

CHAPTER 8705
PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD
TEACHER PREPARATION PROGRAMS

NOTE: In this chapter, the changes adopted at 45 SR 1159 on April 26, 2021, are effective July 1, 2022.

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8705.0100 PURPOSE.

A teacher preparation provider based in a Minnesota institution of higher education, school district, charter school, or nonprofit corporation organized under Minnesota Statutes, chapter 317A, must be approved as a unit in accordance with the rules and procedures in this chapter to prepare candidates for licensure in Minnesota.

Statutory Authority: *MS s 122A.09; 122A.092*

History: *39 SR 822; L 2017 1Sp5 art 12 s 22; 45 SR 1159*

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8705.0200 DEFINITIONS.

Subpart 1. **Scope of definitions.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. [Repealed, 45 SR 1159]

Subp. 3. **Assessment system.** "Assessment system" means a comprehensive and integrated set of valid and reliable evaluation and assessment measures that provides information for use in monitoring candidate demonstration of standards, and managing and improving unit operations and programs.

Subp. 4. **Board.** "Board" means the Minnesota Professional Educator Licensing and Standards Board.

Subp. 4a. **Candidate.** "Candidate" means an individual working toward licensure in the teacher preparation program.

Subp. 4b. **Clinical experiences.** "Clinical experiences" means field experiences, student teaching, and practica.

Subp. 4c. **Cooperating teacher.** "Cooperating teacher" means a teacher who has agreed to work with a candidate during the candidate's clinical experiences. A cooperating teacher's responsibilities include modeling effective instruction to the candidate, observing the candidate engaging with students throughout clinical experiences, and providing feedback to the candidate based on these observations.

Subp. 4d. **Culturally responsive teaching.** "Culturally responsive teaching" means understanding prior experiences, frames of reference, performance styles based on the lived experiences of students, and the effects of systemic and institutional racism, and applying this knowledge to make learning experiences more relevant and effective for students.

Subp. 4e. **Designated school partner.** "Designated school partner" means a school or district that hosts candidates for clinical experiences. School or district leaders collaborate with the unit to evaluate data, assess progress toward mutually beneficial goals, and provide input on the content and design of the teacher preparation programs.

Subp. 5. **Endorsement.** "Endorsement" means a licensure field that cannot be earned as an initial license.

Subp. 6. **Field experience.** "Field experience" means a school-based opportunity in which candidates observe teachers and students, assist, tutor, instruct, or conduct research.

Subp. 6a. **Initial licensure program.** "Initial licensure program" means a program approved by the Professional Educator Licensing and Standards Board for the purposes of preparing individuals for their initial professional license based on teacher preparation.

Subp. 7. [Repealed, 45 SR 1159]

Subp. 7a. **Practicum.** "Practicum" means when a candidate is enrolled in a teacher preparation program and is seeking an additional license or an endorsement, and assumes teacher responsibilities to practice and demonstrate the knowledge, skills, and dispositions necessary to teach the content aligned to the additional license or endorsement.

Subp. 7b. **Professional dispositions.** "Professional dispositions" means the values, commitments, and professional ethics that are needed to maintain appropriate professional relationships with students, families, colleagues, and communities.

Subp. 7c. **Professional license.** "Professional license" means a license that is transferable to any school district, including a Tier 3 license, a Tier 4 license, a 5-year professional license, or a professional license from another state.

Subp. 8. **Program completer.**

A. "Program completer" means a candidate who has met a program's completion requirements. For an initial licensure candidate to be counted as a completer, the candidate must complete student teaching in the licensure area sought and submit the board-adopted teacher performance assessment for official scoring, if applicable. For an additional licensure candidate to be counted as a completer, the candidate must complete an evaluated practicum in the licensure area sought.

B. Notwithstanding item A, transfer candidates, including those prepared out of state, who have completed less than 50 percent of a licensure program's total requirements at the current preparation provider should not be included.

Subp. 9. [Repealed, 45 SR 1159]

Subp. 9a. **School partner.** "School partner" means a school or district that hosts one or more candidates for clinical experiences.

Subp. 10. **Scope.** "Scope" means the age or grade span of the licensure field.

Subp. 10a. **Student teaching.** "Student teaching" means when a candidate enrolled in an initial licensure program assumes teacher responsibilities while working with a cooperating teacher and a supervisor to practice and demonstrate the knowledge, skills, and dispositions necessary to become a teacher.

Subp. 10b. **Supervisor.** "Supervisor" means an individual under the direction of the unit and responsible for supporting and evaluating the candidate during clinical experiences.

Subp. 10c. **Teacher educator; instructor.** "Teacher educator" or "instructor" means the individual employed or directed by the unit to facilitate a candidate's learning opportunities and assessments.

Subp. 10d. **Teacher of record.** "Teacher of record" has the meaning given in part 8710.0310, subpart 1, item N.

Subp. 11. **Teacher preparation program; program.** "Teacher preparation program" or "program" means a program approved by the Professional Educator Licensing and Standards Board for the purpose of preparing individuals for a specific teacher licensure field in Minnesota.

Subp. 12. **Unit; teacher preparation program provider.** "Unit" or "teacher preparation program provider" has the meaning given in Minnesota Statutes, section 122A.06, subdivision 8.

Statutory Authority: *MS s 122A.09; 122A.092*

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8705.1010 UNIT STANDARDS.

Subpart 1. **Standards for program design and improvement.**

A. Standard 1. The unit must ensure each program has a clear and consistent conceptual framework threaded throughout the program that is research-based, results-oriented, and focused on the skills teachers need to be effective.

B. Standard 2. The unit must ensure each program provides effective instruction on:

- (1) content-specific methods that meet the scope of the licensure area;
- (2) the teacher Code of Ethics;
- (3) lesson planning, including the use of Minnesota academic standards, or, if unavailable, national discipline-specific standards;
- (4) the knowledge and skills needed to provide appropriate instruction to multilingual learners to support and accelerate academic literacy, including oral academic language and achievement in content areas in a regular classroom setting;
- (5) the knowledge and skills needed to implement culturally responsive teaching and instructional strategies, including incorporating opportunities for candidates to learn about the role of teachers to disrupt patterns and systems of racism, privilege, and oppression;
- (6) research-based practices in reading that enable the candidate to teach reading in the candidate's licensure field;
- (7) using a student's native language as a resource in creating effective differentiated instructional strategies for multilingual learners developing literacy skills; and
- (8) the knowledge and skills needed to engage students with technology and deliver digital and blended learning curricula.

C. Standard 3. The unit must implement an assessment system with a process for annually collecting and reviewing data from:

- (1) surveys, including those from:
 - (a) initial licensure program completers at the time of program completion;
 - (b) initial licensure program completers one year after completion; and
 - (c) initial licensure program completers' supervisors one year after completion;
- (2) clinical experiences;
- (3) multiple assessments as required by Standard 19; and

(4) candidate scores on state-required examinations and board-adopted performance assessments.

D. Standard 4. The unit's assessment system must include a process to engage its stakeholders, including candidates, program completers, school partners, teacher educators, and representatives from the community to:

- (1) systematically review data collected under Standard 3;
- (2) provide feedback and recommendations on unit-wide strengths and areas of improvement, which can include program-specific feedback and recommendations; and
- (3) provide feedback and recommendations on long-term plans specific to the unit's program offerings.

E. Standard 5. The unit must implement a formal process for using the assessment system and stakeholder feedback to inform unit and program improvement.

Subp. 2. Standards for the designated school partnership.

A. Standard 6. The unit must have at least one designated school partnership with a school or district that works collaboratively to align theory and practice and that meets the standards in this subpart. The unit may have additional partnerships with districts or schools to place candidates in clinical experiences according to the standards in subpart 3.

B. Standard 7. For the purpose of continuous improvement and shared accountability, the unit and designated school partner must maintain an agreement that addresses:

- (1) the type of student data that the designated school partner is authorized and willing to share with the candidate and unit regarding student achievement and progress under Minnesota Statutes, section 13.05, subdivision 7;
- (2) the type of aggregated candidate data that the unit will share with the designated school partner regarding candidate efficacy and survey data under Minnesota Statutes, section 13.05, subdivision 7; and
- (3) how the unit will solicit feedback and recommendations from candidates, supervisors, and cooperating teachers about clinical experiences with the designated school partner.

C. Standard 8. The unit must meet a minimum of two times per year with the designated school partner. The unit must engage in ongoing collaboration with the designated partner to:

- (1) review data including but not limited to data collected under Standards 3 and 7;
- (2) assess feedback from candidates, supervisors, and cooperating teachers;
- (3) evaluate the effectiveness of the partnership to meet mutually beneficial short-term and long-term goals; and
- (4) engage in decision-making processes regarding changes to design and implementation of teacher preparation programs.

Subp. 3. Standards for clinical experiences.

A. Standard 9. The unit and each school partner must maintain an agreement that addresses:

- (1) the expectations for the candidate during a clinical experience;
- (2) the responsibilities held by the school partner during a clinical experience;
- (3) the grounds for removing a candidate from a clinical experience and the process for removal; and
- (4) the process for identifying cooperating teachers who model:
 - (a) effective instruction, including the use of state academic standards or, if unavailable, national discipline-specific standards; and
 - (b) culturally responsive teaching.

B. Standard 10. The unit must collaborate with each school partner to ensure that:

- (1) each cooperating teacher paired with a candidate during student teaching and practicum:
 - (a) has at least three years of teaching experience as a teacher of record in the licensure area;
 - (b) holds a professional license aligned to the assignment;
 - (c) has completed professional development in coaching strategies for adult learners;and
 - (d) meets all other requirements in state statute;
- (2) each cooperating teacher paired with a candidate during field experiences:
 - (a) has at least two years of teaching experience;
 - (b) holds a Tier 2 license or professional license aligned to the assignment; and
 - (c) meets all other requirements in state statute; and
- (3) each cooperating teacher receives training that addresses the cooperating teacher's role, program expectations, candidate assessments, procedures, and timelines.

C. Standard 11. For candidates seeking an initial professional license, the unit must:

- (1) provide a minimum of 100 field experience hours prior to student teaching that includes:
 - (a) at least 60 field experience hours that are aligned to the scope and content of the licensure field sought;

(b) experience with students who differ in race, ethnicity, home language, and socioeconomic status; and

(c) experience with students with a range of exceptionalities, including students on an individualized education plan; and

(2) provide a minimum of 12 full-time weeks, or the equivalent number of weeks where the candidate is participating in at least 80 percent of the contracted school week, of face-to-face student teaching that:

(a) is aligned to the scope and content of the licensure field sought;

(b) is split into no more than two placements where each placement is with a continuous group of students and for continuous weeks in alignment with the school calendar and day;

(c) includes ongoing observations with actionable feedback to ensure growth and attainment of standards with a minimum of four observations conducted by the cooperating teacher;

(d) includes ongoing observations with actionable feedback to ensure growth and attainment of standards with a minimum of four observations conducted by the supervisor;

(e) includes a minimum of three triad meetings with the cooperating teacher, the supervisor, and the candidate for clear and consistent communication; and

(f) includes a written evaluation by the supervisor that addresses the candidate's ability to meet the standards in parts 8710.2000 to 8710.8080 and the required professional dispositions.

D. Standard 12. For candidates seeking more than one professional license, the unit must:

(1) provide a minimum of 100 field experience hours prior to student teaching that include:

(a) at least 30 field experience hours that are aligned to the scope and content of each license and endorsement sought;

(b) experience with students who differ in race, ethnicity, home language, and socioeconomic status; and

(c) experience with students with a range of exceptionalities, including students on an individualized education plan; and

(2) provide a minimum of 14 full-time weeks, or the equivalent number of weeks where the candidate is participating in at least 80 percent of the contracted school week, of face-to-face student teaching that:

(a) includes a placement aligned to the scope and content of each license and endorsement sought;

(b) is split into no more than two placements, where each placement is a minimum of two weeks or the equivalent, with a continuous group of students and for continuous weeks in alignment with the school calendar and day;

(c) includes observations with actionable feedback to ensure growth and attainment of standards with a minimum of five observations, with at least one observation per placement, conducted by the cooperating teacher;

(d) includes observations with actionable feedback to ensure growth and attainment of standards with a minimum of five observations, with at least one observation per placement, conducted by the supervisor;

(e) includes a minimum of four triad meetings, with at least one triad meeting per placement with the cooperating teacher, the supervisor, and the candidate; and

(f) includes a written evaluation by the supervisor that addresses the candidate's ability to meet the applicable standards in parts 8710.2000 to 8710.8080 and the required professional dispositions.

E. Standard 13. For candidates who have completed licensure via portfolio or a state-approved initial licensure teacher preparation program, and are seeking an additional license or endorsement, the unit must:

(1) have a documented process for evaluating a candidate's prior clinical experiences and teaching experiences including:

(a) experience aligned to the scope and content of the license or endorsement sought;

(b) experience with students who differ in race, ethnicity, home language, and socioeconomic status; and

(c) experience with students with a range of exceptionalities, including students on an individualized education plan; and

(2) design a practicum experience that addresses any gaps in prior experience listed in subitem (1) and that:

(a) aligns to the scope and content of the license or endorsement sought;

(b) is a minimum of 80 hours with a continuous group of students;

(c) provides observations with actionable feedback to ensure growth and attainment of standards with a minimum of two observations by the cooperating teacher;

(d) provides observations with actionable feedback to ensure growth and attainment of standards with a minimum of two observations by the supervisor;

(e) includes a minimum of one triad meeting with the cooperating teacher, the supervisor, and the candidate for clear and consistent communication; and

(f) includes a written evaluation by the supervisor that addresses the candidate's ability to meet the standards in parts 8710.2000 to 8710.8080 and the candidate's professional dispositions.

F. Standard 14. For a candidate working as a teacher of record while completing a teacher preparation program to obtain an initial professional license, the unit must ensure:

- (1) the candidate completes the requirements in Standard 11;
- (2) a cooperating teacher holding a professional license in the licensure area sought is available to work with the candidate throughout the course of the student teaching experience; and
- (3) a cooperating teacher holding a professional license aligned to the licensure area or scope of the license sought is available in the school to work with the candidate to model effective practices and provide feedback throughout the course of the student teaching experience.

G. Standard 15. The unit must ensure each supervisor:

- (1) is qualified by one of the following:
 - (a) holding or having held a professional license aligned to the licensure field or scope of the license sought by the candidate and at least three years of experience as a teacher of record; or
 - (b) being a current or former E-12 administrator with documented experience in teacher evaluation;
- (2) completes professional development in coaching strategies for adult learners; and
- (3) completes training on the program requirements and evaluation procedures for candidates.

Subp. 4. Standards for candidates.

A. Standard 16. The unit must implement effective strategies to recruit, retain, and increase the percentage of candidates who:

- (1) complete programs that address state and district teacher shortage areas; and
- (2) are of color or indigenous in proportion to either regional or state K-12 student demographic ratios.

B. Standard 17. The unit must maintain accurate records of candidate progress through the program, including applicable learning opportunities and coursework, clinical experiences, and all program requirements.

C. Standard 18. The unit must make available to candidates, online or in print, the following information:

- (1) a description of the requirements for admission into each program;

- (2) a description of the completion requirements for each program;
- (3) a description of the state requirements for licensure, including information about the completion of a board-adopted performance assessment;
- (4) the unit's procedures for receiving and responding to complaints and grievances from candidates;
- (5) the unit's policy for substituting program requirements for prior learning experiences, coursework, teaching experience, and credit by examination. The policy must make clear that the unit will not substitute prior experience for student teaching requirements in Standard 11, item C, subitem (2), and Standard 12, item D, subitem (2);
- (6) a description of the candidate's appeal process if not recommended for licensure;
- (7) cost information, including information about financial aid; and
- (8) unit and program accreditation status.

D. Standard 19. The unit must monitor each candidate's attainment of content and pedagogical knowledge and skills as required by parts 8710.2000 to 8710.8080, enactment of unit-determined professional dispositions, and progress toward completing the program by assessing each candidate:

- (1) at a minimum of three identified checkpoints, including at entry, midpoint through the program, and at exit; and
- (2) through multiple assessments implemented throughout the program.

E. Standard 20. The unit must provide each candidate with individualized advising, which includes:

- (1) prior to student teaching or practicum, discussing the candidate's attainment of content and pedagogical knowledge and skills as required by parts 8710.2000 to 8710.8080, enactment of professional dispositions, and progress toward completing the program;
- (2) counseling a candidate out of the program who is failing to evidence the necessary content and pedagogical knowledge and skills or professional dispositions to be an effective teacher; and
- (3) documenting program completion.

F. Standard 21. The unit must ensure each candidate, prior to completing an initial licensure program, completes a board-adopted teacher performance assessment if an assessment exists that is aligned with the license sought.

Subp. 5. Standards for teacher educators.

A. Standard 22. The unit must implement effective strategies to recruit, retain, and increase the percentage of teacher educators who are of color or indigenous in proportion to either regional or state K-12 student demographic ratios.

B. Standard 23. The unit must ensure each teacher educator is able to show expertise for teaching assignments through documentation of one of the following:

- (1) the individual holds a master's degree or higher in any field and:
 - (a) has at least 18 graduate credits in the teacher educator's area of instruction; or
 - (b) has completed a dissertation or published peer-reviewed research in the teacher educator's area of instruction;
- (2) the individual:
 - (a) holds a bachelor's degree in any field;
 - (b) has at least five years of experience as a teacher of record; and
 - (c) has completed a state-approved teacher preparation program.

At least one of the components listed in units (a) to (c) must align to the content area of instruction;

(3) for teacher educators of career and technical education or the visual or performing arts, a bachelor's degree in any field and at least five years of relevant professional work experience aligned to the teacher educator's area of instruction; or

(4) the individual holds a bachelor's degree or higher in any field and provides evidence of the individual's background and experience to the board that demonstrates essential equivalency of necessary pedagogical and content standard proficiency. Examples of background and experience include but are not limited to previous work experiences, teaching experiences, educator evaluations, industry-recognized certifications, and national board certification.

C. Standard 24. The unit must ensure each teacher educator of field-specific methods instruction, including reading methods, is able to show expertise for teaching assignments through documentation of one of the following:

- (1) the individual:
 - (a) holds a master's degree or higher in any field and:
 - i. has at least 18 graduate credits aligned to the content area of instruction;
 - ii. has completed a dissertation or published peer-reviewed research in the teacher educator's area of instruction; or
 - iii. has completed a state-approved teacher preparation program aligned to the content area of instruction; and
 - (b) has three years of experience as a teacher of record, including at least one year aligned to the scope and content area of instruction;
- (2) the individual:
 - (a) holds a bachelor's degree in any field;

(b) has completed a state-approved teacher preparation program; and

(c) has seven years of experience as a teacher of record, including at least three years aligned to the scope and content area of instruction.

At least one of the components listed in units (a) and (b) must align to the content area of instruction;

(3) for teacher educators of field-specific methods in career and technical education or the visual and performing arts, the individual:

(a) holds a bachelor's degree in any field and:

i. the bachelor's degree is aligned to the content area of instruction;

ii. the individual has at least five years of relevant professional work experience aligned to the teacher educator's content area of instruction; or

iii. the individual has completed a state-approved teacher preparation program aligned to the content area of instruction; and

(b) has seven years of experience as a teacher of record, including at least three aligned to the scope and content area of instruction; or

(4) the individual holds a bachelor's degree or higher in any field and provides evidence of the individual's background and experience to the board that demonstrates essential equivalency of necessary pedagogical and content standard proficiency. Examples of background and experience include but are not limited to previous work experiences, teaching experiences, educator evaluations, industry-recognized certifications, and national board certification.

D. Standard 25. The unit must monitor and assess each teacher educator's effectiveness as an instructor at least once every three years, including using observations and candidate feedback, unless prohibited by an employment agreement.

E. Standard 26. The unit must require and document for each teacher educator:

(1) completion of ongoing professional development opportunities related to the teacher educator's area of instruction focusing on research-based best practices;

(2) completion of 30 hours in a three-year period of professional involvement in an early childhood, elementary, or secondary school setting aligned to the area of instruction that must include at least one of the following: teaching, tutoring, supervising candidates in the field, completing observations, school-level consulting, or engaging with a professional learning community; and

(3) completion of periodic orientation on requirements in chapters 8705 and 8710 and Minnesota Statutes, chapter 122A.

Subp. 6. Standards for unit and program oversight.

A. Standard 27. The unit must:

(1) meet the applicable requirements in this chapter, chapter 8710, and Minnesota Statutes, chapter 122A;

(2) administer all licensure programs as approved;

(3) ensure information submitted to the board as part of the unit approval process and program approval process is not misleading, false, or fraudulent;

(4) comply with state and federal data practices laws; and

(5) maintain an assessment system that enables storing, tracking, and reporting to meet state and federal annual data submission requirements.

B. Standard 28. The unit must designate a leader responsible for:

(1) recommending candidates for licensure upon completion of the teacher preparation program; and

(2) communicating with the board, including notifying the board of changes to approved programs through the program reporting process and submitting licensure program proposal applications and program effectiveness reports.

C. Standard 29. The unit must have financial, human, and physical resources to maintain licensure programs, support teacher educators, provide administrative support, and meet all unit and program standards, including the ability to collect and analyze data for continuous improvement.

Subp. 7. **Standards for school counseling programs.** Standard 30. For a school counseling program approved by the board, the unit must demonstrate compliance with all applicable entry-level Council for Accreditation of Counseling and Related Education Program (CACREP) standards for a school counseling program including:

A. the learning environment;

B. a professional counseling identity;

C. professional practice;

D. program evaluation; and

E. school counseling standards.

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8705.1100 UNIT APPROVAL.

Subpart 1. [Repealed, 45 SR 1159]

Subp. 1a. **Initial unit approval.** A provider must apply for initial unit approval under the procedures in this subpart.

- A. The provider must submit a notice of intent to apply for initial unit approval.
- B. Within one month of the receipt of the notice of intent, board staff must schedule an informational meeting with the provider to review the approval process and jointly agree upon dates for the site visit.
- C. At least 12 months prior to the site visit, the provider must provide a self-study, including evidence demonstrating compliance with standards, for review.
- D. At least one month prior to the site visit, the provider must submit an interview schedule to board staff.
- E. The review team must review the submitted self-study and supplemental evidence and provide feedback on deficiencies at least six months prior to the site visit.
- F. The provider may provide a supplemental narrative and additional evidence to address deficit areas at least one month prior to the site visit and may not provide additional evidence after this time.
- G. The review team must conduct a site visit to verify evidence of current compliance with the standards in this chapter, report their findings, and make a recommendation to the board regarding approval status of the unit.
- H. Within the written report of findings and recommendations, the review team must identify each standard under part 8705.1010 as:
- (1) Met: when the substance of a standard is evidenced through narrative, supplemental evidence, and interviews;
 - (2) Met with Concern: when the substance of a standard is evidenced through narrative, supplemental evidence, or interviews, but the review team is concerned about ongoing compliance with the relevant standards. The review team must provide a comment on each standard that is "Met with Concern";
 - (3) Met as Planned: when the substance of a standard is currently not met, but clear and convincing evidence of plans to meet the standard prior to enrolling candidates is provided; or
 - (4) Not Met: when compliance with all or part of a standard is not demonstrated.
- I. Within one month of the site visit, board staff must provide the written report of findings and recommendations to the unit leader. Within one month of receipt of the review team's report and recommendations, the provider may respond to factual errors.

Subp. 1b. **Board determinations for initial approval.** The board must take one of the following actions based upon the review team's written report of findings and recommendations.

- A. The board may grant initial unit approval for a duration of two years to newly approved program providers to launch approved licensure programs and begin collecting candidate and program data. The board may require the unit to submit an interim report during the approval period

to demonstrate compliance with standards identified as "Met as Planned" and "Not Met" in the review team's written report.

(1) Upon written request by the unit, initial unit approval may be extended for an additional two years.

(2) A unit with initial unit approval may seek continuing approval by submitting a self-study once the unit has launched one or more approved programs for at least 24 months. A review team must conduct a site visit to verify evidence of compliance with the standards in this chapter, report the findings, and make a recommendation to the board regarding continuing approval status. The review team must identify each standard according to the procedures in part 8705.1100, subpart 1a, item H.

B. The board may grant conditional unit approval for a duration not to exceed two years when the nature and severity of "Not Met" standards threaten the viability of the unit to prepare candidates for licensure. The board must identify standards that must be met in order for the unit to achieve initial approval pursuant to item A. A unit with conditional approval may not submit requests for initial program approval (RIPA). If the unit has already submitted one or more RIPA, the review process must be paused until the unit is granted initial approval pursuant to item A. A unit with conditional approval may not enroll candidates.

(1) Prior to the expiration of the unit's conditional approval, the unit must evidence meeting the identified standards, which must be reviewed at a focused site visit specific to those standards.

(2) If, after two years of conditional approval, standards remain unmet, the board must act to disapprove the unit and discontinue its programs.

C. The board must deny unit approval when the provider's failure to meet the requirements and standards in this chapter, chapter 8710, or Minnesota Statutes, chapter 122A, results in an inability to prepare candidates for licensure. The denial action must state the reasons for the denial. The provider may not enroll candidates. The provider may resubmit a notice of intent to apply for unit approval when at least six months have passed since the date of the denial action.

Subp. 2. [Renumbered subp 1b]

Subp. 2a. **Continuing unit approval.**

A. Continuing unit approval is valid for six years. A unit must apply for continuing unit approval to continue to provide teacher preparation programs to candidates by scheduling an informational meeting with board staff, jointly agreeing upon the dates for a site visit, and following the procedures under subpart 1a, items C to F.

B. The review team must conduct a site visit to verify evidence of compliance with the standards in this chapter, report their findings, and make a recommendation to the board regarding the approval status of the unit. Within the written report of findings and recommendations, the review team members must identify each standard under part 8705.1010 as:

(1) Met: when the substance of a standard is evidenced through narrative, supplemental evidence, and interviews;

(2) Met with Concern: when the substance of a standard is evidenced through narrative, supplemental evidence, or interviews, but the review team is concerned about ongoing compliance with the relevant standards. The review team must provide a comment for each standard that is "Met with Concern"; or

(3) Not Met: when all or part of a standard is not evidenced through narrative, supplemental evidence, and interviews.

C. Within one month of the site visit, board staff must provide the written report of findings and recommendations to the unit leader. Within one month of receipt of the review team's report and recommendations, the provider may respond to factual errors.

Subp. 2b. **Board determinations for continuing approval.** The board must take one of the actions in items A to D based upon the review team's written report of findings and recommendations.

A. The board must grant continuing approval for a period of six years when the unit demonstrates that the standards in part 8705.1010 are "Met" or "Met with Concern."

B. The board must grant continuing approval with focus areas for a period of six years when one or more of the standards in part 8705.1010 are "Not Met."

C. The board must place a unit on probation for a duration not to exceed two years when the nature and severity of "Not Met" standards threaten the viability of the unit to prepare candidates for licensure. The unit is identified as "low performing" for Federal Title II reporting.

(1) A unit on probation may not enroll new candidates.

(2) A unit on probation may not submit a request for initial program approval (RIPA) for new programs. If a unit has already submitted one or more RIPA, the review process must be paused until the unit is granted continuing approval or continuing approval with focus areas.

(3) When placing a unit on probation, the board must identify standards that must be met in order for the unit to achieve continuing approval or continuing approval with focus areas. Prior to the expiration of the probationary status, the unit must evidence meeting the identified standards, which must be reviewed at a site visit specific to those standards. If standards remain "Not Met" after two years of probation, the board must act to disapprove the unit and discontinue its programs.

D. The board must disapprove a unit when the unit's failure to meet the requirements and standards in this chapter, chapter 8710, or Minnesota Statutes, chapter 122A, results in an inability to prepare candidates for licensure. The disapproval action must state the reasons for disapproval and provide a plan for candidates currently enrolled to complete the licensure programs by a specified date. A provider may not reapply for unit or program approval until at least two years have passed since the date of the disapproval action.

Subp. 3. [Repealed, 45 SR 1159]

Subp. 4. [Repealed, 45 SR 1159]

Subp. 5. [Repealed, 45 SR 1159]

Subp. 6. **Unit review teams and expenses.**

A. The review team for site visits must be comprised of at least three representatives for units and two reviewers for restricted units. The review team may include active or former teacher educators, active or former teachers, and active or former school administrators. The unit leader must provide input to board staff regarding the review team membership. If agreement is not reached, or if input is not provided, the board staff shall appoint the review team members.

B. Expenses of the review team members shall be reimbursed by the Professional Educator Licensing and Standards Board as permitted under state law or rule. Other incidental expenses incurred by the provider, such as those related to preparing reports, arranging meetings, and providing workrooms, supplies, and hospitality for the review team while on site, are the responsibility of the provider.

Statutory Authority: *MS s 122A.09; 122A.092*

History: *39 SR 822; L 2017 1Sp5 art 12 s 22; 45 SR 1159*

Published Electronically: *July 1, 2021*

8705.1200 [Repealed, 45 SR 1159]

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8705.1300 UNITS WITH BOARD-APPROVED NATIONAL ACCREDITATION.

Subpart 1. **Initial approval.** When a teacher preparation provider that is accredited by a board-approved national education accreditation agency seeks unit approval, the provider may demonstrate compliance with a subset of standards in part 8705.1010.

Subp. 2. **Standards.** A teacher preparation provider that is accredited by a board-approved national education accreditation agency is eligible for unit approval from the board by demonstrating compliance with the following subset of standards in part 8705.1010:

- A. Standard 2;
- B. Standard 9;
- C. Standard 11;
- D. Standard 12;
- E. Standard 13;
- F. Standard 14;
- G. Standard 18;
- H. Standard 20;

- I. Standard 23;
- J. Standard 24;
- K. Standard 26;
- L. Standard 27; and
- M. Standard 28.

Subp. 3. **Approval process for units with board-approved national education accreditation.** A unit that is accredited by a board-approved national education accreditation agency must follow the procedures of this subpart.

A. The unit must notify board staff if it plans to pursue accreditation by a board-approved national education accreditation agency.

B. A unit must apply for approval according to part 8705.1100, subpart 2a.

C. The unit must provide a self-study to board staff that addresses the standards identified in subpart 2.

D. A review team must conduct a site visit to verify evidence of current compliance with the standards in subpart 2, report their findings, and make a recommendation to the board regarding the approval status of the unit. Within the written report of findings and recommendations, the review team must identify each standard according to part 8705.1100, subpart 2a, item B.

Subp. 4. **Board determinations for continuing approval.** Based on the review team's written report of findings and recommendations, the board must take one of the actions set forth in part 8705.1100, subpart 2b.

Subp. 5. **Notice required.** The unit must notify board staff if there are any changes to its approval status with the board-approved national education accreditation agency.

Subp. 6. **Self-study required.** Within one year of terminating its affiliation with the board-approved national education accreditation agency, the unit must submit a self-study demonstrating current compliance with standards in part 8705.1010.

Statutory Authority: *MS s 122A.09; 122A.092*

History: *45 SR 1159*

Published Electronically: *July 1, 2021*

8705.1400 UNITS WITH RESTRICTED APPROVAL.

Subpart 1. **Restricted approval.** A provider may apply for restricted approval to provide one or more programs designed to meet a subset of licensure standards.

Subp. 2. **Limitations.** A unit with restricted approval may not recommend candidates for licensure.

Subp. 3. **Standards.** To be approved as a unit with restricted approval, a provider must comply with the following standards in part 8705.1010:

- A. Standard 3, subitems (2) and (3);
- B. Standard 4, subitems (2) and (3);
- C. Standard 5;
- D. Standard 9;
- E. Standard 10, subitems (2) and (3);
- F. Standard 16;
- G. Standard 17;
- H. Standard 18;
- I. Standard 20;
- J. Standard 22;
- K. Standard 23;
- L. Standard 25;
- M. Standard 26;
- N. Standard 27;
- O. Standard 28, subitem (2); and
- P. Standard 29.

Subp. 4. **Candidate tracking.**

- A. A unit with restricted approval must have an assessment system to track candidates.
- B. A unit with restricted approval must track candidate field experiences, including:
 - (1) field experience hours completed that align to the scope and content of the licensure field sought;
 - (2) experience with students who differ in race, ethnicity, home language, and socioeconomic status; and
 - (3) experience with students with a range of exceptionalities, including students on an individualized education plan.

Subp. 5. **Initial approval process.** An organization must apply for restricted approval under the procedures of this subpart.

- A. The provider must submit its notice of intent to apply for restricted approval.

B. The provider and board staff must jointly agree upon dates for the site visit approximately three to six months prior to the site visit.

C. At least three months prior to the site visit, the provider must provide input regarding review team membership.

D. At least one month prior to the site visit, the provider must submit a site visit schedule to board staff and must submit the self-study and any supplemental information to board staff and the review team.

E. The review team must conduct a site visit to verify evidence of the applicable standards. The site visit may be virtual.

F. The review team must report findings and make a recommendation to the board regarding the approval status according to the procedures in part 8705.1100, subpart 1a, item H.

Subp. 6. **Board determinations for initial approval.** The board must take one of the actions in part 8705.1100, subpart 1b.

Subp. 7. **Continuing unit approval.** Continuing restricted approval is valid for up to six years. A unit must apply for continuing restricted approval by meeting the standards and requirements in subparts 3 and 4, and following the procedures under subpart 5.

Subp. 8 **Board determinations for continuing approval.** The board must take one of the actions in part 8705.1100, subpart 2b.

Statutory Authority: *MS s 122A.09; 122A.092*

History: *45 SR 1159*

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8705.1500 UNIT REPORT ON CONTINUOUS IMPROVEMENT.

Subpart 1. **Submission required.** To maintain continuing unit approval, a unit must submit a midcycle unit report on continuous improvement.

Subp. 2. **Unit report on continuous improvement.** The unit must submit a unit report on continuous improvement that provides the following:

A. a description of major changes to the unit and any impact of those changes to unit standards. The description must also address how the unit is complying with new state statutory requirements, if any;

B. a description of the action steps taken to address any standards identified as "Met with Concern" or "Not Met" during the previous site visit, including evidence of how the unit is demonstrating compliance with these standards;

C. identification of unit strengths and areas of improvement, including but not limited to:

(1) data and analysis of the survey results collected from program completers and supervisors; and

(2) data and analysis of candidate scores in performance assessments;

D. a summary and evaluation of work completed with the designated school partner;

E. a summary of feedback gathered from stakeholders, including candidates, program completers, school partners, teacher educators, and representatives from the community, and how this feedback has informed continuous improvement; and

F. a description of how data has informed continuous improvement efforts.

Subp. 3. Review procedures.

A. Unit reports on continuous improvement must be initially reviewed by board staff.

B. A unit report on continuous improvement must be reviewed by the board when:

(1) the unit and programs do not demonstrate compliance with state and federal requirements;

(2) there are major changes to the unit that adversely affect how standards are met;

(3) insufficient evidence was submitted to demonstrate that standards previously found as "Not Met" or "Met with Concern" are "Met";

(4) continuous improvement data, including data and analysis, identifies a concern in unit effectiveness or operations; or

(5) insufficient evidence was submitted to demonstrate the unit is using data and stakeholders to implement effective unit-wide or programmatic changes.

Subp. 4. Exemptions.

A. A unit with accreditation from a board-approved national education accreditation agency is exempt from the requirements in subpart 2, items C to F, when the unit submits its most recent annual report, which was submitted to the board-approved national accrediting agency, and the national accrediting agency's findings.

B. A restricted unit is exempt from the requirements in this part.

Statutory Authority: *MS s 122A.09; 122A.092*

History: *45 SR 1159*

Published Electronically: *July 1, 2021*

8705.2000 PROGRAM REVIEW PANEL (PRP).

The Professional Educator Licensing and Standards Board must establish a program review panel (PRP) as a standing committee of the board to assist with program review and approval processes. PRP membership must include but is not limited to representation from the Professional

Educator Licensing and Standards Board, Minnesota Association of Colleges for Teacher Education, Education Minnesota, and varying types of teacher preparation and teacher advocacy organizations. The PRP will consult with content experts as needed. PRP members will recuse themselves from reviews of their current or former unit or programs or other perceived conflicts of interest as directed by the board's executive director. Professional Educator Licensing and Standards Board staff will facilitate the work of the PRP and serve as nonvoting members. The PRP will make recommendations to the board regarding approval of licensure programs referred to them.

Statutory Authority: *MS s 122A.09; 122A.092*

History: *39 SR 822; L 2017 1Sp5 art 12 s 22; 45 SR 1159*

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8705.2100 REQUEST FOR INITIAL PROGRAM APPROVAL (RIPA).

Subpart 1. **Application required.** An application for initial approval of a program must be submitted in accordance with the timelines and procedures established and published by the Professional Educator Licensing and Standards Board.

Subp. 2. **Request for initial program approval (RIPA).** The request for initial program approval (RIPA) must be submitted according to the procedures in this subpart.

A. The unit leader or designee shall submit to the board an application for each new teacher preparation program for which approval is requested through the online educator preparation provider application system (EPPAS).

B. Programs that have submitted applications may not begin enrolling candidates prior to approval by the board.

C. The unit must verify that sufficient financial, physical, human resources, and qualified teacher educators have been dedicated to the program to sustain it if approved.

D. Program applications must include all requirements in subitems (1) to (6).

(1) The application must provide evidence of the following program development standards:

(a) a summary of the program development process, including name and contact information for individuals engaged in program development, including a school partner, teacher educators, content instructors, and practicing teachers in the licensure field; and

(b) the name and contact information for the designated program leader, who is responsible for delivery of this program and is qualified as a teacher educator pursuant to part 8705.1010, subpart 5, item B, (Standard 23).

(2) For initial licensure programs, the application must provide evidence of teaching and assessing the standards of effective practice (SEP) under part 8710.2000, including:

(a) evidence that the program provides candidates with a professional sequence of learning opportunities based on the standards under part 8710.2000; and

(b) evidence of how the program will provide opportunities for candidate learning and assessment specific to each standard.

(3) For initial and additional licensure programs, the application must provide evidence of teaching and assessing content standards for one or more licensure programs under parts 8710.3000 to 8710.8080, including:

(a) evidence that the program provides candidates with a sequence of learning opportunities based on the specific content standards of one or more licensure program under parts 8710.3000 to 8710.8080, including field-specific methods instruction and reading methods; and

(b) evidence of how the program will provide opportunities for candidate learning and assessment specific to each standard of the identified licensure program.

(4) The application must provide evidence that the program provides and requires clinical experiences aligned to the scope and content of the licensure field sought, as required in part 8705.1010, subpart 3.

(5) The application must provide evidence of its program type. A program can have more than one program type. Program types include:

(a) "Baccalaureate," defined as a licensure program that grants credit and is designed for candidates who are seeking their undergraduate degree at the same time as completing a teacher preparation program.

(b) "Classroom-based," defined as a licensure program designed for on-site learning where more than 80 percent of the instructional content is provided in a shared physical space.

(c) "Hybrid," defined as a licensure program designed for a combination of classroom-based and online learning, where 20 to 80 percent of the instructional content is provided in a shared physical space and the remaining is provided in a virtual format.

(d) "Online," defined as a licensure program designed for distant learning where more than 80 percent of the instructional content is provided through a virtual format. Candidates must complete field experiences and student teaching in a face-to-face format.

(e) "Other," a provider can request recognition of additional licensure program types. The board must approve or deny the request.

(f) "Post-baccalaureate," defined as a licensure program that grants credit and is designed for candidates who have already completed an undergraduate degree. The program may or may not lead to an advanced degree.

(g) "Residency," defined as a program offered in partnership with a designated school partner that provides a year-long clinical experience integrating learning opportunities and student teaching. A residency program uses a cohort-based model that pairs candidates, often referred to as residents, with cooperating teachers. The residency program must ensure each candidate is placed for a full academic year to co-teach and participate in professional development for at least 80 percent of the contracted school week. The residency program must ensure that each

cooperating teacher serves as the teacher of record and receives ongoing professional development in co-teaching, mentoring, and coaching skills. Candidates may receive a stipend, salary, or other form of commensurate financial support during the residency program.

(h) "Transfer," defined as a licensure program that meets only a subset of licensure standards and does not recommend candidates for licensure. This program type is only available to units approved as restricted units.

(6) The application must identify a process for continuous improvement that includes:

(a) identification of three key assessments used to assess all candidates and identify areas to track for program efficacy, including at least one assessment monitoring applicable content standards in parts 8710.3000 to 8710.8080. Each assessment must monitor no more than ten specific substandards in part 8710.2000 or content standards;

(b) attestation that all candidates must attempt board-approved content and pedagogy exams prior to recommendation, and such data will be remitted to the board to demonstrate program efficacy;

(c) attestation that all candidates must submit a complete board-adopted performance assessment prior to recommendation, and such data will be remitted to the board to demonstrate program efficacy; and

(d) attestation that the implementation of the battery of board-adopted surveys must be provided for candidates, program completers at completion and one year after completion, and the program completers' current supervisors one year after completion.

Subp. 3. **Initial review procedures.**

A. RIPAs must be initially reviewed by trained content experts and board staff according to timelines and consistent with standards adopted by the Professional Educator Licensing and Standards Board. During the initial review, the content experts must identify each applicable standard in this chapter and parts 8710.2000 to 8710.8000 that align to the licensure area as:

(1) "Met: " when the substance of the standard is evidenced through a learning opportunity and an assessment;

(2) "Met with Concern: " when the substance of the standard is evidenced through a learning opportunity and an assessment but the reviewer is concerned with how the standard was identified or evidenced in its submission; or

(3) "Not Met: " when the substance of all or part of a standard is not evidenced through a learning opportunity and an assessment or when there is evidence of false or conflicting information tied to a particular standard.

If the applicable standards are found to be "Met" and there are no requests for a discretionary variance from standards in this chapter or chapter 8710, the program will be recommended to the board for approval.

B. If during the initial review applicable standards are identified as "Met with Concern" or "Not Met," the provider may choose to make changes to learning opportunities and assessments for a second review. During the second review, the content experts must review changes to learning opportunities and assessments for standards identified as "Met with Concern" or "Not Met" during the initial review and determine whether the standards are "Met," "Met with Concern," or "Not Met."

C. The program review panel (PRP) must review all RIPAs with standards identified as "Met with Concern" or "Not Met" and all RIPAs seeking a discretionary variance from board rule. The PRP must make a recommendation to the board regarding whether the program should be approved.

Subp. 4. **Board determinations.** The board must take one of the following actions based upon the PRP's recommendation.

A. The board may grant initial approval for up to three years to launch the program and to begin to collect candidate and program efficacy data needed for continuing approval. A program with initial approval must seek continuing approval by submitting a program effectiveness report for continuing approval (PERCA) on the same reporting cycle as the unit.

(1) Continuing approval is granted when:

(a) data from a minimum of ten program completers shows that candidates meet board-adopted thresholds on state-required examinations and performance assessments; and

(b) the program continues to demonstrate compliance with the standards and requirements of this chapter.

(2) If, after three years, the program has fewer than ten program completers, another three years of "initial approval" shall be granted. If, after six years of "initial approval," there are fewer than ten program completers, the program will be forwarded to the PRP.

(3) If data from at least ten program completers shows that candidates do not meet board-adopted thresholds on state-required examinations and performance assessments, the program must be forwarded to the PRP.

B. The board may deny the request for initial approval. The program may not enroll candidates. The provider may not submit a request for initial program approval until after one year has passed since the date of the denial action.

Statutory Authority: *MS s 122A.09; 122A.092*

History: *39 SR 822; L 2017 1Sp5 art 12 s 22; 45 SR 1159*

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8705.2200 PROGRAM EFFECTIVENESS REPORT FOR CONTINUING APPROVAL (PERCA).

Subpart 1. **Application required.** An application for continuing approval of a program must be submitted in accordance with the timelines and procedures established and published by the Professional Educator Licensing and Standards Board.

Subp. 2. Program effectiveness report for continuing approval (PERCA).

A. A unit must seek continuing approval of a program every three years by submitting a program effectiveness report for continuing approval (PERCA) that includes the following:

(1) the number of candidates enrolled and the number of program completers in each of the last three years;

(2) aggregate candidate scores and pass rates in state-required examinations in the last three years; and

(3) aggregate candidate scores and pass rates in board-adopted performance assessments in the last three years.

B. The unit must report when the primary placement of one or more standards has been changed by revising the learning opportunities and assessments described in the online educator preparation provider application system (EPPAS) at the time of the PERCA submission.

C. PERCAs must be reviewed according to the initial program review procedure in part 8705.2100, subpart 3, when:

(1) significant program changes have been made such that the primary placement of at least 25 percent of standards resulted;

(2) significant changes have been made to one or more methods courses such that the primary placement of at least 25 percent of standards resulted; or

(3) learning opportunities and assessments specific to unit Standard 2, subitems (4) to (8), are modified.

Subp. 3. Program effectiveness reports for continuing approval (PERCA) review procedures.

A. PERCAs must be initially reviewed by board staff. PERCAs must be submitted to the program review panel for review when:

(1) program changes to learning opportunities or assessments have been made and standards are found to be "Met with Concern" or "Not Met";

(2) the program is out of compliance with one or more of the requirements in this chapter, chapter 8710, or Minnesota Statutes, chapter 122A;

(3) the program has an existing status of "approval with a continuous focus area" and has failed to address its continuous focus area;

- (4) the program has an existing status of "probationary"; or
- (5) the program has failed to meet the requirements set forth by a required interim report.

B. The PRP or board staff must make a recommendation to the board regarding whether to approve the program.

Subp. 3a. **Board determinations.** Based on the findings of the PERCA submission and recommendations of the PRP or board staff, the board must make one of the program approval decisions in items A to D.

A. The board must grant continuing approval for three years when the program report provides evidence that the program meets adopted performance standards, statutory and rule requirements, and evidences that candidates have attained competency of licensure standards. For federal Title II reporting, the board must identify the program as "effective" in the state report card.

B. The board must grant continuing approval with focus areas for three years when the program report revealed that one or more standards, rules, or candidate performance measures were not in compliance with board criteria, including when less than 70 percent of candidates meet board-adopted thresholds on state-required examinations and board-adopted performance assessments. Continuing program approval status is granted with board-identified areas of focus for continuous improvement. The continuous improvement portion of the PERCA report must include evidence of progress in the identified focus areas in the subsequent reporting cycle. The board must make the status of approval with continuous improvement focus and the identified focus areas publicly available on the board's website. Based on evidence of progress specific to the focus areas, the board may grant an additional two years of continuing approval with continuous improvement focus.

C. The board must place a program on probation for up to two years when the program does not demonstrate acceptable progress on focused continuous improvement plans. Probationary status authorizes the program to continue with one year to demonstrate progress on identified unmet standards, rules, or candidate performance measures. During the first year a program is on probation, the board must identify the program as "at risk of low performing" in the state Title II report card. After one year, and based on a written progress report, the board may grant a second one-year extension of the probationary status prior to discontinuing the identified program. Candidates enrolled in a formerly approved program that is placed on probationary status must be notified of the program's status. Probationary status may result in federal reporting or financial aid implications or may impact other accreditations. During the second year a program is on probation, the board must identify the program as "low performing" in the state Title II report card.

D. The board must discontinue a program when the failure of the program to meet the requirements and standards in this chapter, chapter 8710, or Minnesota Statutes, chapter 122A, results in an inability to prepare candidates for licensure. No new candidates may be admitted into a discontinued program after the date the board acts to discontinue the program. The provider must submit to the board a list of candidates enrolled in the program, their expected completion dates, and a plan for those candidates to complete the program by a specified date. The provider must

individually notify those candidates in writing of the program's discontinuation and their program completion options. The unit may not apply for program approval for a program that has been discontinued until at least three years have passed since the board action.

Subp. 4. [Repealed, 45 SR 1159]

Statutory Authority: *MS s 122A.09; 122A.092*

History: *39 SR 822; L 2017 1Sp5 art 12 s 22; 45 SR 1159*

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8705.2300 [Repealed, 45 SR 1159]

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8705.2400 [Repealed, 45 SR 1159]

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8705.2500 RELATED SERVICE LICENSURE FIELDS.

Related service licensure fields set forth in parts 8710.6000 to 8710.6300 are not subject to the program reporting requirements in this chapter. Program approval for these licensure fields is based on either national accreditation status or another state board licensure as cited in the respective rules of parts 8710.6000 to 8710.6300.

Statutory Authority: *MS s 122A.09*

History: *39 SR 822*

Published Electronically: *January 6, 2016*

8705.2600 BOARD ACTIONS, DISCRETIONARY VARIANCES, AND APPEALS.

Subpart 1. **Interim conditional approval.** When amendments or additions to Minnesota statutes or to Professional Educator Licensing and Standards Board rules regarding teacher licensure requirements necessitate substantial unit or preparation program revisions, the board may grant interim conditional approval to any currently approved unit and its currently approved teacher preparation programs upon receipt of assurances on a form established by the board that the new requirements will be met by their effective date. The unit or program is returned to its former status upon full compliance with new requirements on a schedule determined by the board.

Subp. 2. **Revocation or suspension of approval.** The board may revoke or suspend the approval status of a unit or program when the board determines that the unit violated ethical or legal practices or board rules. A provider may reapply for approval after two years have passed since the date of the board action.

Subp. 3. **Appeal of board decision.** A provider may appeal a decision by the board regarding the approval status of a unit or a program to prepare candidates for teacher licensure pursuant to Minnesota Statutes, chapter 14.

Subp. 4. Voluntary discontinuation.

A. For a unit to voluntarily discontinue an approved licensure program, the unit must submit a letter signed by the unit's administration to the executive director of the board, including:

- (1) a brief rationale for discontinuing the program;
- (2) the last date when new candidates are allowed to enter the program; and
- (3) a list of candidates enrolled with expected completion dates.

B. The unit must notify all enrolled candidates in writing of the program's discontinuation and their program completion options.

C. A provider must submit a request for initial program approval (RIPA) application according to part 8705.2100 to obtain approval of a program that has been voluntarily discontinued.

Subp. 5. Discretionary variance. The board may grant a discretionary variance to authorize a provider or program to meet a requirement in this chapter in a manner other than as specified in rule or to waive the requirement entirely when application of the requirement would result in undue hardship. A provider may request a discretionary variance by using a form developed by the board. To apply for a discretionary variance, a provider must:

- A. identify the requirement for which the variance is requested;
- B. describe why adherence to the particular rule requirement would impose an undue burden or hardship; and
- C. describe the alternative practices or measures in place to protect the rights and learning opportunities of candidates and students and the rationale for any alternative practices or measures.

The board shall review discretionary variance requests. If the discretionary variance request is denied, the board shall provide a written determination listing the reason for the denial. The board may attach conditions to granting the variance if it is determined that conditions are needed to protect the rights of candidates and students.

Subp. 6. Interim reports.

A. If the board identifies new or repeated violations of the requirements in this chapter, chapter 8710, or Minnesota Statutes, chapter 122A, the board may require the unit to submit an interim report. The unit must submit an interim report within two months of receiving notice, and the report must include evidence of how the violations were resolved and how the unit or program has achieved compliance.

B. Upon receipt of the interim report, the board must take one or more of the following actions:

- (1) notify the unit in writing that sufficient evidence has been submitted to determine that the violations identified in the interim report are "Met";

(2) change the unit's approval status to "continuing approval with focus areas" for the remainder of the unit's approval period or until the unit provides evidence that all requirements identified in the interim report are "Met";

(3) change the unit's approval status to probationary for the remainder of the unit's approval period but no longer than two years or until the unit provides additional evidence that all requirements identified in the interim report are "Met";

(4) disapprove the unit;

(5) change a program's approval status to "approved with focus areas" for the remainder of the program's approval period or until the program provides evidence that all requirements identified in the interim report are "Met";

(6) change a program's approval status to "probationary" for the remainder of the program's approval period but no longer than two years or until the program provides evidence that all requirements identified in the interim report are "Met"; or

(7) discontinue its program or programs.

C. When taking a board action against a unit or program, the board must consider the nature and severity of the violation of law or rule and the effect of the violation on the rights of the candidates in the program.

Statutory Authority: *MS s 122A.09; 122A.092*

History: *39 SR 822; L 2017 1Sp5 art 12 s 22; 45 SR 1159*

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