

AG-1704

1 Board of Vocational Technical Education

2

3 Adopted Permanent Rules Relating to Technical College Licenses

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5 Rules as Adopted

6 3700.0140 GENERAL PROVISIONS FOR VOCATIONAL LICENSURE.

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

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

14 Subp. 3. Fees. License fees are established by the State
15 Board of Vocational Technical Education and are nonrefundable
16 except in accordance with the rules of the State Board of
17 Vocational Technical Education. A fee established by the State
18 Board of Vocational Technical Education shall be charged to the
19 applicant for each application. If a renewal and additional
20 license category requests are submitted for review
21 simultaneously, one processing fee covers both the renewal and
22 the new categories. Effective after July 1, 1990, each
23 application for the issuance, renewal, or voluntary surrender of
24 a license to teach shall be accompanied by a processing fee in
25 the amount of \$50. When an applicant requests review by
26 committee, an application must be submitted to the State Board
27 of Vocational Technical Education in accordance with parts
28 3515.4100 to 3515.4400 and shall be accompanied by an additional
29 processing fee to apply to the cost of the review in the amount
30 of \$100. Upon presentation of evidence by a government agency
31 indicating that the applicant is unable to pay the petition fee,
32 the fee may be waived by the State Board of Vocational Technical
33 Education.

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

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

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

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

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

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

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

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

33 3700.0150 PROCEDURES FOR VOLUNTARY SURRENDER OF TECHNICAL
34 COLLEGE LICENSES.

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

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

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

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

16 C. The required processing fee.

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

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

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

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

36 A. the school board has begun proceedings to

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

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

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

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

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

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

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

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

28 3700.0155 LETTERS OF APPROVAL.

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

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

1 because of item A, B, or C subject to the conditions of subpart
2 3:

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

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

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

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

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

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

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

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

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

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

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

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

36 (b) is technically qualified for the

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

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

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

16

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