

CHAPTER 3512
DEPARTMENT OF EDUCATION
LICENSURE OF SCHOOL PERSONNEL
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AND DIRECTORS

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**SUPERINTENDENTS, PRINCIPALS,
AND DIRECTORS****3512.0100 DEFINITIONS.**

Subpart 1. **Scope.** As used in parts 3512.0100 to 3512.1700, the terms defined in this part have the meanings given them.

Subp. 2. **Administrative licensure areas.** "Administrative licensure areas" means the licensure areas of directors, superintendent of schools, and school principal.

Subp. 2a. **Board.** "Board" means the Minnesota Board of School Administrators.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of the Department of Education.

Subp. 4. **Department.** "Department" means the Department of Education.

Subp. 5. **Director.** "Director" means the director and the assistant director of special education, or the director and assistant director of community education who perform duties consisting of 50 percent or more in administration, personnel, supervision, evaluation, and curriculum.

Subp. 5a. **Executive director.** "Executive director" means the executive director of the Board of School Administrators.

Subp. 6. **Principal.** "Principal" means elementary, secondary, and kindergarten through grade 12 school principals and assistant principals who perform duties consisting of 50 percent or more in administration, personnel, supervision, evaluation, and curriculum.

Subp. 7. **Superintendent.** "Superintendent" means superintendents and assistant superintendents who perform duties consisting of 50 percent or more in administration, personnel, supervision, evaluation, and curriculum.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; 33 SR 658*

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**3512.0200 EDUCATION AND EXPERIENCE REQUIREMENTS FOR SUPERINTENDENT,
PRINCIPAL, AND DIRECTOR OF SPECIAL EDUCATION.**

Subpart 1. **Scope.** A person holding a position as a superintendent, assistant superintendent, principal, assistant principal, special education director, or assistant special education director must hold the appropriate license as a superintendent, principal, or special education director.

Subp. 2. **Teaching experience.** An applicant for licensure as a superintendent, principal, or special education director shall have three years of successful classroom teaching experience while holding a classroom teaching license valid for the position or positions in which the experience was gained. For

purposes of this subpart, "classroom teaching license" means a license valid to teach granted by the Board of Teaching.

Subp. 3. K-12 superintendents, principals, and directors of special education.

A. An applicant for licensure as a superintendent, principal, or director of special education must complete:

(1) a specialist or doctoral program or a program consisting of 60 semester credits beyond the bachelor's degree that includes a terminating graduate degree and topics preparatory for educational administration and the Minnesota competencies identified in part 3512.0510. Each program must be approved by the Board of School Administrators pursuant to part 3512.2500 and be offered at a regionally accredited Minnesota graduate school; and

(2) item B for an applicant for superintendent or principal or item C for an applicant for director of special education.

B. An applicant for licensure as a superintendent or principal must have field experience of at least 320 hours or 40 eight-hour days to be completed within 12 continuous months in elementary, middle or junior high, and high schools as an administrative aide to a licensed and practicing school principal for principal licensure or a licensed and practicing superintendent for superintendent licensure. The field experience must include at least 40 hours or one week at each level not represented by the applicant's primary teaching experience.

C. An applicant for licensure as a director of special education must have a practicum or field experience, that must include a minimum of 320 hours in an administrative position under the immediate supervision of a licensed and practicing director of special education. The field experience will include at least 40 hours or one week at a special education administrative unit other than the primary experience of the applicant.

Subp. 4. Licensed elementary and secondary school principals. A person licensed under this part as an elementary school principal must complete a field experience of at least 200 hours in secondary administration to qualify for licensure as a K-12 principal. A person licensed under this part as a secondary school principal must complete a field experience of at least 200 hours in elementary administration to qualify for licensure as a K-12 principal. In addition to the field experience required in this subpart, an elementary or secondary school principal must meet the requirements in part 3512.0400, subparts 2 and 3.

Subp. 5. Provisional license. A two-year nonrenewable provisional license shall be issued upon application to currently licensed elementary and secondary school principals seeking entry into a position as a K-12 principal. Evidence must be provided that the candidate is enrolled in an approved administrative licensure program for licensure as a K-12 principal.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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3512.0300 SCHOOL SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF SPECIAL EDUCATION.

Subpart 1. **License required.** A person who serves as or performs the duties of a superintendent, principal, or director of special education shall hold a license appropriate to the position of school superintendent, principal, or director of special education. Performance of duties includes duties that provide assistance to the superintendent, principal, or director of special education consisting of 50 percent or more in administration, personnel, supervision, evaluation, and curriculum.

Initial licenses may be issued for each administrative licensure area for which licensure is sought. An applicant must meet requirements for licensure as a superintendent of schools, as a school principal, or as a director of special education.

Subp. 2. **Institutional requirement.** An institution applying to the board for approval of a preparation program leading to licensure as superintendent, principal, or director of special education shall comply with part 3512.2500. An approved program must include a description of how applicants for licensure may have their experience and preparation in those areas listed in subpart 3 or 4 evaluated by an institution with an approved program. The evaluation must include representation from college departments involved with the licensure program and licensed practicing superintendents, principals, and directors of special education. This evaluation must result in a plan for the applicant to complete the knowledge, skills, and dispositions listed in part 3512.0510.

An approved program for the competency and situational observation component must include an exit evaluation that requires a licensure candidate to demonstrate mastery of aptitude with the knowledge, skills, and dispositions in part 3512.0510.

Subp. 3. **Continuing licensure.** A continuing license shall be issued and renewed according to part 3512.2300 governing continuing licenses.

Subp. 4. **Persons holding life or permanent licenses.**

A. A person holding a Minnesota life or permanent license as a superintendent or principal need not hold an initial license or a continuing license in that administrative licensure area.

B. A person holding a Minnesota life license as a superintendent may serve as a secondary school principal or assistant principal or as an elementary school principal or assistant principal.

Subp. 5. **Administrative licensure completed outside of Minnesota.** A person prepared in another state must be granted an initial license in accordance with part 3512.2600. One year of full-time experience as a superintendent, assistant superintendent, principal, or assistant principal in another state may be substituted for the field experience required by part 3512.0400. A person licensed in another state must achieve educational equivalency by the end of their initial license with persons licensed in Minnesota. Educational equivalency includes 30 semester credits beyond a masters degree or 60 semester credits beyond a bachelor degree.

Subp. 6. [Repealed, 33 SR 658]

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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3512.0400 PROGRAM REQUIREMENTS.

Subpart 1. **Field experience.** An approved school licensure program must include a 320-hour field experience. A person taking part in field experiences shall not replace required superintendents, principals, or directors of special education. Field experience outcomes must focus on the knowledge, skills, and dispositions evident in the competencies for school administrators under part 3512.0510.

Subp. 2. [Repealed, 33 SR 658]

Subp. 3. **Situational observation component.** An approved licensure program for superintendents, principals, or directors of special education must include a component that requires a person to demonstrate mastery of the program knowledge, skills, and dispositions in part 3512.0510. The exit evaluation should focus on knowledge, skills, and dispositions evident in the competencies for school administrators under part 3512.0510 and may contain a combination of objective examinations, portfolio reviews, and observations.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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3512.0500 [Repealed, 33 SR 658]

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3512.0505 DIRECTORS OF COMMUNITY EDUCATION.

Subpart 1. **Scope.** A person who serves as a district director of community education or assistant director of community education shall hold a license as a director of community education.

Subp. 2. **License requirement.** An applicant recommended for licensure as a director of community education shall:

- A. hold a baccalaureate degree from a regionally accredited college or university; and
- B. satisfactorily complete a preparation program listed in subpart 3, approved by the board leading to licensure of directors of community education.

Subp. 3. **Program requirement.** A program leading to the licensure of directors of community education must consist of a minimum of 20 semester hours, or the equivalent, and must provide a candidate recommended for licensure with the knowledge, skills, and dispositions in all of the subjects listed in part 3512.0510, subparts 1 and 5.

The person must complete a practicum, which is a field experience, that includes at least 320 clock hours in an administrative position under the supervision of a licensed director of community education. During the field experience, the candidate shall demonstrate the ability to apply the knowledge and skills listed in part 3512.0510, subparts 1 and 5. A person prepared in another state as director of community education may substitute one year of experience as a district wide director of community education in another state for the field experience.

Subp. 4. **Institutional requirement.** An institution applying to the board for approval of a program leading to licensure as directors of community education shall comply with part 3512.2500. An approved program must include a description of how applicants for licensure may have their experience

and preparation in those areas listed in subpart 3 evaluated by an institution with an approved program. The evaluation must include representation from college departments involved with the licensure program and licensed practicing directors of community education. This evaluation must result in a plan for the applicant to complete the knowledge, skills, and dispositions listed in subpart 3 and may include a reduction of the required college credits necessary for an applicant to be recommended for licensure.

Subp. 5. **Situational observation component.** An approved program must include a component that requires a licensure candidate to demonstrate mastery of the requirements in subpart 3. The extent of mastery must be evaluated by placing the candidate in a series of realistic hypothetical problem-solving situations while being observed by a team of at least four persons competent to evaluate the extent of mastery of the requirements in subpart 3. This component must allow the candidate to demonstrate mastery of all the requirements in subpart 3 during a single period of observation.

A written test to evaluate the extent of mastery must not count for more than 50 percent of the score evaluating mastery of all the requirements in subpart 3.

Subp. 6. **Issuance and renewal of licenses.** A license must be issued according to part 3512.2000. Continuing licenses must be renewed according to part 3512.2300.

Subp. 7. **Pre-1990 directors.** A person serving as a district director of community education in Minnesota between July 1, 1984, and July 1, 1990, shall, upon application and verification of one year of experience as either a part-time or full-time director of community education, be granted an entrance license as a director of community education.

Subp. 8. **Continuing license.** A person who has been issued an entrance license based upon one year of experience between July 1, 1984, and July 1, 1990, shall be granted the first five-year continuing license after completing the human relations requirement in part 3512.2700 and one year of experience as either a part-time or full-time director of community education while holding the entrance license as verified by the employing superintendent of schools. Later continuing licenses must be renewed according to part 3512.2300.

Subp. 9. **Approval for exception.** Subject to the conditions in this subpart, the board shall issue a letter of approval to a school district annually to allow the district to use an individual who is not fully licensed as the community education director if the school district is unable to employ a fully licensed director of community education.

A. Letters of approval must be issued to school districts only if the individual is enrolled in an approved program leading to licensure as a director of community education and can show evidence that the individual will complete the program within three school years.

B. A school district must apply annually for letters of approval and must not exceed the three years stated in item A for any one individual.

C. The school superintendent shall verify in writing the district's inability to contract with a fully licensed director of community education for a position. The verification must state how the position was advertised and that no licensed director of community education who wishes to assume the position has been placed on unrequested leave by the district, and that no licensed community education director applied for the position.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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3512.0510 PROGRAM REQUIREMENTS FOR ALL ADMINISTRATIVE LICENSES.

Subpart 1. **Core leadership competencies for Minnesota administrative licenses.** A person who serves as a superintendent, principal, director of special education, or director of community education shall demonstrate competence in the following core areas:

- A. Leadership by:
- (1) collaboratively assessing and improving culture and climate;
 - (2) providing purpose and direction for individuals and groups;
 - (3) modeling shared leadership and decision-making strategies;
 - (4) demonstrating an understanding of issues affecting education;
 - (5) through a visioning process, formulating strategic plans and goals with staff and community;
 - (6) setting priorities in the context of stakeholder needs;
 - (7) serving as a spokesperson for the welfare of all learners in a multicultural context;
 - (8) understanding how education is impacted by local, state, national, and international events;
 - (9) demonstrating the ability to facilitate and motivate others; and
 - (10) demonstrating the ability to implement change or educational reform;
- B. Organizational management by:
- (1) demonstrating an understanding of organizational systems;
 - (2) defining and using processes for gathering, analyzing, managing, and using data to plan and make decisions for program evaluation;
 - (3) planning and scheduling personal and organizational work, establishing procedures to regulate activities and projects, and delegating and empowering others at appropriate levels;
 - (4) demonstrating the ability to analyze need and allocate personnel and material resources;
 - (5) developing and managing budgets and maintaining accurate fiscal records;
 - (6) demonstrating an understanding of facilities development, planning, and management; and
 - (7) understanding and using technology as a management tool;
- C. Diversity leadership by:
- (1) demonstrating an understanding and recognition of the significance of diversity, and responding to the needs of diverse learners;

- (2) creating and monitoring a positive learning environment for all students;
- (3) creating and monitoring a positive working environment for all staff;
- (4) promoting sensitivity about diversity throughout the school community; and
- (5) demonstrating the ability to adapt educational programming to the needs of diverse constituencies;

D. Policy and law by:

- (1) developing, adjusting, and implementing policy to meet local, state, and federal requirements and constitutional provisions, standards, and regulatory applications;
- (2) recognizing and applying standards of care involving civil and criminal liability for negligence, harassment, and intentional torts; and
- (3) demonstrating an understanding of state, federal, and case law governing general education, special education, and community education;

E. Political influence and governance by:

- (1) exhibiting an understanding of school districts as a political system, including governance models;
- (2) demonstrating the ability to involve stakeholders in the development of educational policy;
- (3) understanding the role and coordination of social agencies and human services; and
- (4) demonstrating the ability to align constituencies in support of priorities and build coalitions for programmatic and financial support;

F. Communication by:

- (1) formulating and carrying out plans for internal and external communications;
- (2) demonstrating facilitation skills;
- (3) recognizing and applying an understanding of individual and group behavior in normal and stressful situations;
- (4) facilitating teamwork;
- (5) demonstrating an understanding of conflict resolution and problem-solving strategies;
- (6) making presentations that are clear and easy to understand;
- (7) responding, reviewing, and summarizing information for groups;
- (8) communicating appropriately, speaking, listening, and writing, for different audiences such as students, teachers, parents, community, and other stakeholders; and
- (9) understanding and utilizing appropriate communication technology;

G. Community relations by:

- (1) articulating organizational purpose and priorities to the community and media;
- (2) requesting and responding to community feedback;
- (3) demonstrating the ability to build community consensus;

- (4) relating political initiatives to stakeholders, including parental involvement programs;
- (5) identifying and interacting with internal and external publics;
- (6) understanding and responding to the news media;
- (7) promoting a positive image of schools and the school district;
- (8) monitoring and addressing perceptions about school-community issues; and
- (9) demonstrating the ability to identify and articulate critical community issues that may impact local education;

H. Curriculum planning and development for the success of all learners by:

- (1) demonstrating the ability to enhance teaching and learning through curriculum assessment and strategic planning for all learners, including early childhood, elementary, middle and junior high school, high school, special education, gifted and talented, and adult levels;
- (2) demonstrating the ability to provide planning and methods to anticipate trends and educational implications;
- (3) demonstrating the ability to develop, implement, and monitor procedures to align, sequence, and articulate curriculum and validate curricular procedures;
- (4) demonstrating the ability to identify instructional objectives and use valid and reliable performance indicators and evaluative procedures to measure performance outcomes;
- (5) appropriately using learning technologies;
- (6) demonstrating an understanding of alternative instructional designs, curriculum, behavior management, and assessment accommodations and modifications; and
- (7) demonstrating an understanding of the urgency of global competitiveness;

I. Instructional management for the success of all learners by:

- (1) demonstrating an understanding of research of learning and instructional strategies;
- (2) describing and applying research and best practices on integrating curriculum and resources to help all learners achieve at high levels;
- (3) demonstrating the ability to utilize data for instructional decision making;
- (4) demonstrating the ability to design appropriate assessment strategies for measuring learner outcomes;
- (5) demonstrating the ability to implement alternative instructional designs, curriculum, behavior management, and assessment accommodations and modifications; and
- (6) demonstrating the ability to appropriately use technology to support instruction;

J. Human resource management by:

- (1) demonstrating knowledge of effective personnel recruitment, selection, and retention;
- (2) demonstrating an understanding of staff development to improve the performance of all staff members;
- (3) demonstrating the ability to select and apply appropriate models for supervision and evaluation;

(4) describing and demonstrating the ability to apply the legal requirements for personnel selection, development, retention, and dismissal;

(5) demonstrating an understanding of management responsibilities to act in accordance with federal and state constitutional provisions, statutory and case law, regulatory applications toward education, local rules, procedures, and directives governing human resource management;

(6) demonstrating an understanding of labor relations and collective bargaining; and

(7) demonstrating an understanding of the administration of employee contracts, benefits, and financial accounts;

K. Values and ethics of leadership by:

(1) demonstrating an understanding of the role of education in a democratic society;

(2) demonstrating an understanding of and model democratic value systems, ethics, and moral leadership;

(3) demonstrating the ability to balance complex community demands in the best interest of learners;

(4) helping learners grow and develop as caring, informed citizens; and

(5) demonstrating an understanding and application of the Code of Ethics for School Administrators under part 3512.5200;

L. Judgment and problem analysis by:

(1) identifying the elements of a problem situation by analyzing relevant information, framing issues, identifying possible causes, and reframing possible solutions;

(2) demonstrating adaptability and conceptual flexibility;

(3) assisting others in forming opinions about problems and issues;

(4) reaching logical conclusions by making quality, timely decisions based on available information;

(5) identifying and giving priority to significant issues;

(6) demonstrating an understanding of and utilize appropriate technology in problem analysis; and

(7) demonstrating an understanding of different leadership and decision-making strategies, including but not limited to collaborative models and model appropriately their implementation; and

M. Safety and security by:

(1) demonstrating the ability to develop and implement policies and procedures for safe and secure educational environments;

(2) demonstrating the ability to formulate safety and security plans to implement security procedures including an articulated emergency chain of command, safety procedures required by law, law enforcement assistance, communication with the public, and evacuation procedures;

(3) demonstrating the ability to identify areas of vulnerability associated with school buses, buildings, and grounds and formulate a plan to take corrective action;

(4) demonstrating an understanding of procedural predictabilities and plan variations where possible; and

(5) demonstrating the ability to develop plans that connect every student with a school adult, eliminate bullying and profiling, and implement recommended threat assessment procedures.

Subp. 2. **Superintendent competencies.** A person who serves as a superintendent shall demonstrate all core competencies described in subpart 1 and competence in the following specific areas:

A. Policy and law by:

(1) demonstrating an understanding of the role policy plays in school district governance and administration;

(2) demonstrating knowledge of statutory regulations affecting school board meetings, communications, procedures, and practices; and

(3) demonstrating an understanding of the roles and responsibilities of the school board;

B. Political influence and governance by:

(1) demonstrating an understanding of the role the political process plays in public education and the connection between them;

(2) demonstrating an understanding of how to interact with local and state governments; and

(3) demonstrating an understanding of the roles played by other community leaders in the school district;

C. Communication by:

(1) demonstrating knowledge of cultivating positive relationships between and with school board members; and

(2) demonstrating an understanding of the importance of communication leadership between school district and its community;

D. Organization management by demonstrating knowledge of factors that affect school finance, including sources of revenue; expenditure classifications; generally acceptable accounting principles; and local, state, and federal finance calculations; and

E. Judgment and problem analysis by demonstrating knowledge of how to balance varied and competing interests to ensure the mission and vision of the school district is carried forward.

Subp. 3. **Principal competencies.** A person who serves as a principal shall demonstrate all core competencies described in subpart 1 and competence in the following specific areas:

A. Instructional leadership by:

(1) demonstrating the ability to understand and apply schoolwide literacy and numeracy systems; and

(2) demonstrating the ability to understand and apply districtwide literacy and numeracy systems;

B. Monitor student learning by:

(1) demonstrating the ability to create a culture that fosters a community of learners;

- (2) demonstrating an understanding of student guidance systems and auxiliary services;
- (3) demonstrating the ability to implement a positive and effective student management system;
- (4) demonstrating the ability to develop and implement effective student discipline plans;
- (5) demonstrating the ability to develop a master instructional schedule;
- (6) demonstrating the ability to meet the enrichment, remediation, and special education needs of all students; and
- (7) demonstrating the ability to understand and support a comprehensive program of student activities; and

C. Early childhood through grade 12 leadership by:

- (1) demonstrating an understanding of the articulation and alignment of curriculum from preschool through grade 12;
- (2) demonstrating an understanding of different organizational systems and structures at early childhood, elementary, middle or junior high, and high school levels;
- (3) demonstrating the ability to work with children of all ages;
- (4) demonstrating the ability to work with parents, teachers, and other staff in all levels of schooling;
- (5) demonstrating an understanding of the characteristics of effective transitions from one level of schooling to the next; and
- (6) demonstrating an understanding of the developmental needs of children of all ages.

Subp. 4. **Director of special education competencies.** A person who serves as a director of special education shall demonstrate the core competencies described in subpart 1 and competence in the following specific areas:

A. Policy and law by:

- (1) demonstrating an understanding of state and federal laws, rules, and procedures governing special education finance, budgeting, and accounting; and
- (2) demonstrating an understanding of state and federal regulations governing the monitoring of special education programs.

B. Organizational management by:

- (1) demonstrating an understanding of the role policy and procedure play in school district governance and administration;
- (2) demonstrating knowledge of statutory regulations affecting board meetings, communications, procedures, and practices that affect special education governance; and
- (3) demonstrating an understanding of special education administrative models used in Minnesota.

C. Resource allocation by:

- (1) demonstrating an understanding of special education program development including needs assessment, design, and evaluation; and

(2) demonstrating an understanding of the resources available, along with the agencies and organizations that serve students with a disability and their families.

Subp. 5. **Director of community education competencies.** A person who serves as a director of community education shall demonstrate the core competencies described in subpart 1 and competence in the following specific areas:

A. Community education concepts by:

- (1) understanding and describing the history and philosophy of community education;
- (2) demonstrating a knowledge and application of the principles of community education;
- (3) demonstrating a knowledge of the role of the local school district's administrative team and the community education director's place within it;
- (4) demonstrating, facilitating, and leading the integration of community education into the early childhood through grade 12 system;
- (5) demonstrating the skills necessary to conduct community needs assessments, determine educational objectives, select learning experiences, schedule and promote programs, and establish and implement registration procedures;
- (6) demonstrating knowledge of the various assessment tools used to effectively evaluate community education programs; and
- (7) demonstrating an understanding of the resources available to support learners of all abilities.

B. Community capital by:

- (1) demonstrating a knowledge of the role, organization, functions, and development of advisory councils;
- (2) demonstrating the ability to involve advisory councils in addressing community and school issues;
- (3) demonstrating the ability to build collaborative partnerships in the community;
- (4) demonstrating the ability to effectively identify the community political structures, both formal and informal;
- (5) demonstrating the ability to identify and effectively use local, civic, and business resources to enhance the lifelong learning opportunities within the community;
- (6) demonstrating the knowledge of the techniques used for developing leadership among community members;
- (7) demonstrating knowledge about sustaining community involvement in the community education process; and
- (8) demonstrating knowledge of factors that affect school finance, including sources of revenue; expenditure classifications; generally acceptable accounting principles; and local, state, and federal finance calculations.

Statutory Authority: *L 2006 c 263 art 2 s 20*

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3512.0700 ADMINISTRATIVE LICENSURE WITHOUT TEACHING EXPERIENCE FOR SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF SPECIAL EDUCATION.

Subpart 1. **Scope.** This part is intended for an applicant for licensure for K-12 principal, superintendent, and director of special education completing an approved licensure program, but lacking the teaching experience requirement.

Subp. 2. **Degree requirement.** An applicant shall meet the degree requirement in part 3512.0200, subpart 3.

Subp. 3. **Field experience.** An applicant shall have satisfactorily completed a field experience in school administration as an intern in the license area sought. The field experience shall be in a school district setting appropriate for the license under the supervision of educators from an approved college or university school administration program and a licensed practicing school administrator working in the area of the intern's field experience. The field experience must consist of at least 320 hours, of which at least 40 must be in each school level: elementary, middle grades, and high school, and is in addition to the teaching experience described in subpart 4.

Subp. 3a. **Teaching knowledge and skills.** An applicant shall demonstrate basic teaching knowledge and skills as required by part 8710.2000. The applicant shall:

A. present a portfolio or other appropriate presentation as determined by the approved school administration program demonstrating appropriate teaching knowledge and skills; or

B. meet the examination requirement of part 8710.0510, subpart 1, items A and B, and subpart 3, items A and B.

Subp. 4. **Teaching internship requirement.** An applicant shall have experience and knowledge in curriculum, school organization, philosophy of education, early childhood, elementary, junior high, middle school, and senior high schools. The internship shall:

A. include one school year with a minimum hour equivalency of 1,050 hours of classroom experiences, including eight weeks of supervised teaching;

B. be under the supervision of a licensed practicing school administrator;

C. include supervision provided by educators from an approved school administration program; and

D. be based on a written agreement between the intern, the approved school administration preparation institution, and the school district in which the internship is completed.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

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3512.0800 ALTERNATIVE LICENSURE FOR SCHOOL SUPERINTENDENTS.

Subpart 1. **Intent of alternative license.** An applicant for an alternative license shall demonstrate skills and competencies needed to perform the functions of a superintendent. This alternative is intended for applicants who do not meet the requirements for superintendent licensure as specified in part 3512.0200.

Subp. 2. **Procedures for licensure.** An applicant for an alternative license must demonstrate that the applicant has substantive experience and education in administration, supervision, management, and executive leadership, in either education, health care, business or industry, labor, or government. An applicant for an alternative license shall:

- A. complete a written application;
- B. provide a written description of the exceptional qualifications;
- C. provide an official college transcript;
- D. document competence in reference to part 3512.0510, subparts 1 and 2, and other educational and leadership experience;
- E. provide a professional resume; and
- F. include letters of recommendation and portfolio examples.

Subp. 3. **Credential review committee.** An applicant shall appear before a credential review committee and present evidence relating to the applicant's proposed effectiveness as a superintendent. Data and information regarding leadership effectiveness shall be presented as testimony from teachers, parents, students, site council members, community members, and other interested persons. The review committee shall consist of a licensed administrator appropriate to the field, a college or university administration preparer, and a member of a local school board or person of similar background. The credential review committee shall make a recommendation to the executive director.

Subp. 4. **Leadership experience.** The applicant shall demonstrate a level of responsibility comparable to the position for which a license is sought and a record of successful and effective administrative behavior. The level of responsibility shall include any administrative, managerial, or supervisory positions.

Subp. 5. **Education.** The candidate shall have an undergraduate degree from a regionally accredited institution and broad formal preparation at the post-baccalaureate level including a master's degree or equivalent in areas such as those listed in subpart 2.

Subp. 6. **Issuance of license.** Initial and renewal licenses shall be issued according to this subpart.

A. Based upon the credential review committee recommendation, the applicant may be granted a two-year initial license. The board may also identify needed activities which the candidate shall implement during the period of the initial license to strengthen the individual's skills which may lead to improved results as a superintendent. This may include a mentoring experience or specific skills or competencies that need improvement.

B. The two-year initial license may be renewed for a five-year license after verification of one year of successful administrative experience. Subsequent five-year renewals shall be granted based upon continuing education requirements in part 3510.2700, subpart 4.

Subp. 7. **Appeal.** If the candidate's initial application is rejected, an appeal may be filed with the board within 30 days of the denial.

Subp. 8. **Fee.** In addition to the license fee under part 3512.2000, subpart 1, the board may charge a fee for the review process to recover costs.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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3512.1200 CONTINUING EDUCATION PROGRAMS FOR DIRECTORS, PRINCIPALS, AND SUPERINTENDENTS.

Subpart 1. **Definitions.** The definitions in items A and B apply to this part.

A. "Clock hours" means hours of actual instruction or supervised group activities in a Minnesota administrative and supervisory continuing education program approved according to this part.

B. "Initiator" means the individual, agency, or institution that initiates and conducts continuing education programs according to this part.

Subp. 1a. **Approval.** All continuing education programs, and the clock hours which may be earned in each program, must be approved by the board. If clock hours are to be earned, approval must be secured before beginning a continuing education professional development activity. Admission to all approved continuing education programs shall be open to any licensed Minnesota school administrator. The board shall disseminate lists of known approved continuing education programs twice annually.

Subp. 2. **Program initiator.** The initiator of a continuing education program has complete responsibility for conducting that program. However, the initiator may use resources from professional associations, governmental agencies, and the private business sector. The program initiator is responsible for:

A. developing proposals for continuing education programs in areas of study which have been identified in cooperation with licensed directors, principals, and superintendents practicing in Minnesota school districts;

B. forwarding continuing education program proposals to the board for approval; and

C. maintaining communication with the board concerning the status of all approved continuing education programs offered.

Subp. 3. **Content of continuing education program.** Each continuing education program shall consist of at least three clock hours and each program proposal shall contain:

- A. a description of planning activities including a list of names, addresses, and positions of those involved in planning;
- B. a description of the client group, or groups, for whom the program is designed;
- C. a statement of program goals which relates goals to client demands;
- D. a statement concerning any prerequisite education or experience required for admission to the program;
- E. a description of the proposed continuing education program which includes:
 - (1) statements of expected learning outcomes;
 - (2) descriptions of program components designed to develop specified learning outcomes; and
 - (3) the means by which achievement of specified learning outcomes will be determined for each program participant;
- F. statements indicating the number of clock hours requested for the proposed program;
- G. length of time for which approval is being requested;
- H. the number of times that the program is to be offered during the approval period; and
- I. evidence that qualified staff have been assigned to the program and that other resources necessary to the program have been allocated.

Subp. 4. **Term of approval.** Programs may be approved for periods of time up to two years. A program will be approved if it meets the requirements of the rules and if the board determines that the program is adequate to fulfill the purposes of continuing education requirements.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *L 1995 1Sp3 art 16 s 13; 21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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3512.1300 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.

Subpart 1. **Materials required to surrender license.** A person holding a license granted by the board may voluntarily surrender the license by submitting to the executive director of the board:

- A. a written request to surrender that specifies the license or licenses to be surrendered;
- B. the applicant copy of the license;
- C. the school district copy of the license with a written statement that the employing school superintendent, or in the case of a superintendent license, the school board chair, has been notified that the school district copy of the license has been removed from the school district files; and
- D. the required processing fee under part 3512.2000.

Subp. 2. **Surrender date.** When the board receives the materials listed in subpart 1 by January 1, the date of surrender is July 1 of that year. If the materials are received after January 1, the date of license surrender is July 1 of the following calendar year. An applicant may revoke the request to surrender a license.

The revocation must be made in writing to the executive director of the board no later than December 31 of the year in which the request for voluntary surrender is received by the board.

Subp. 3. **When surrender is prohibited.** A person may not voluntarily surrender a license if:

A. the school board has begun proceedings to terminate the continuing contract, pursuant to Minnesota Statutes, section 122A.40, subdivision 9 or 13, or 122A.41, subdivision 6;

B. the board has begun proceedings to suspend or revoke the license pursuant to part 3512.5200 and Minnesota Statutes, sections 122A.20 and 214.10; or

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

Subp. 4. **Initial license after surrender.** A person whose Minnesota administrative or supervisory license has been voluntarily surrendered may apply for initial licensure in the field for which licensure was previously surrendered. An initial license must be granted to the applicant if:

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

B. the applicant meets the initial licensure standards that are in effect in the field at the time of application and meets procedures in board rules applicable to an initial license; and

C. the required processing fee under part 3512.2000 accompanies the application for initial licensure.

Subp. 5. **Disclaimer.** Subparts 1 to 4 do not prohibit a person from holding or applying for a license in any administrative or supervisory field upon surrender of an administrative or supervisory license in another field.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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3512.1500 THE ISSUANCE AND RENEWAL OF LICENSES.

Subpart 1. **Renewal.** A license to serve as superintendent, principal, or director shall bear the date of issue and the date of expiration and may be renewed on or before July 1 in the year of expiration.

Subp. 2. **Expiration.** After July 1 in the year of expiration, a license to serve as superintendent, principal, or director shall be deemed expired and no longer valid for administration.

Subp. 3. **Fees.** Each application for the issuance and/or renewal of a license to serve as superintendent, principal, or director shall be accompanied by a processing fee in the amount of \$57 effective July 1, 2004.

Statutory Authority: *MS s 125.05; L 1981 c 359 s 2 subd 4; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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3512.1600 APPEALS.

Subpart 1. **Licensure denials.** A person denied an administrative license may appeal the denial under Minnesota Statutes, chapter 14, to a final decision by the Board of School Administrators.

Subp. 2. **Appeal request.** A person entitled to a hearing under this part shall file a written request for a hearing with the executive director within 30 days from the date of the denial. Failure to file a written request for a hearing within 30 days constitutes a waiver of the person's right to a hearing.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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3512.1700 RULES REVIEW.

Licensure standards for superintendents, principals, and directors shall be reviewed every even-numbered year beginning in the year 2008.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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3512.2000 REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSES.

Subpart 1. **In general.** An applicant must qualify separately for each licensure area for which application is made and provide evidence of satisfactory completion of a program in the licensure area that has been approved by the board.

Each application for the issuance or renewal of a license shall be accompanied by the processing fee in part 8710.0200. The processing fee shall be nonrefundable for applicants not qualifying for a license, except the fee is refundable when the applicant for a license already holds the license for which application is made and that license does not expire in the year the application is submitted.

All licenses must be issued or renewed according to criteria established in rules of the board and are valid for the period of time specified in this part. All licenses must bear the date of issuance and expire on the specified number of years from July 1 nearest the date licensure was approved. Applications for renewal must be accepted by the Minnesota Department of Education, Division of Educator Licensing and Teaching Quality, after January 1 of the year of expiration. The renewal period begins on July 1 of the year of expiration. After June 30 in the year of expiration, all licenses not renewed expire and are no longer valid.

Subp. 2. **Initial license.** The initial license issued in any licensure area is an entrance license, valid for two years. Licenses valid for administration and supervision in Minnesota schools must be granted to persons who meet all requirements of applicable statutes and rules and who complete programs approved by the board leading to licensure in Minnesota institutions that are approved by the board pursuant to part 3512.2500 to prepare persons for licensure.

Subp. 3. **Failure to complete school year of experience affecting entrance license.** When one school year of administrative or supervisory experience is not completed before the expiration of an entrance license, another entrance license in that licensure area must be issued upon application. If an entrance license in any licensure area is allowed to lapse, it shall be renewed, upon application, until the applicant has had one school year of administrative or supervisory experience while holding a valid entrance license after which time an applicant must qualify for a continuing license.

Subp. 4. **Continuing license.** A continuing license, valid for five years, must be issued and renewed upon application according to provisions enumerated in the specific licensure rules of the board for the continuing license being issued or renewed.

Statutory Authority: *MS s 125.05; L 1981 c 359 s 2 subd 4; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *L 1995 1Sp3 art 16 s 13; 21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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SUPERVISORY AND SUPPORT PERSONNEL

3512.2100 INITIAL LICENSE.

Requirements must be met for each administrative area where licensure is sought. An initial license shall be issued to an applicant who has met all of the following requirements. An applicant must:

- A. fulfill the requirements of parts 3512.2000, subparts 1 and 2, and 3512.2700; and
- B. be recommended for licensure by a Minnesota Board of School Administrators approved Minnesota college or university which, in making such a recommendation, attests to satisfactory completion of the approved program by the applicant. An applicant coming to Minnesota from another state must present to the Minnesota Department of Education, Division of Educator Licensing and Teacher Quality, a transcript of college or university work to be analyzed in order to determine comparability of program.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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3512.2300 CONTINUING LICENSE.

Subpart 1. **Continuing license for those holding entrance license.** An applicant who completes at least one school year of administrative or supervisory experience in a licensure area while holding an entrance license shall be issued a continuing license, valid for five years. When a licensure area is added

to a continuing license already in force, a continuing license is issued, and the expiration date becomes that already established for the continuing license in force.

Subp. 2. **Life license.** An applicant who holds a life license who subsequently completes an approved program in an additional licensure area shall be issued a continuing license, valid for five years for the additional licensure area.

Subp. 3. **Renewal of continuing licenses.** The renewal of continuing licenses must be issued to an applicant who provides evidence of completion of 125 clock hours of approved administrative and supervisory continuing education earned according to part 3512.1200 during the five-year period immediately before renewal of the continuing license. Approval of continuing education programs, and the clock hours that may be earned in each program, must be according to part 3512.1200. Relevant courses completed at accredited colleges and universities may be used toward the clock hour requirement. One quarter college credit equals 15 clock hours; one semester college credit equals 20 clock hours. Renewal requirements must be met during the five-year period of each continuing license and no clock hours shall carry forward into any subsequent five-year licensure period.

Subp. 4. **Lapsed license.** If a continuing license has been allowed to lapse and the applicant has not been employed as an administrator or supervisor during the year immediately before the application for renewal, the applicant must provide evidence that:

A. 125 clock hours of approved administrative and supervisory continuing education have been earned according to this part during the five-year period immediately before the application for a continuing license, in which case a five-year continuing license must be granted; or

B. a position has been offered contingent upon holding a valid license, and demonstrate that there is insufficient time to complete 125 clock hours of approved administrative and supervisory continuing education, in which case a nonrenewable one-year license may be granted. Upon expiration of the nonrenewable one-year license, the applicant must qualify for a continuing license according to subpart 3.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

History: *21 SR 804; L 1998 c 397 art 11 s 3*

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3512.2400 SUSPENSION AND REVOCATION OF LICENSES.

Subpart 1. **Cause.** The license of a superintendent, principal, or director may be revoked or suspended for any of the following causes:

- A. immoral character or conduct;
- B. a breach of contract of employment without justifiable cause;
- C. overall gross inefficiency or willful neglect of duty;
- D. fraud or misrepresentation in obtaining a license;
- E. felony conviction which directly relates to the occupation for which licensure is held; or
- F. violation of part 3512.5200, code of ethics for school administrators.

Subp. 2. **Procedure for suspension and revocation of licenses.** The board may act to suspend or revoke the license of a person whose license was granted by the board after the following procedures have been followed:

A. A written complaint that specifies the nature and character of the charges against the licensee is filed with the board by a student, parent, community member, or the school board employing the person.

B. The board notifies the licensee of the allegations contained in the complaint, giving the licensee an opportunity to respond to the allegations.

C. A hearing conducted according to the rules of the Office of Administrative Hearings, if not waived, must be held.

Subp. 3. **Revocation.** Revocation includes the cancellation or repeal of a license or renewal privilege. Revocation disqualifies a person from performing any function that is permitted on the basis of holding a license issued under the rules of the board. Revocation is final, except that a person whose license has been revoked may petition the board for licensure under subpart 6.

Subp. 4. **Suspension.** Suspension includes the temporary withdrawal of a license or renewal privilege. Suspension disqualifies a person from performing any function that is permitted on the basis of holding a license issued under the rules of the board. The length of each suspension and any terms and conditions attached to the suspension must be determined by the board on consideration of:

A. the activity of the individual that led to the license suspension;

B. any relevant mitigating factors that the individual may interpose;

C. the prior administrative, supervisory, or teaching record of the individual; and

D. other similar factors.

Subp. 5. **Applicability.** Unless otherwise provided by the board, a revocation or suspension applies to each license or renewal privilege held by the individual at the time final action is taken by the board. A person whose license or renewal privilege has been suspended or revoked is ineligible to be issued any other license by the board during the pendency of the suspension or revocation.

Subp. 6. **Issuance of license after revocation.** A person whose license or renewal privilege has been revoked by the board may apply for and may be granted an initial license upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled, and upon meeting current licensure standards.

Subp. 7. **Issuance or reinstatement of license after suspension.** A person whose license or renewal privilege has been suspended by the board may apply for reinstatement of that license according to this subpart.

A. If the suspended license was an entrance license that has lapsed during the suspension, that license must be reinstated upon proper application after the period of suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled, if the applicant has had less than one year of administrative or supervisory experience while holding the entrance license. If the applicant has gained a year or more of experience on the entrance license before the suspension and the license has lapsed during the suspension, a five-year continuing license must be granted after all other conditions stated in this part have been met.

B. If the suspended license is an entrance license that has not lapsed during the suspension, the person may resume administrative or supervisory functions for whatever period of time remains on that

license after the period of the suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled.

C. If the suspended license is a continuing license that has not lapsed during the period of the suspension, the person may resume administrative or supervisory functions for whatever period of time remains on the continuing license after the suspension has expired and upon presentation of reliable evidence that all terms and conditions that the board imposed have been fulfilled.

D. If the suspended license is a continuing license that lapsed during the period of the suspension, the person may apply for another continuing license that must be granted if the suspension has expired, the person presents reliable evidence that all terms and conditions the board imposed have been fulfilled, and demonstrates the current continuing education requirements have been completed.

E. If the suspended license was a life license, the person may resume administrative or supervisory functions after the period of the suspension has expired and after presenting reliable evidence that all terms and conditions imposed by the board have been fulfilled.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658*

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3512.2500 PROCEDURES FOR APPROVAL OF LICENSURE PROGRAMS.

Subpart 1. **Request for approval.** Institutions approved by the board under part 3512.2500 to prepare persons for licensure may request approval by the board of licensure programs in administration and supervision. The programs shall be evaluated for initial approval and thereafter shall be audited for continuing approval according to this part.

Subp. 2. **Content of program description.** Each institution shall forward from the administrator of the defined administrative and instructional unit of that institution to the board a program description for each licensure program for which approval is requested. The licensure program description shall include:

- A. a statement which verifies the institutional commitment to the licensure program;
- B. a description of the organizational structure of the institution and procedures for implementing the licensure program;
- C. a description of the role for which persons who enroll in the licensure program are being prepared;
- D. an enumeration of the specific knowledge, skills, and dispositions to be achieved by persons completing the licensure program;
- E. a description of the licensure program which relates individual program components to the knowledge, skills, and dispositions to be achieved by persons completing the licensure program;
- F. a description of the field-based experience, the assessment of prior experience and preparation, and the situational observation component;
- G. a description of the systematic procedure for evaluation of the licensure program which assures that all requirements for licensure have been met by all persons recommended for licensure;

H. a specific identification of the plans for assessing the performance of each person who is to be judged as having successfully completed the licensure program;

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

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

Subp. 3. **Evidence required in program description.** Each program description forwarded to the board by an institution for each licensure program for which approval is requested shall include evidence that:

A. rules of the board governing the licensure program are met;

B. necessary faculty and physical resources are allocated to implement and maintain the licensure program; and

C. adequate supervision for practicum experiences required by individual licensure rules is provided.

Subp. 4. **Appraisal of program.** Before initial approval for the licensure program is granted, persons designated as program auditors by the board may visit the institution to examine the licensure program for the purpose of verifying the program description and making a recommendation regarding approval status. During the operation of an approved licensure program, an audit visit to verify that the approved program complies with this part may be arranged in consultation with the institution. Program auditors shall make a written report of their findings to the board and to the institution.

Board staff or persons designated as program auditors by the board in consultation with the institution shall make audit visits on a five-year cycle to verify program descriptions and to make a recommendation regarding approval status of each licensure program.

Based upon appraisal of the program description prepared by the institution and the written report of the auditors, the board shall:

A. grant initial approval;

B. grant continuing approval;

C. grant conditional approval, state the conditions, and establish time lines for meeting the stated conditions; or

D. disapprove the licensure program, state the reasons for disapproval, and, if needed, stipulate a termination date that will accommodate persons enrolled in the program.

Subp. 5. **Conditional approval.** If a licensure program is conditionally approved, the board shall reconsider the approval status of the licensure program upon verification that the stated conditions are met. If stated conditions are not met within the established time lines, conditional approval must be withdrawn.

Subp. 6. **Programs that vary in curricular design.** Licensure programs that vary in curricular design must be approved provided that program components meet the criteria for approval in this part.

Subp. 7. **Revisions made in program.** If an institution makes revisions in an approved licensure program, the administrator of the defined administrative and instructional unit of that institution shall forward to the board a written description of the licensure program revision. An audit must be made to

verify that the revised licensure program continues to meet rules of the board. Each verified licensure program revision is an amendment to the approved licensure program.

Subp. 8. **Revocation or suspension due to failure to meet rules.** The board shall revoke or suspend the approval of a licensure program if the board determines that an approved licensure program no longer complies with this part.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *L 1995 1Sp3 art 16 s 13; 21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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3512.2600 LICENSURE FOR PERSONS PREPARED IN STATES OTHER THAN MINNESOTA.

Subpart 1. **Criteria.** Minnesota licenses shall be granted to persons who otherwise meet applicable statutory requirements and who complete programs leading to licensure in colleges and universities located outside Minnesota. The licenses shall be granted only in licensure fields for which the board has established rules governing programs leading to licensure. Persons prepared in states other than Minnesota shall present their credentials to the board for approval. The board has jurisdiction on all matters concerning administrative licensure. The licenses shall be issued according to either item A or B as follows:

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

B. Persons who complete programs leading to licensure in colleges and universities within states outside Minnesota which have not signed contracts with Minnesota shall be granted a Minnesota initial license when all of the following criteria are met:

(1) the college or university is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools;

(2) the program leading to licensure has been recognized by the state as qualifying the applicant completing the program for such licensure within that state;

(3) the program leading to licensure completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota colleges and universities under the rules of the Board of School Administrators governing the licensure field; and

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

Notwithstanding part 3510.4000 governing human relations, persons who have been prepared for licensure in states other than Minnesota shall be granted a Minnesota initial license based upon the provisions of this part.

Subp. 2. **Human relations requirement.** Notwithstanding part 3512.2700 governing human relations, persons who have been prepared for licensure in states other than Minnesota shall be granted a nonrenewable one-year initial license based upon the provisions of this part.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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3512.2700 HUMAN RELATIONS REQUIREMENT.

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

Human relations components of programs which lead to licensure in education under authority of the board shall be approved upon submission of evidence:

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

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

(1) understand the contributions and life styles of the various racial, cultural, disabled, and economic groups in our society;

(2) recognize and deal with dehumanizing biases, discrimination, prejudices, and institutional and personal racism and sexism;

(3) create learning environments which contribute to the self-esteem of all persons and to positive interpersonal relations; and

(4) respect human diversity and personal rights.

C. Relating all of the areas enumerated in item B to specific competencies to be developed.

D. Indicating means for assessment of competencies.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

History: *L 1995 1Sp3 art 16 s 13; 21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; L 2005 c 56 s 2; 33 SR 658*

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HEAD COACHES

3512.3000 LICENSE RENEWAL OF HEAD VARSITY COACHES OF INTERSCHOLASTIC SPORTS IN SENIOR HIGH SCHOOLS.

A person who holds or has held a license as a head varsity coach of interscholastic sports in senior high schools issued before December 31, 1996, under parts 3510.7500 to 3510.7900 may continue to renew this license according to requirements of the Board of Teaching governing continuing education relicensure.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

History: *21 SR 804; L 1998 c 397 art 11 s 3*

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3512.3100 EMPLOYMENT OF HEAD VARSITY COACHES OF INTERSCHOLASTIC SPORTS IN SENIOR HIGH SCHOOLS.

A school district may employ a person as a head varsity coach of an interscholastic sport in a senior high school provided that:

A. in the judgment of the school board, the person has the knowledge and experience necessary to coach the sport;

B. the person can verify completion of six quarter credits, or the equivalent, or 60 clock hours of instruction in first aid and the care and prevention of athletic injuries; and

C. the person can verify completion of a coaching methods or theory course.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

History: *21 SR 804; L 1998 c 397 art 11 s 3*

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READING CONSULTANTS AND SUPERVISORY AND CONSULTATIVE PERSONNEL

3512.5000 LICENSE RENEWAL OF READING CONSULTANTS.

A person who holds or has held a license as a reading consultant issued before July 1, 1995, under part 3510.8100, may continue to renew this license according to part 3512.2300 governing continuing licenses.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

History: *21 SR 804; L 1998 c 397 art 11 s 3*

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3512.5100 LICENSE RENEWAL OF SUPERVISORY AND CONSULTATIVE PERSONNEL.

A person who holds or has held a license as supervisory and consultative personnel issued before July 1, 1995, under part 3510.8300, may continue to renew this license according to part 3512.2300 governing continuing licenses.

Statutory Authority: *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

History: *21 SR 804; L 1998 c 397 art 11 s 3*

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SCHOOL ADMINISTRATORS

3512.5200 CODE OF ETHICS FOR SCHOOL ADMINISTRATORS.

Subpart 1. **Scope.** This part applies to all persons licensed as school administrators as defined in part 3512.0100, subparts 5 to 7.

Subp. 2. **Standards of professional conduct.** The standards of professional conduct for school administrators are listed in items A to K.

A. A school administrator shall provide professional educational services in a nondiscriminatory manner.

B. A school administrator shall take reasonable action to protect students and staff from conditions harmful to health and safety.

C. A school administrator shall take reasonable action to provide an atmosphere conducive to learning.

D. A school administrator shall not misuse professional relationships with students, parents and caregivers, staff, or colleagues to private advantage.

E. A school administrator shall disclose confidential information about individuals only when a compelling professional purpose is served in accordance with state and federal laws, and school district policies.

F. A school administrator shall not knowingly falsify or misrepresent records or facts relating to the administrator's qualifications, or to the qualifications of other staff or personnel.

G. A school administrator shall not knowingly make false or malicious statements about students, students' families, staff, or colleagues.

H. A school administrator shall not accept gratuities, gifts, or favors that impair professional judgment, nor offer any favor, service, or item of value to obtain special advantage.

I. A school administrator shall only accept a contract for a position when licensed for the position or when a school district is granted a variance or letter of approval by the board.

J. A school administrator, in filling positions requiring licensure, shall employ, recommend for employment, and assign only appropriately licensed personnel, or persons for whom the school district has been granted a variance by the appropriate state board or agency, unless, after making reasonable efforts to obtain a variance, an appropriately licensed person cannot be assigned and the position must be filled to meet a legitimate emergency educational need.

K. A school administrator shall not engage in conduct involving dishonesty, fraud, or misrepresentation in the performance of professional duties.

Subp. 3. **Statutory enforcement of code, complaints, investigation, and hearing.** This part shall be enforced in accordance with Minnesota Statutes, section 214.10, subdivisions 1, 2, and 3.

Subp. 4. **Complaints handled by board.** When oral complaints alleging violations of the code of ethics for school administrators are received, the board shall request the complaining party to submit a written complaint. Upon receipt of a written complaint, the administrator named in the complaint shall be notified in writing of the complaint. The administrator shall be entitled to be represented by the administrator's own counsel or representative at each stage of the investigation and hearing.

Subp. 5. **Enforcement procedures.** The board may impose one or more of the following penalties when it has found a violation of a standard under subpart 2. These actions shall be taken only after previous efforts at remediation have been exhausted.

A. The board may enter into agreements with administrators accused of violating the code of ethics that would suspend or terminate proceedings against the administrator on conditions agreeable to both parties.

B. A letter of censure from the board may be sent to the person determined to be in violation of the standards of the code of ethics. The letter shall be kept on file for a period of time not to exceed one calendar year.

C. An administrator who has been found to have violated the code of ethics may be placed on probationary licensure status for a period of time to be determined by the board. The board may impose conditions on the administrator during the probationary period which are to be directed toward improving the administrator's performance in the area of the violation. During this period, the administrator's performance or conduct shall be subject to review by the board. The review shall be directed toward monitoring the administrator's activities or performance with regard to whatever conditions may be placed on the administrator during the probationary period. Before the end of the probationary period, the board shall decide to extend or terminate the probationary licensure status or to take further disciplinary actions as consistent with this rule.

D. The license to practice of the person determined to be in violation of the standards of the code of ethics may be suspended for a period of time determined by the board.

E. The license to practice of the person determined to be in violation of the standards of the code of ethics may be revoked by the board.

Statutory Authority: *MS s 125.05; L 2006 c 263 art 2 s 20*

History: *23 SR 1928; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658*

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3512.5300 VARIANCE.

Subpart 1. **Scope.** Pursuant to Minnesota Statutes, section 14.055, a person or entity may apply for a variance from any rule or portion of a rule under the jurisdiction of the board of school administrators. The board may not consider a request for a variance from a statute or court order.

Subp. 2. **Application.** The applicant must file an application for a variance in writing on a form provided by the board. The application form must comply with Minnesota Statutes, section 14.056, subdivision 1, and must include instructions for completing the form and a description of the variance process.

Subp. 3. **Criteria.** In reviewing a variance request, the board must consider the information required under Minnesota Statutes, section 14.056, subdivision 1, and the following:

A. whether application of the rule to the individual circumstances of the applicant would serve the purpose of the rule;

B. whether application of the rule to the individual circumstances of the applicant would result in hardship or injustice;

C. whether variance from the rule would be consistent with the public interest and the educational interests of students, school districts, and the profession;

D. whether variance from the rule would positively serve an educational need or opportunity;

E. whether variance from the rule would compromise the purpose of the rule; and

F. whether variance from the rule would prejudice the substantial legal or economic rights of any person or entity.

Pursuant to Minnesota Statutes, section 14.055, subdivision 3, the board must grant a variance from a rule if the applicant can provide evidence that application of the rule to the individual circumstances of the applicant would not serve the purpose of the rule. The board may not grant a variance under any circumstances if the variance would compromise the purpose of the rule or the variance would prejudice the substantial legal or economic rights of any person or entity.

Subp. 4. **Oral argument.** Upon request from the applicant, the board may permit an applicant to present an oral argument in defense of a variance application.

Subp. 5. **Notice.** Upon submitting a variance application, the applicant must send written notice of the application to any individual or entity that may be affected by the variance. The notice must include a description of the variance request and a statement indicating that if the individual or entity opposes the variance, it may submit written arguments to the board, and the board may permit the individual to present an oral argument in opposition to the variance. The applicant must submit to the board with its application for a variance a list of the names and addresses of the impacted parties who were notified of the variance request and a sufficient explanation of how the parties were notified. The board will not consider a variance request until it has received the list and explanation from the applicant. Each month the board's monthly meeting notice must include a list of all variance requests to be considered that month.

Subp. 6. **Order; timing.** Within 60 days of receipt of a completed variance application, the board must issue a written order granting or denying a variance and specifying the scope and period of the variance. The board must not grant a discretionary variance for a period longer than one year. The order must include a statement of relevant facts and the reasons for the board's action.

Subp. 7. **Limitations.** A variance may be granted to the applicant only for the specific circumstances for which the request is made. The applicant may not apply the variance to other circumstances without specific approval from the board, and a variance is not transferable to other individuals or entities in similar situations without specific approval from the board.

Subp. 8. **Fees.** The application must include a nonrefundable processing fee of \$25. An application is not complete until the board receives the processing fee. The applicant may be charged additional fees if the cost for the board to process the variance application exceeds \$25.

Subp. 9. **Reconsideration.** A decision of the board to grant or deny a variance is final unless the decision is reversed by subsequent board action. The applicant may submit an application for reconsideration if the applicant is able to submit additional information in support of its variance request.

Subp. 10. **Record.** The board must maintain a record of all orders granting and denying variances in compliance with Minnesota Statutes, section 14.056, subdivision 7.

Statutory Authority: *MS s 14.055*

History: *27 SR 426*

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SUPPLEMENTAL EDUCATIONAL SERVICE PROVIDERS

3512.5400 [Expired, 28 SR 271]

3512.5400 SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDERS.

Subpart 1. **Provider requirements.** A provider of supplemental educational services must be a nonprofit entity, a for-profit entity, or a local educational agency, and may include public or private schools, public or private postsecondary institutions, and faith-based organizations. A provider:

- A. has a tutorial program with a demonstrated record of effectiveness in increasing student academic achievement;
- B. can document that its instructional strategies are of high quality, based upon research, and designed to increase student academic achievement;
- C. is capable of providing supplemental educational services that are aligned with state academic standards and demonstrate an understanding of the instructional program of the local educational agency; and
- D. is financially sound.

Subp. 2. **Application.**

A. Providers applying to the commissioner of education must complete a written application provided by the commissioner which must include that the provider will:

- (1) provide parents of children receiving supplemental educational services under this part and the appropriate local educational agency with information on the progress of the children in increasing achievement, in a format, and to the extent practicable, a language that the parents can understand;

(2) ensure that the instruction provided and content used by the provider are aligned with state academic standards and demonstrate an understanding of the instruction provided and content used by the local educational agency;

(3) meet all applicable federal, state, and local health, safety, and civil rights laws;

(4) ensure that all instruction and content under this part are secular, neutral, and nonideological; and

(5) meet the federal requirement that supplemental educational services are delivered in addition to instruction provided during the school day.

B. A potential provider also must inform the commissioner of education of:

(1) the subject areas in which the provider plans to provide instruction, in addition to the required areas of language arts, mathematics, or both;

(2) the provider's approach or model of instruction;

(3) how a standard tutoring session will be structured, in terms of number of minutes and times per week;

(4) how student needs are assessed or diagnosed and how an instructional program is prescribed based on the student's individual needs;

(5) how services offered will help academically at-risk students improve their achievement;

(6) the specific strategies the provider uses to work with parents and families;

(7) the facilities, equipment, and materials used and supplied by the provider and used and supplied by the student; and

(8) the recruitment and development of staff to deliver the high-quality program required by the No Child Left Behind Act of 2001, United States Code, title 20, section 6301, et seq.

Subp. 3. Application review and approval.

A. The commissioner of education shall approve applications based on evidence of:

(1) a high-quality research base;

(2) program effectiveness in increasing student achievement;

(3) alignment with Minnesota academic standards in language arts, mathematics, or both, and a demonstrated understanding of the instructional program of the local educational agency;

(4) capability and willingness to provide educational services for children with disabilities consistent with the child's individualized education program and with the need for accommodations for the child's disabilities;

(5) evaluation of student progress;

(6) communication with parents and school staff;

(7) quality of instructional staff;

(8) financial and organizational capacity; and

(9) compliance with health, safety, and civil rights laws, rules, and regulations.

B. An application must be reviewed and scored by a team of three individuals. Reviewers will be selected from the Department of Education, school districts, Title I programs, and public and private organizations that have experience in the area of providing supplemental services.

C. A quality threshold score of 70 points out of 100 possible points on the application is required for a provider to be on the state's approved list. To ensure the merits of each applicant's responses are discussed, reviewers must reach consensus within three points on each section.

D. A successful applicant shall remain on the approved list for three school years, beginning with the next school year after the application is reviewed, unless the provider does not meet the requirements under subpart 2 or the provider requests to be removed from the list. A provider whose application is not approved may resubmit an application in the next round of applications.

E. The application and approval process must be repeated annually, with the timeline to be modified by the commissioner of education if warranted by the need for additional providers.

Statutory Authority: *MS s 14.388*

History: *28 SR 271; L 2007 c 146 art 2 s 35*

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