification. This involves a broader and more complex responsibility which includes record maintenance, training, supervision, and possible termination of postal service employee candidates. This individual has the authority to do the assessment and evaluation of these individuals.

Item C allows an applicant to acquire this license with a combination of education and occupational experience. The education if given the equivalency of 2000 hours of occupational experience is set in precedence by previously revised rules. There is no change in this ratio. The substitution is only allowed with postal service management which is reasonable since that is the exact content to be taught in the program. The

occupational experience substituted for a portion of the management level experience since the focus of this program is postal service management. This is therefore a reasonable substitution.

Subp. 4. Substitution for recent occupational experience. The substitutions allowed in this subpart are the same ratio as allowed in previously revised licenses. There is no change in this ratio. The only substitutions allowed are in postal service management education. The individual teaching in postal service management would be cognizant of current postal service training and methods due to the constant interaction with the advisory committees and field training. Therefore this is a reasonable substitution.

MODIFICATIONS OF EXISTING MARKETING LICENSES

3700.0515 (3709.0330) COMPUTERIZING SMALL BUSINESS
3700.0525 (3709.0110) ELECTRONIC SERVICE/SALES REPRESENTATIVE
3700.0540 (3709.0150) PREPARATION FOR SMALL BUSINESS OWNERSHIP
3700.0545 (3709.0340) PRODUCTIVITY TECHNICIAN/PRODUCTIVITY AND INVENTORY MANAGEMENT
3700.0560 (3709.0320 SUPERVISORY MANAGEMENT

These licenses were originally adopted under rule numbers 3709. and are now changed to 3700. 3700.0500 represents the revised Marketing area licenses.

Subp. 2. Other requirements. The only changes in this subpart are the references to the appropriate new rule numbers and modification of the text to correspond to the 3700 rule. There are no substantive changes in this subpart.

Subp 3. Occupational experience requirement. The changes represented here are editorial in context and represent no significant change in the license. These changes correspond to the permanently revised licenses now in rule. There are no significant changes.

Subp 4. Substitution for occupational experience. The changes represented here include addition of the word "major" to more accurate describe an academic credential and the addition of programs to correspond to credits so as to compliment the Technical College restructuring. These changes are already in place for revised licenses and there are no substantial changes.

Subp. 5. Substitution for occupational recency. The changes here are editorial in nature to correspond to existing revised rules . There are no significant changes.

In the Matter of the Proposed Adoption of the Rule of the State of Minnesota, State Board of Vocational Technical Education Governing Licensure Criteria: Postsecondary Vocational Technical Education, Minnesota Rules for Licensure Fees, Voluntary Surrender of Licenses and Letters of Approval; Marketing

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

STATE OF MINNESOTA]
] ss.
COUNTY OF RAMSEY]

LeAnn R. VanDorsten, being sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the State Board of Vocational Technical Education rulemaking mailing list is accurate, complete and current as of the 22nd day of March, 1990.

That on the 22nd ~~th~~ day of March, 1990, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt A Rule Without a Public Hearing for 3700.0140, 3700.0150, 3700.0155 Licensure Fees, Voluntary Surrender of Licenses and Letters of Approval and 3700.0510 to 3700.0560 Marketing Rules by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

LeAnn R. VanDorsten
[Name]

Executive I
[Title]

Subscribed and sworn to before me
this 18 day of May, 1990.

Barbara M. Peterson

9920MKTF

BARBARA M. PETERSON
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNY
My Commission Expires Oct. 21, 1991

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL - Bremer

STATE OF MINNESOTA

Office Memorandum

DATE : May 16, 1990

TO : GEORGIA POMROY
License Revision Specialist
State Board of Vocational Technical Education

FROM : CHARLES T. MOTTL CTM
Assistant Attorney General

PHONE : 296-3854

SUBJECT : MARKETING OCCUPATIONS LICENSURE RULES 3700.0500 TO 3700.0560

Pursuant to your request, I have reviewed the above-entitled rules and am not able to approve them for the following reason.

The dates inserted on the Affidavit of Mailing the Notice of Intent to Adopt a Rule without a Public Hearing and Certificate of Mailing List do not properly reflect that which is required in the promulgation of a rule. The suggested form, which was used by your office, intends that the certification, mailing and notarization of the document all occur on the same date. In the case of these rules, it appears that the mailing actually took place on March 22, 1990 while the affidavit was prepared on the following day, March 23, 1990. As prepared, the Affidavit suggests that while the mailing list was accurate, complete and current as of the day following the mailing, there is no certification that the list was accurate, complete and current as of March 22, 1990, the actual date of mailing.

You should be able to correct the above-referenced deficiency as follows. First, amend the last line of the certification paragraph so that it reads:

complete and current as of the 22nd day of March, 1990.

Note that I have substituted the word "the" for "this" and substituted the date of mailing (March 22) for the date of notarization (March 23). Second, the second paragraph dealing with the mailing of the notice may remain as it is. Third, the notarization should read the date on which the mailer, Cindy Sklenar, signs and the notary notarizes.

If you have any questions regarding the foregoing, please feel free to contact me.

CTM/smo/.DJ5
Attachments

DP's copy

In the Matter of the Proposed Adoption of the Rule of the State of Minnesota, State Board of Vocational Technical Education Governing Licensure Criteria: Postsecondary Vocational Technical Education, Minnesota Rules for Licensure Fees, Voluntary Surrender of Licenses and Letters of Approval; Marketing

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

STATE OF MINNESOTA]
] ss.
COUNTY OF RAMSEY]

Cindy Sklenar, Administrative Support, being sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the State Board of Vocational Technical Education rulemaking mailing list is accurate, complete and current as of this 23rd ~~xx~~ day of March, 1990.
The 22nd

That on the 22nd ~~xx~~ day of March, 1990, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt A Rule Without a Public Hearing for 3700.0140, 3700.0150, 3700.0155 Licensure Fees, Voluntary Surrender of Licenses and Letters of Approval and 3700.0510 to 3700.0560 Marketing Rules by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Cindy Sklenar
[Name]

Admin. Support
[Title]

Subscribed and sworn to before me
this 23rd day of March, 1990.

Caroline E. Wisniewski

9920MKTF

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

Mailing List for Licensure Fees, Voluntary Surrender, and Letters of Approval and Marketing

March 20, 1990

1.	Directors	36
2.	Assistant Directors	63
3.	Adult Extension Directors	25
4.	Permanent Rule Making Mailing List (see attached)	83
5.	General Advisory Committee (see attached)	22
6.	Cabinet and Education Specialists (see attached list with addressees marked in pink)	40
7.	Special committee members for marketing	14
		283

John Banks
Rochester Public Schools
615 SW Seventh Street
Rochester, MN 55092

Lydell Taylor
St. Cloud Area Learning Center
309 North 12 Street
St. Cloud, MN 55301

Thomas R. Braun
Internship Director
101 Headley Hall
St. Cloud State University
St. Cloud, MN 56301

Gary R. Callister
Northfield High School
1400 South Division Street
Northfield, MN 55057

William H. Kemp
College of Industry
St. Cloud State University
St. Cloud, MN 56301

Gary Engberg
Northeast Metro TC
3300 Century Avenue North
White Bear Lake, MN 55110

William R. Lundell
456 W. Bay View Drive
Roseville, MN 55113

William R. Force
14445 Diamond Path
Rosemount, MN 55068

Stephanie Meinke
Farmington High School
800 Denmark Avenue
Farmington, MN 55024

James W. Hinck, Director
Carver-Scott Cooperative Ctr
401 East Fourth Street
Chaska, MN 55318

Cliff Helling
ISD #281
4701 Zealand Avenue North
New Hope, MN 55428

Clinton C. Kasma
Hopkins School District #270
1001 Highway 7
Hopkins, MN 55343

Donna Barnes
Executive Director
Minnesota Vocational Assoc.
3554 White Bear Avenue
White Bear Lake, MN 55110

Linda Zahradka
Northeast Metro TC
3300 Century Avenue North
White Bear Lake, MN 55110

Mary W. Hallquist
Home Economics Department
Concordia College
Moorhead, MN 56560

Rolf W. Parsons Returned
Northeast Metro TC NOT at this add.
3300 Century Avenue North
White Bear Lake, MN 55110

June C. Roos
St. Cloud Technical College
1540 Northway Drive
St. Cloud, MN 56301

Rollie Boldt
Thief River Falls TC
Highway One East
Thief River Falls, MN 56701

Karen O'Brien, Director
Dakota Co. Vocational Center
1300 - 145 Street East
Rosemount, MN 55068

Ron McKeever
Dakota Co. TC
1300 - 145 Street East
Rosemount, MN 55068

Ronald J. Rubado, Director
Tri-County Co-op Center
Box 657
Grand Rapids, MN 55744

Lynn Steenblock
NISWI-NAYAWSHING Co-op Center
S. 13 Street & William
Montevideo, MN 56265

George VonDrashek
IDS 622
2055 E. Larpenteur Avenue
Maplewood, MN 55109

Ralph Miller
Martin County Vocational Ctr
900 Johnson Street
Fairmont, MN 56031

William Scherer
675 Southview Drive
Hutchinson, MN 55350

Gary McLean
University of Minnesota
420 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Carl Montzka, Director
South Central Vocational Ctr
304 North Main
Blue Earth, MN 56013

Cliff Wiklund, Director
Duluth Vocational Education
Lake Avenue & Second Street
Duluth, MN 55802

Cathryn Odden
Control Data
8100 - 34 Avenue South
Minneapolis, MN 55440

Wade T. Swenson
Dept. of Industrial Studies
Moorhead State University
Moorhead, MN 56560

LeRoy G. Mackove
Superintendent
Osakis Public Schools
Osakis, MN 56360

Vernon A. Nordaune
Austin Public Schools
301 Third Street NW
Austin, MN 55912

Sister Johnetta Maher
College of St. Scholastica
1200 Kenwood Avenue
Duluth, MN 55811

Loretta Wolthuis
Home Economics Department
Mankato State University
Mankato, MN 56001

Glenn Cleveland
Burnsville High School
600 East Highway 13
Burnsville, MN 55337

Lynn Salisbury, Director
Oak Lane Vocational Center
430 NW Eighth Street
Cambridge, MN 55008

Dean Rolfs
Minneapolis Public Schools
807 Northeast Broadway
Minneapolis, MN 55413-2398

Marilou Henderlite
Mahtomedi High School
8000 - 75 Street North
St. Paul, MN 55115

Ilene Olson
Box 104
Rush City, MN 55069

Anthony J. Stauber
ISD #709
Lake Avenue & Second Street
Duluth, MN 55811

Edgar Persons
University of Minnesota
320 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Jerome Moss, Jr.
University of Minnesota
425 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

David J. Pucel
University of Minnesota
R460 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Charles Hopkins
University of Minnesota
420 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Judith Lambrecht
University of Minnesota
420 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

David C. Bjorkquist
University of Minnesota
425 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Shirley Davis
Esko Public Schools
ISD #99
Esko, MN 55733

Stephen Miletich
University of Minnesota
425 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Richard Swanson
University of Minnesota
425 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Sandi Emmerson
University of Minnesota
425 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Vernon A. Schultz, Supervisor
Special Education
St. Paul Schools
360 Colborne Street
St. Paul, MN 55102

Martin L. Snoke
University of Minnesota
139 Burton Hall
178 Pillsbury Drive
Minneapolis, MN 55455

Jim Mills, Coordinator
High School Vocational Ctr
Hutchinson, MN 55350

Robert Hall
Staples TC
Airport Road
Staples, MN 56479

Roger Lindroos, Director
Leaf River Valley Co-op
Box 644
Wadena, MN 56482

Ray Colvin
Mankato State University
Box 51
Mankato, MN 56001

Leo D. Morgan, Sr.
Winona State University
Winona, MN 55987

Roland Peterson
University of Minnesota
320 Vo Tech Building
1954 Buford Avenue
St. Paul, MN 55108

Doris Frace
Bloomington Education Centers
8900 Portland Avenue South
Bloomington, MN 55420

Jim Gregar
Mankato State University
Box 51
Mankato, MN 56001

Phillip L. Tenney
MN Assoc of Secondary School Principals
1910 W. County Road B, #109
Roseville, MN 55113

Kenneth V. Bresin
Minnesota Education Assoc
41 Sherburne Avenue
St. Paul, MN 55103

David W. Carroll
Staples TC
Airport Road
Staples, MN 56479

William J. Lacroix
Headley Hall 205
St. Cloud State University
St. Cloud, MN 56301

Alan L. Fletcher
ISD 916
3300 Century Avenue North
White Bear Lake, MN 55110

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

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

Fran Dexter
Business Education Dept
Moorhead State University
Box 241
Moorhead, MN 56560

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

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

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

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

Darrell J. Bormann
Faribault Senior High School
3300 Southwest Ninth Avenue
Faribault, MN 55021

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

Murray Turner, Director
Pine to Prairie Co-op Center
Red Lake Falls, MN 55092

Joleen Durken
732 Capitol Square Building
INTER OFFICE

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

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

Lynn Falk
Bemidji State University
Hickory Hall 25
1500 Birchmont Drive
Bemidji, MN 56601-2699

David Hamilton
Bemidji State University
Hickory Hall 24
1500 Birchmont Drive
Bemidji, MN 56601-2699

Stanley Sjodahl
Finlayson Independent School
6495 Lake Street
Finlayson, MN 55735

David R. Johnson
University of Minneosta
Pattee Hall - Room 6
150 Pillsbury Drive SE
Minneapolis, MN 55455

Paul Buzay
Anoka Technical College
1355 West Highway 10
Anoka, MN 55303

GENERAL ADVISORY COMMITTEE

(Licensure)

7/17/89
~~3/24/88~~

Rose Andersen
Moorhead Technical Institute
1900 - 28 Avenue South
Moorhead, MN 56560

Darlene Anderson
Anoka-Ramsey Community College
11200 Mississippi Blvd. NW
Coon Rapids, MN 55433

Bill Ardren
Industrial & Technical Study
University of Minnesota
Duluth, MN 55812

Chuck Dettmann
Northwestern Electronics
825 - 41 Avenue NE
Columbia Heights, MN 55421

Charles Devore
Northeast Metro Technical Inst.
3300 Century Avenue
White Bear Lake, MN 55110

Jan Wilson
Rochester Technical Institute
1926 Second Street SE
Rochester, MN 55904

Dewain Englund
Southwest Technical Institute
1011 First Street West
Canby, MN 56220

Kevin Kopischke
Brainerd Technical Institute
300 Quince Street
Brainerd, MN 56401

Craig Froke, Asst Director
Instructional Service Section
Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

Sharon Grossbach, Asst Dir
Instructional & Student Supp
Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

Helen Henrie
Deputy Director
Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

Joe Hobson
Pine City Public Schools
605 Sixth Street
Pine City, MN 55063

Gene Jereczek
Hennepin Technical Institute
1820 North Xenium Lane
Plymouth, MN 55441

Mel Johnson, Asst Director
Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

Marge Kirchhoff
Austin Technical Institute
1900 NW Eighth Avenue
Austin, MN 55912

Del Finch
Mankato Technical Institute
1920 Lee Boulevard
Mankato, MN 56001

Dan Kocer
Mankato Technical Institute
1920 Lee Boulevard
Mankato, MN 56001

Dennis Lescher
Northeast Metro Technical Inst.
3300 Century Avenue
White Bear Lake, MN 55110

Robert Madson, Asst Dir
Institutional Support Section
130 Capitol Square Building
550 Cedar Street
St. Paul, MN 55102

John Mercer, Exec Dir
State Council on Vo Tech Ed
17 Exchange St. W., #407
St. Paul, MN 55102-1035

Glenda Moyers
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

John Ostrem, Asst Director
Budget & Informational Services
Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

Georgia Pomroy
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

Dick Pooley
Southwest Technical Institutes
Highway 212 West
Granite Falls, MN 56241

Bob Poupore
Dunwoody Industrial Institute
818 Wayzata Boulevard
Minneapolis, MN 55403

David Pucel
Vocational Education Dept.
University of Minnesota
1954 Buford Avenue
St. Paul, MN 55108

Barbara Purfeerst
7513 Humboldt Avenue South
Richfield, MN 55423

Frank Quam
Rochester Technical Institute
1926 Second Street SE
Rochester, MN 55901

Terry Schmidt
Milaca Public Schools
500 Southwest Fourth Street
Milaca, MN 56353

Jim Schnell
Willmar Technical Institute
P.O. Box 1097
Willmar, MN 56201

Gayle Stelter
Mankato State University
P.O. Box 51
Mankato, MN 56001

Tom Sunnarborg
Bemidji State University
Bridgeman Hall
Bemidji, MN 56001

Ruth Thomas
Dept. of Home Economics
University of Minnesota
1954 Buford Avenue
St. Paul, MN 55108

Larry Uhlir
Northeast Metro Technical Inst.
3300 Century Avenue
White Bear Lake, MN 55110

Judith Wain
Department of Education
611 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

~~Dr. Jerry McClelland
Home Economics Education
University of Minnesota
325 Vo Tech Bldg.
1954 Buford Avenue~~

Dr. Jerry McClelland
University of Minnesota
325 Vo Tech Bldg.
1954 Buford Avenue
St. Paul, MN 55108

Diane Wakefield
Rochester Technical Institute
1926 Second Street SE
Rochester, MN 55904

Gladys Westin
St. Paul Technical Institute
235 Marshall Avenue
St. Paul, MN 55102

Judy McGilvrey
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

JoAnn Akemann-Chein
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

√ = Mailing list

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Wood, Ann	6-9590	Barb M.
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(40)

MARKETING MAILING LIST

Chuck Lyons
Hibbing Technical College
2900 East Beltline
Hibbing, MN 55746

Pat Brunsberg
Minneapolis Technical College
1415 Hennepin Avenue
Minneapolis, MN 55403

Ralph Knapp
Pipestone Technical College
North Hiawatha
Pipestone, MN 56164

Sue Doering
Duluth Technical College
2101 Trinity Road
Duluth, MN 55811

Dorothy Bray
St. Cloud Technical College
1540 Northway Drive
St. Cloud, MN 56303

Jim Mulvihill
Mankato Technical College
1920 Lee Boulevard
Mankato, MN 56001

John Lobben
Hennepin Technical Centers
1820 North Xenium Lane
Plymouth, MN 55441

Greg Gits
Bemidji Technical College
905 Grant Avenue SE
Bemidji, MN 56601

Jim Arndt
Duluth Technical College
2101 Trinity Road
Duluth, MN 55811

Judy Evenson
Northeast Metro Technical Coll
3300 Century Avenue North
White Bear Lake, MN 55110

Wayne Davis
Dakota County Technical Coll
1300 East 145 Street
Rosemount, MN 55068

Roberta Moorhaus
Mankato Technical College
1920 Lee Boulevard
Mankato, MN 56001

Steve Marn
Jackson Technical College
401 West Street
Jackson, MN 56143

Laura Esterberg
Hennepin Technical Coll/North
9000 Brooklyn Boulevard
Brooklyn Park, MN 55445

Larry Lundblad
Mankato Technical College
1920 Lee Boulevard
Mankato, MN 56001

Cathy Bogert
St. Cloud Technical College
1540 Northway Drive
St. Cloud, MN 56303

William Nyquist
Duluth Technical College
2101 Trinity Road
Duluth, MN 55811

Bev Olson
Dakota County Technical Coll
1300 East 145 Street
Rosemount, MN 55068

State Board of Vocational Technical Education

Proposed Permanent Rules Relating to Commercial Occupation Licensing

Rules as Proposed

3700.0500 LICENSES IN MARKETING OCCUPATIONAL AREA.

Subpart 1. **Listed here.** An applicant for a license to teach technical college courses and programs in the marketing occupational area must meet the requirements in this part. The requirements are in addition to the requirements in part 3700.0100 and for a particular license (listed under the part that covers that particular license).

Subp. 2. **Recent occupational experience.** An applicant for a license to teach in the marketing occupational area must have 2,000 hours of occupational experience within the five years just before applying for that license.

Subp. 3. **Does not apply.** Part 3515.9921 does not apply to parts 3700.0505 to 3700.0515.

~~3709.0360~~ 3700.0510 BUSINESS TO BUSINESS TELEMARKETING.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

[For text of subps 3 and 4, see M.R.]

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience at an accredited postsecondary institution, industrial or business setting in primary content of business to business telemarketing for 1,500 ~~hours~~ of the 2,000 hours required under part ~~3709.0100, subpart 1, item A~~ 3700.0500. Two hours of teaching equal one hour of the occupational experience.

~~3709.0330~~ 3700.0515 COMPUTERIZING SMALL BUSINESS.

[For text of subpart 1, see M.R.]

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Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience with a minimum of 6,000 hours as a working proprietor or managerial level employee responsible for, and making decisions based on, sources and use of capital. ~~A minimum of 2,000 hours of this experience must be~~ The remaining 2,000 hours must be in one or both of the following:

A. using a microcomputer system with multiapplication software for use in managing daily operations of a small business; or

B. selling a combination of microcomputer hardware systems and software packages for use in managing the daily operations of a small business.

The 8,000 hours must include verification of experience in developing a combination of microcomputer hardware and software processes for computerizing small businesses. Computerizing a small business means to do a feasibility study that includes analyzing, prioritizing, researching availability, evaluating, and reviewing computer needs.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution. Notwithstanding this substitution, the applicant must not substitute for the ~~2,000 hours of~~ experience ~~in~~ developing a combination of microcomputer hardware and software processes for computerizing small business or the 2,000 hours of specialized experience as stated in subpart 3.

A. A bachelor's or higher degree with a major in business administration, business management, or accounting may be substituted for 4,000 hours.

B. An associate degree in accounting, business management, business entrepreneurship, or microcomputer sales

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and service may be substituted for 2,000 hours.

C. A diploma in business entrepreneurship, small business management, preparation for small business ownership, accounting, or computerizing small business may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in computer systems design, accounting, business management, and business computer applications may be substituted. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~**Occupational experience substitution**~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting ~~**may be substituted**~~ for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0500, subpart ~~1, item A~~ 2, if the teaching is done during this five-year period. The teaching must be in computerizing small business, small business management, or preparation for small business ownership. Two hours of teaching equal one hour of occupational experience.

3700.0520 CUSTOMER SERVICE.

Subpart 1. **May teach.** A teacher who has a customer service license may teach in the customer service program and may also teach customer specific courses such as:

A. consumer behavior;

B. consumer credit and collections;

C. introduction to customer service technology;

D. consumer problem solving;

E. customer service conflict and management; and

F. customer service telemarketing.

Subp. 2. **Other requirements.** The applicant must meet the

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requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience with a minimum of 4,000 hours at the management/supervisory level doing the hiring, training, and development of individuals for customer contact involving problem solving and proactive activities. The remaining experience may be in any of the following activities:

A. budgeting and long range planning for customer service;

B. customer advocate liaison within a company;

C. assessing, measuring, and defining customer expectation for future applications; and

D. development and implementation of procedural processes and subsequent applications for customer service.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education in items A to D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution. The education may not substitute for the 4,000 hours of management/supervisory level occupational experience.

A. A bachelor's or higher degree with a major in business, management, or marketing may be substituted for 4,000 hours.

B. An associate degree in business, customer service, management, marketing, or supervision may be substituted for 2,000 hours.

C. A diploma or certificate in business, customer service, management, marketing, or supervision may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in customer service specific content. One hour of instruction equals one hour of occupational experience. One

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quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in customer service. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0110~~ 3700.0525 ELECTRONIC SERVICE/SALES REPRESENTATIVE.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** ~~An~~ The applicant must have 8,000 hours of ~~verified~~ occupational experience in electronic-based applications as follows:

A. a minimum of 2,000 hours in commercial or industrial sales ~~and~~, installation, and maintenance or troubleshooting equipment; and

B. a minimum of 2,000 hours in customer needs analysis including equipment determination and selection, hardware configuration, product presentation, and demonstration or account management.

Subp. 4. **Substitution for occupational experience.** ~~An~~ The applicant may substitute the education described in item A, B, or C for up to 4,000 hours of occupational experience required under subpart 3. The education must be from an accredited postsecondary institution. An applicant cannot substitute for the 2,000 hours of experience required in subpart 3, item A.

A. A bachelor's or higher degree with a major in applied electrical engineering may be substituted for 4,000 hours.

B. An associate degree in electronics or electronic service/sales may be substituted for 2,000 hours.

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C. A diploma in electronics or electronic service/sales may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

Subp. 5. ~~Occupational recency substitution~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting ~~may be substituted~~ for 1,500 of the 2,000 hours required under part ~~3709.0500~~ 3700.0500, subpart ~~1, item A~~ 2, if the teaching is done during the five-year period. The teaching must be in electronics or electronic service/sales. Two hours of teaching equal one hour of occupational experience. An applicant cannot substitute for the 2,000 hours of experience required under subpart 3, item A.

3700.0530 FASHION MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a fashion management license may teach the fashion management program, retail management program, marketing careers core, fashion specific courses, and courses in the marketing occupational area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self-development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) inventory planning and control;

(3) marketing research fundamentals;

(4) principles of management;

(5) retail buying;

(6) retail principles;

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(7) retail trends;

(8) sales promotion/advertising;

(9) store layout and presentations;

(10) store operations;

(11) supervision fundamentals;

(12) telemarketing fundamentals; and

(13) visual merchandising.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning, forecasting, and analysis.

The remaining 2,000 hours must include the recency requirement of part 3700.0500, subpart 2, and must be in the area of fashion apparel and accessory, to include direct responsibility for the following: inventory control dollar and unit, merchandise pricing, layout of selling floor, retail financial applications, physical inventory, and sales.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration, business management, distributive education, marketing, merchandising, or retailing may be substituted for 4,000 hours.

B. An associate degree in management, marketing,

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merchandising, sales, or telemarketing may be substituted for 2,000 hours.

C. A diploma or certificate in management, marketing, merchandising, sales, or telemarketing may be substituted. A one-year program or a program of 45 quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in management, marketing, merchandising, sales, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in fashion apparel and accessory sales and management. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0535 POSTAL SERVICE MANAGEMENT.

Subpart 1. **May teach.** An instructor with a postal service management license may teach postal service specific content in the postal service management program and may also teach postal specific courses throughout the technical college system.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have occupational experience in a classified United States Postal Service position as described in item A, B, or C.

A. 3,000 hours as a bargaining unit employee and 5,000 hours in an initial level supervisor position or above.

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The recency experience described in part 3700.0500, subpart 2, must be as an initial level supervisor or above.

B. 3,000 hours as a bargaining unit employee and 5,000 hours as a postal service training technician with sole training responsibility in an office of 200 or more employees. The recency experience described in part 3700.0500, subpart 2, must be as a postal service training technician with sole training responsibility in an office of 200 or more employees.

C. An associate degree in postal service management with 3,000 hours as a bargaining unit employee and 3,000 hours as an initial level supervisor or above. The recency experience described in part 3700.0500, subpart 2, must be as an initial level supervisor or above.

D. An associate degree in postal service management with 3,000 hours as a bargaining unit employee and 3,000 hours as a postal service training technician with sole responsibility in an office of 200 or more employees. The recency experience described in part 3700.0500, subpart 2, must be as a postal service training technician.

Subp. 4. **Substitution for recent occupational experience.** An applicant currently employed by the United States Postal Service may substitute teaching experience in postal service content in a postal service management program at an accredited postsecondary institution for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0150~~ 3700.0540 PREPARATION FOR SMALL BUSINESS OWNERSHIP.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** ~~An~~ The applicant must have 8,000 hours of ~~verified~~ occupational experience as a working proprietor or managerial level employee

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responsible for, and making decisions based on, sources and use of capital.

Subp. 4. **Substitution for occupational experience.** ~~An~~ The applicant may substitute the education described in item A, B, C, or D for up to 4,000 hours required under subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in marketing, business, or finance~~,-or-accounting~~ may be substituted for 4,000 hours.

B. An associate degree in ~~advertising-preparation-for small-business-ownership,-small-business-management,-business, marketing,-accounting,-retailing,-fashion-merchandising, hospitality-management,-manufacturing-management,-sales, finance,-or-insurance~~ business or marketing may be substituted for 2,000 hours.

C. A diploma in ~~advertising,-fashion-merchandising, professional-and-industrial-sales,-hotel-motel-management, general-merchandising-and-retail-sales,-business-to-business telemarketing,-marketing-management,-preparation-for-small business-ownership,-small-business-management,-international marketing,-sporting-goods-sales-and-management,-financial services-marketing,-supermarket-marketing-and-management,-and hardware-and-home-center-management~~ business or marketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses or clock hours for credit in business, or marketing~~,-distributive-education, finance,-or-accounting~~ may be substituted.

One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~Occupational-recency-substitution~~ Substitution for recent occupational experience. ~~Postsecondary~~ The applicant may substitute teaching experience in ~~small-business-management,~~

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primary program content at an accredited postsecondary institution or industrial setting in accounting, ~~practical business management, sales and marketing,~~ business management, ~~or~~ computer applications for small business management ~~may be substituted~~, and sales and marketing, for 1,500 of the 2,000 hours required under part ~~3709.0100~~ 3700.0500, subpart ~~1, item A~~ 2, if the teaching is done during the five-year period. Two hours of teaching equal one hour of occupational experience.

~~3709.0340~~ 3700.0545 PRODUCTIVITY TECHNICIAN/PRODUCTIVITY AND INVENTORY MANAGEMENT.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience as a manager, facilitator, or trainer in two or more of the following:

A. management/employee involvement (MEI);

B. statistical process control (SPC);

C. quality assurance or quality control systems (QAQC);

D. problem solving/decision making techniques;

E. just in time techniques (JIT); and

F. production and inventory control.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration or management, industrial engineering or management, economics, personnel management, organizational development, or marketing may be substituted for 4,000 hours.

B. An associate degree in production and inventory

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management, production technician, supervisory management, personnel management, manufacturing management, quality technician, business administration, or marketing management may be substituted for 2,000 hours.

C. A diploma in production and inventory management, productivity technician, supervisory management production technician, or marketing management may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit or seminars and workshops by professional organizations in transformation of American industry, manufacturing process, production and inventory management techniques, engineering drawings, quality assurance product development, work simplifications, organizational structure of business, material requirements planning, industrial master planning, capacity management, production activity management, inventory management, employee involvement, statistical process, problem solving, or socio-economic systems may be substituted. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~Occupational recency substitution~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution, ~~or at an~~ industrial or military setting ~~may be substituted~~ for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0100, subpart ~~1, item A~~ 2, if the teaching is done during this five-year period. The teaching must be in production and inventory management, productivity technician, supervisory management, statistical process control, quality assurance or quality control systems, participation management/employee involvement process, problem solving/decision making techniques, just in time techniques, or

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production/inventory control. Two hours of teaching equal one hour of occupational experience.

3700.0550 RETAIL MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a retail management license may teach the retail management program, marketing careers core, courses in the marketing area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) inventory planning and control;

(3) marketing research fundamentals;

(4) principles of management;

(5) retail buying;

(6) retail principles;

(7) retail trends;

(8) sales promotion and advertising;

(9) store layout and presentations;

(10) store operations;

(11) supervision fundamentals;

(12) telemarketing fundamentals; and

(13) visual merchandising.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

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C. promotion or advertising with intent to sell the product or service; and

D. business operations planning and forecasting analysis.

The remaining 2,000 hours must include the recency requirement in part 3700.0500, subpart 2, and be in retail sales and management with direct responsibility in the following areas: inventory control dollar and unit, merchandise pricing, layout of selling floor, retail financial applications, taking inventory, and retail sales.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in marketing, business administration, business management, merchandising, retailing, or distributive education may be substituted for 4,000 hours.

B. An associate degree in marketing, management, merchandising, telemarketing, or sales may be substituted for 2,000 hours.

C. A diploma or certificate in sales, marketing, merchandising, management, or telemarketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in sales, marketing, merchandising, management, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or

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industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. This teaching experience must be in retail sales and management. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0555 SALES MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a sales management license may teach the sales management program, marketing careers core, courses in the marketing area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self-development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) marketing research fundamentals;

(3) negotiation sales;

(4) principles of management;

(5) sales management;

(6) sales promotion and advertising;

(7) sales record management;

(8) supervision fundamentals;

(9) telemarketing fundamentals;

(10) territory management;

(11) visual merchandising; and

(12) wholesale buying and selling techniques.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

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B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning, forecasting, and analysis.

The remaining 2,000 hours must include the recency requirement in part 3700.0500, subpart 2, and be in a nonretail store environment, industrial or institutional setting in multilevel marketing or telemarketing sales. The activities must include three of the following: individual or group sales, territory management, trade show presentation, bid and proposal writing, sales contract negotiations, account management, and sales and personal records management. A way to partially substitute for these hours is described in subpart 5.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration, business management, distributive education, marketing, merchandising, or retailing may be substituted for 4,000 hours.

B. An associate degree in management, marketing, merchandising, sales, or telemarketing may be substituted for 2,000 hours.

C. A diploma or certificate in management, marketing, merchandising, sales, or telemarketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in management, marketing, merchandising, sales, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of

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occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in sales representation, sales management, or wholesale and industrial sales. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0320~~ 3700.0560 SUPERVISORY MANAGEMENT.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience in a managerial level position including but not limited to budget development or control, employee selection and supervision, employee performance appraisal and evaluation, and assessment of employee training needs.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business, marketing, or management may be substituted for 4,000 hours.

B. An associate degree in business, management, or marketing may be substituted for 2,000 hours.

C. A diploma in supervision or management programs. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

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D. The completion of courses for credit or clock hours for credit in business administration, business management, finance, human resource management, accounting, training and development, supervisory management, manufacturing management, and productivity and management. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~**Occupational recency substitution**~~ **Substitution for recent occupational experience**. The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting may be substituted for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0500, subpart ~~1, item A~~ 2, if the teaching is done during this five-year period. The teaching must be in management programs or courses that include supervision or management content. Two hours of teaching equal one hour of occupational experience.

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Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Commercial Occupation Licensing

AGENCY: State Board of Vocational Technical Education

MINNESOTA RULES: Chapter 3700

The attached rules are approved for publication
in the State Register

Paul M. Marinac
Assistant Deputy Revisor

State of Minnesota

STATE REGISTER

Department of Administration—Print Communications Division



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State Board of Vocational Technical Education

Proposed Permanent Rules Relating to Commercial Occupation Licensing

Notice of Intent to Adopt a Rule without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Board of Vocational Technical 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*, Section 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes* 136C.04, Subdivision 9.

All persons have 30 days until 4:30 p.m., Thursday, April 26, 1990, in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for comment, and any change proposed.

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

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

Jeanette Daines, Supervisor
Minnesota Technical College System
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: 612-296-0679

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

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

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

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Jeanette Daines or Georgia Pomroy at the above address and phone, upon request.

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

Jeanette Daines, Supervisor
Minnesota Technical College System
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone: 612-296-0679

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

Helen Henrie, Interim State Director
State Board of Vocational Technical Education

Rules as Proposed

3700.0500 LICENSES IN MARKETING OCCUPATIONAL AREA.

Subpart 1. **Listed here.** An applicant for a license to teach technical college courses and programs in the marketing occupational area must meet the requirements in this part. The requirements are in addition to the requirements in part 3700.0100 and for a particular license (listed under the part that covers that particular license).

Subp. 2. **Recent occupational experience.** An applicant for a license to teach in the marketing occupational area must have 2,000 hours of occupational experience within the five years just before applying for that license.

Subp. 3. **Does not apply.** Part 3515.9921 does not apply to parts 3700.0505 to 3700.0515.

~~3709.0360~~ 3700.0510 BUSINESS TO BUSINESS TELEMARKETING.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

[For text of subps 3 and 4, see M.R.]

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience at an accredited postsecondary institution, industrial or business setting in primary content of business to business telemarketing for 1,500 ~~hours~~ of the 2,000 hours required under part ~~3709.0100. subpart 1. item A~~ 3700.0500. Two hours of teaching equal one hour of the occupational experience.

~~3709.0330~~ 3700.0515 COMPUTERIZING SMALL BUSINESS.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience with a minimum of 6,000 hours as a working proprietor or managerial level employee responsible for, and making decisions based on, sources and use of capital. ~~A minimum of 2,000 hours of this experience must be~~ The remaining 2,000 hours must be in one or both of the following:

A. using a microcomputer system with multiapplication software for use in managing daily operations of a small business; or

B. selling a combination of microcomputer hardware systems and software packages for use in managing the daily operations of a small business.

The 8,000 hours must include verification of experience in developing a combination of microcomputer hardware and software processes for computerizing small businesses. Computerizing a small business means to do a feasibility study that includes analyzing, prioritizing, researching availability, evaluating, and reviewing computer needs.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution. Notwithstanding this substitution, the applicant must not substitute for the ~~2,000 hours of~~ experience ~~in~~ developing a combination of microcomputer hardware and software processes for computerizing small business or the 2,000 hours of specialized experience as stated in subpart 3.

A. A bachelor's or higher degree with a major in business administration, business management, or accounting may be substituted for 4,000 hours.

B. An associate degree in accounting, business management, business entrepreneurship, or microcomputer sales and service may be substituted for 2,000 hours.

C. A diploma in business entrepreneurship, small business management, preparation for small business ownership, accounting, or computerizing small business may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in computer systems design, accounting, business management, and business computer applications may be substituted. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~Occupational experience substitution~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting ~~may be substituted~~ for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0500, subpart ~~1. item A~~ 2, if the teaching is done during this five-year period. The teaching must be in computerizing small business, small business management, or preparation for small business ownership. Two hours of teaching equal one hour of occupational experience.

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.

3700.0520 CUSTOMER SERVICE.

Subpart 1. **May teach.** A teacher who has a customer service license may teach in the customer service program and may also teach customer specific courses such as:

A. consumer behavior;

B. consumer credit and collections;

C. introduction to customer service technology;

D. consumer problem solving;

E. customer service conflict and management; and

F. customer service telemarketing.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience with a minimum of 4,000 hours at the management/supervisory level doing the hiring, training, and development of individuals for customer contact involving problem solving and proactive activities. The remaining experience may be in any of the following activities:

A. budgeting and long range planning for customer service;

B. customer advocate liaison within a company;

C. assessing, measuring, and defining customer expectation for future applications; and

D. development and implementation of procedural processes and subsequent applications for customer service.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education in items A to D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution. The education may not substitute for the 4,000 hours of management/supervisory level occupational experience.

A. A bachelor's or higher degree with a major in business, management, or marketing may be substituted for 4,000 hours.

B. An associate degree in business, customer service, management, marketing, or supervision may be substituted for 2,000 hours.

C. A diploma or certificate in business, customer service, management, marketing, or supervision may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in customer service specific content. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in customer service. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0110~~ 3700.0525 ELECTRONIC SERVICE/SALES REPRESENTATIVE.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** ~~An~~ The applicant must have 8,000 hours of ~~verified~~ occupational experience in electronic-based applications as follows:

A. a minimum of 2,000 hours in commercial or industrial sales ~~and~~, installation, and maintenance or troubleshooting equipment; and

B. a minimum of 2,000 hours in customer needs analysis including equipment determination and selection, hardware configuration, product presentation, and demonstration or account management.

Subp. 4. **Substitution for occupational experience.** ~~An~~ The applicant may substitute the education described in item A, B, or C for up to 4,000 hours of occupational experience required under subpart 3. The education must be from an accredited postsecondary institution. An applicant cannot substitute for the 2,000 hours of experience required in subpart 3, item A.

A. A bachelor's or higher degree with a major in applied electrical engineering may be substituted for 4,000 hours.

B. An associate degree in electronics or electronic service/sales may be substituted for 2,000 hours.

C. A diploma in electronics or electronic service/sales may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

Subp. 5. ~~**Occupational recency substitution**~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting ~~may be substituted~~ for 1,500 of the 2,000 hours required under part ~~3709.0500~~ 3700.0500, subpart ~~1. item A~~ 2, if the teaching is done during the five-year period. The teaching must be in electronics or electronic service/sales. Two hours of teaching equal one hour of occupational experience. An applicant cannot substitute for the 2,000 hours of experience required under subpart 3, item A.

3700.0530 FASHION MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a fashion management license may teach the fashion management program, retail management program, marketing careers core, fashion specific courses, and courses in the marketing occupational area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self-development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) inventory planning and control;

(3) marketing research fundamentals;

(4) principles of management;

(5) retail buying;

(6) retail principles;

(7) retail trends;

(8) sales promotion/advertising;

(9) store layout and presentations;

(10) store operations;

(11) supervision fundamentals;

(12) telemarketing fundamentals; and

(13) visual merchandising.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning, forecasting, and analysis.

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The remaining 2,000 hours must include the recency requirement of part 3700.0500, subpart 2, and must be in the area of fashion apparel and accessory, to include direct responsibility for the following: inventory control dollar and unit, merchandise pricing, layout of selling floor, retail financial applications, physical inventory, and sales.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration, business management, distributive education, marketing, merchandising, or retailing may be substituted for 4,000 hours.

B. An associate degree in management, marketing, merchandising, sales, or telemarketing may be substituted for 2,000 hours.

C. A diploma or certificate in management, marketing, merchandising, sales, or telemarketing may be substituted. A one-year program or a program of 45 quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in management, marketing, merchandising, sales, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in fashion apparel and accessory sales and management. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0535 POSTAL SERVICE MANAGEMENT.

Subpart 1. **May teach.** An instructor with a postal service management license may teach postal service specific content in the postal service management program and may also teach postal specific courses throughout the technical college system.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have occupational experience in a classified United States Postal Service position as described in item A, B, or C.

A. 3,000 hours as a bargaining unit employee and 5,000 hours in an initial level supervisor position or above. The recency experience described in part 3700.0500, subpart 2, must be as an initial level supervisor or above.

B. 3,000 hours as a bargaining unit employee and 5,000 hours as a postal service training technician with sole training responsibility in an office of 200 or more employees. The recency experience described in part 3700.0500, subpart 2, must be as a postal service training technician with sole training responsibility in an office of 200 or more employees.

C. An associate degree in postal service management with 3,000 hours as a bargaining unit employee and 3,000 hours as an initial level supervisor or above. The recency experience described in part 3700.0500, subpart 2, must be as an initial level supervisor or above.

D. An associate degree in postal service management with 3,000 hours as a bargaining unit employee and 3,000 hours as a postal service training technician with sole responsibility in an office of 200 or more employees. The recency experience described in part 3700.0500, subpart 2, must be as a postal service training technician.

Subp. 4. **Substitution for recent occupational experience.** An applicant currently employed by the United States Postal Service may substitute teaching experience in postal service content in a postal service management program at an accredited postsecondary institution for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0150~~ 3700.0540 PREPARATION FOR SMALL BUSINESS OWNERSHIP.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** ~~An~~ The applicant must have 8,000 hours of ~~verified~~ occupational experience as a working proprietor or managerial level employee responsible for, and making decisions based on, sources and use of capital.

Subp. 4. **Substitution for occupational experience.** ~~An~~ The applicant may substitute the education described in item A, B, C, or D for up to 4,000 hours required under subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in marketing, business, or finance~~, or accounting~~ may be substituted for 4,000 hours.

B. An associate degree in ~~advertising preparation for small business ownership. small business management. business. marketing, accounting, retailing, fashion merchandising, hospitality management. manufacturing management. sales. finance. or insurance~~ business or marketing may be substituted for 2,000 hours.

C. A diploma in ~~advertising, fashion merchandising, professional and industrial sales. hotel motel management. general merchandising and retail sales. business to business telemarketing. marketing management. preparation for small business ownership. small business management. international marketing. sporting goods sales and management. financial services marketing. supermarket marketing and management. and hardware and home center management~~ business or marketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses or clock hours for credit in business~~,~~ or marketing~~, distributive education. finance. or accounting~~ may be substituted.

One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~**Occupational recency substitution**~~ **Substitution for recent occupational experience.** ~~Postsecondary~~ The applicant may substitute teaching experience in ~~small business management.~~ primary program content at an accredited postsecondary institution or industrial setting in accounting, ~~practical business management. sales and marketing.~~ business management, ~~or~~ computer applications for small business management ~~may be substituted~~, and sales and marketing, for 1,500 of the 2,000 hours required under part ~~3709.0100~~ 3700.0500, subpart ~~1, item A~~ 2, if the teaching is done during the five-year period. Two hours of teaching equal one hour of occupational experience.

~~3709.0340~~ 3700.0545 PRODUCTIVITY TECHNICIAN/PRODUCTIVITY AND INVENTORY MANAGEMENT.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience as a manager, facilitator, or trainer in two or more of the following:

A. management/employee involvement (MEI);

B. statistical process control (SPC);

C. quality assurance or quality control systems (QAQC);

D. problem solving/decision making techniques;

E. just in time techniques (JIT); and

F. production and inventory control.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration or management, industrial engineering or management, economics, personnel management, organizational development, or marketing may be substituted for 4,000 hours.

B. An associate degree in production and inventory management, production technician, supervisory management, personnel management, manufacturing management, quality technician, business administration, or marketing management may be substituted for 2,000 hours.

C. A diploma in production and inventory management, productivity technician, supervisory management production technician, or marketing management may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit or seminars and workshops by professional organizations in transformation of American industry, manufacturing process, production and inventory management techniques, engineering drawings, quality assurance product development, work simplifications, organizational structure of business, material requirements planning,

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industrial master planning, capacity management, production activity management, inventory management, employee involvement, statistical process, problem solving, or socio-economic systems may be substituted. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~Occupational recency substitution~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution, ~~or at an~~ industrial or military setting ~~may be substituted~~ for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0100, subpart ~~1, item A~~ 2, if the teaching is done during this five-year period. The teaching must be in production and inventory management, productivity technician, supervisory management, statistical process control, quality assurance or quality control systems, participation management/employee involvement process, problem solving/decision making techniques, just in time techniques, or production/inventory control. Two hours of teaching equal one hour of occupational experience.

3700.0550 RETAIL MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a retail management license may teach the retail management program, marketing careers core, courses in the marketing area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) inventory planning and control;

(3) marketing research fundamentals;

(4) principles of management;

(5) retail buying;

(6) retail principles;

(7) retail trends;

(8) sales promotion and advertising;

(9) store layout and presentations;

(10) store operations;

(11) supervision fundamentals;

(12) telemarketing fundamentals; and

(13) visual merchandising.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

D. business operations planning and forecasting analysis.

The remaining 2,000 hours must include the recency requirement in part 3700.0500, subpart 2, and be in retail sales and management with direct responsibility in the following areas: inventory control dollar and unit, merchandise pricing, layout of selling floor, retail financial applications, taking inventory, and retail sales.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in marketing, business administration, business management, merchandising, retailing, or distributive education may be substituted for 4,000 hours.

B. An associate degree in marketing, management, merchandising, telemarketing, or sales may be substituted for 2,000 hours.

C. A diploma or certificate in sales, marketing, merchandising, management, or telemarketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in sales, marketing, merchandising, management, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. This teaching experience must be in retail sales and management. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

3700.0555 SALES MANAGEMENT.

Subpart 1. **May teach.** A teacher who has a sales management license may teach the sales management program, marketing careers core, courses in the marketing area in:

A. applied oral communications;

B. business ethics and legal issues;

C. human resource management;

D. interpersonal relations;

E. professional self-development; and

F. the following courses in any technical college area:

(1) applied sales strategies;

(2) marketing research fundamentals;

(3) negotiation sales;

(4) principles of management;

(5) sales management;

(6) sales promotion and advertising;

(7) sales record management;

(8) supervision fundamentals;

(9) telemarketing fundamentals;

(10) territory management;

(11) visual merchandising; and

(12) wholesale buying and selling techniques.

Subp. 2. **Other requirements.** The applicant must meet the requirements in part 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of occupational experience. Six thousand hours must be in all of the following:

A. product and/or customer service presentation;

B. supervision/management of human resources, and store or business operations;

C. promotion or advertising with intent to sell the product or service; and

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.

D. business operations planning, forecasting, and analysis.

The remaining 2,000 hours must include the recency requirement in part 3700.0500, subpart 2, and be in a nonretail store environment, industrial or institutional setting in multilevel marketing or telemarketing sales. The activities must include three of the following: individual or group sales, territory management, trade show presentation, bid and proposal writing, sales contract negotiations, account management, and sales and personal records management. A way to partially substitute for these hours is described in subpart 5.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute education described in items A to D for up to 4,000 of the 6,000 hours of occupational experience required in subpart 3, items A to D. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business administration, business management, distributive education, marketing, merchandising, or retailing may be substituted for 4,000 hours.

B. An associate degree in management, marketing, merchandising, sales, or telemarketing may be substituted for 2,000 hours.

C. A diploma or certificate in management, marketing, merchandising, sales, or telemarketing may be substituted. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in management, marketing, merchandising, sales, or telemarketing. One hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or industrial setting for 1,500 of the 2,000 hours required under part 3700.0500, subpart 2. The experience must be in sales representation, sales management, or wholesale and industrial sales. Two hours of teaching equal one hour of the occupational experience required in part 3700.0500, subpart 2.

~~3709.0320~~ 3700.0560 SUPERVISORY MANAGEMENT.

[For text of subpart 1, see M.R.]

Subp. 2. **Other requirements.** The applicant must meet the requirements in part ~~3709.0100~~ 3700.0100 and the requirements for a teacher in the marketing area under part 3700.0500.

Subp. 3. **Occupational experience requirement.** The applicant must have 8,000 hours of ~~verified~~ occupational experience in a managerial level position including but not limited to budget development or control, employee selection and supervision, employee performance appraisal and evaluation, and assessment of employee training needs.

Subp. 4. **Substitution for occupational experience.** The applicant may substitute the education described under item A, B, C, or D for up to 4,000 hours of the occupational experience required in subpart 3. The education must be from an accredited postsecondary institution.

A. A bachelor's or higher degree with a major in business, marketing, or management may be substituted for 4,000 hours.

B. An associate degree in business, management, or marketing may be substituted for 2,000 hours.

C. A diploma in supervision or management programs. A one-year program or a program of 45 or more quarter credits equals 1,050 hours. A two-year program or a program of 90 or more quarter credits equals 2,100 hours.

D. The completion of courses for credit or clock hours for credit in business administration, business management, finance, human resource management, accounting, training and development, supervisory management, manufacturing management, and productivity and management. One clock hour of instruction equals one hour of occupational experience. One quarter credit equals 20 hours of occupational experience. One semester credit equals 30 hours of occupational experience.

Subp. 5. ~~**Occupational recency substitution**~~ **Substitution for recent occupational experience.** The applicant may substitute teaching experience in primary program content at an accredited postsecondary institution or at an industrial setting may be substituted for 1,500 of the 2,000 hours required in part ~~3709.0100~~ 3700.0500, subpart ~~1. item A~~ 2, if the teaching is done during this five-year period. The teaching must be in management programs or courses that include supervision or management content. Two hours of teaching equal one hour of occupational experience.

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

AUTHORIZING RESOLUTION FOR ADOPTION OF A RULE WITHOUT A PUBLIC HEARING

I, F. B. Daniel, do hereby certify that I am a member and the President of the State Board of Vocational Technical Education, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the State Board of Vocational Technical Education, duly and properly called and held on the 8th day of May, 1990, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

"RESOLVED, that the rules relating to Postsecondary Licensure Criteria, for Marketing occupation rules 3700.0500 to 3700.0560 are approved and adopted, pursuant to authority vested in the State Board of Vocational Technical Education by Minnesota Statutes 136C.04, Subdivision 9. Helen Henrie, the Interim State Director of the State Board of Vocational Technical Education, is authorized to sign the Findings of Fact, conclusions and order adopting the rule and further is authorized to modify the rule if necessary to obtain the approval of the rule by the Attorney General and to perform the necessary acts to provide that the rule shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 8th day of May, 1990.

F. B. Daniel

Officer of the Board

Donna Anderson

Attest by one other Board member

9925MKT

STATE OF MINNESOTA
DEPARTMENT OF VOCATIONAL TECHNICAL EDUCATION

In the Matter of the Proposed Adoption of the Rule of the State of Minnesota Governing Postsecondary Vocational Teaching Licensure, rules for Marketing Occupations
Rules 3700.0500 to 3700.0560

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

(1) Notice of the State Board of Vocational Technical Education intent to adopt the above-entitled rule was published in the *State Register* on March 19, 1990, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on March 22, 1990. (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 mailing list and published in the *State Register*, and was available to the public.

(4) All persons were given the opportunity to submit comment on the rule for 30 days after notice of the proposed rulemaking. (5) No requests for a public hearing on the rule were received by the agency. (7) No comments or submissions on the rule were received by the agency. One request for a Statement of Need and Reasonableness was received by the agency.

(7) No requests for notice of submission to the Attorney General were received by the agency.

(8) Based on the comments and evidence in the record before the agency, I find the following: The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as 3700.0500 to 3700.0560 Postsecondary Vocational Teaching Licenses, Marketing Occupations, are adopted this 9th day of May, 1990, pursuant to authority vested in the State Board of Vocational Technical Education by Minnesota Statutes, section 136C.04, Subdivision 9.

(90)

Helen Henrie 5/9/90

Helen Henrie Date
Interim State Director
State Board of Vocational Technical Education

9930MKT

LCRAR

Legislative Commission to

Review Administrative Rules

Senator Gene Waldorf
Chair

Representative Peter Rodosovich
Vice-Chair

Maryanne V. Hruby
Director

March 27, 1990

Georgia Pomroy, License Revision Specialist
Minnesota Technical College System
100 Capitol Square
550 Cedar Street
St. Paul, Minnesota 55101

Dear Ms. Pomroy:

You recently published a set of proposed rules relating to commercial occupation licensing and proposed permanent rules relating to technical college licenses. The LCRAR maintains a file of all Statements of Need and Reasonableness (SONARs). With your assistance, we can keep this file current. We ask you to forward, at your earliest convenience, a copy of the SONAR for these recently published rules to:

The Legislative Commission to Review Administrative Rules
Maryanne Hruby, Director
55 State Office Building
St. Paul, Minnesota 55155

If you have any questions please contact me.

Thank you.

Sincerely,

Michele Swanson

Michele Swanson
Commission Secretary

55 State Office Building • St. Paul, Minnesota 55155-1201 • 612/296-1143

March 30, 1990

Michele Swanson
Commission Secretary
Legislative Commission to
Review Administrative Rules
55 State Office Building
St. Paul, MN 55155-1201

Dear Ms. Swanson:

I have enclosed the Statements of Need and Reasonableness for postsecondary vocational education staff published in the State Register March 19, 1990, pp. 2236 and 2245, per your request.

If you have any additional questions, please contact my office at 296-3929.

Sincerely,

Georgia Pomroy/cs

Georgia Pomroy,
Licensure Revision Manager

GP/cs

Enclosures

In the Matter of the Adoption of the Rule of the State Board of Vocational Technical Education Governing 3700.0500 to 3700.0560 Postsecondary Vocational Licensure, Marketing Occupations

DECLARATION OF COUNSEL

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

Assistant Attorney General

Dated: 5/21/90

9935MKT