

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules of the
Department of Education Governing
Achievement and Integration, Minnesota
Rules Chapter 3535

**REPORT OF THE
CHIEF ADMINISTRATIVE
LAW JUDGE**

This matter came before the Chief Administrative Law Judge pursuant to the provisions of Minn. Stat. § 14.15, subd. 3 (2014), and Minn. R. 1400.2240, subp. 4 (2015). These authorities require that the Chief Administrative Law Judge review an Administrative Law Judge's findings that a proposed agency rule should not be approved.

Based upon a review of the record in this proceeding, the Chief Administrative Law Judge agrees with and hereby **CONCURS** with all disapprovals contained in the Report of the Administrative Law Judge dated March 11, 2016.

The Chief Administrative Law **CONCURS** that the repeal of Minn. R. Parts 3535.0100 - .0180 is **DISAPPROVED**.

The Chief Administrative Law Judge **CONCURS** that the following proposed rules are **DISAPPROVED**:

Proposed Rule Part 3535.0010: Purpose and Interactions with Other Laws
Proposed Rule Part 3535.0020: Definitions
Proposed Rule Part 3535.0030: Eligible Districts
Proposed Rule Part 3535.0040: Achievement and Integration Plan Requirements
Proposed Rule Part 3535.0050: Incentive Revenue Criteria
Proposed Rule Part 3535.0060: Plan Evaluation

The changes or actions necessary for approval of the disapproved rules and repeals are as identified in the Administrative Law Judge's Report.

If the Department elects not to correct the defects associated with the repeal of the existing rules and the defects associated with the proposed rules, the Department must submit the repeal and proposed rules to the Legislative Coordinating Commission and the House of Representatives and Senate policy committees with primary jurisdiction over state governmental operations, for review under Minn. Stat. § 14.15, subd. 4.

Dated: March 21, 2016



TAMMY L. PUST
Chief Administrative Law Judge