

May 28, 2024

VIA EFILING ONLY

Steven Rollin
Rule Requestor
Minnesota Professional Educator Licensing
and Standards Board
1021 Bandana Blvd E Ste 222
Saint Paul, MN 55108
steven.rollin@state.mn.us

**Re: *In the Matter of Proposed Exempt Permanent Rules Relating to
Tiered Licensure and Licensure Exams (RD 4841)*
OAH 28-9021-39805; Revisor R-4841**

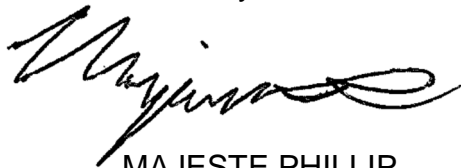
Dear Steven Rollin:

Enclosed herewith and served upon you is the **ORDER ON REVIEW OF RULES
UNDER MINN. STAT. § 14.386** in the above-entitled matter.

With the approval of the adopted rules, the Office of Administrative Hearings has closed this file and is returning the rule record to the Board so that the Board can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. Upon submission to the Office of Administrative Hearings of the Board's signed order approving the rules, the Office of Administrative Hearings will file the rules with the Secretary of State. The 's next step is to arrange for publication of the proposed amendments in the State Register as required by Minn. Stat. § 14.386(a)(4).

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



MAJESTE PHILLIP
Legal Specialist

JM:mp
Enclosure
cc: Legislative Coordinating Commission
Ryan Inman

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD

In the Matter of the Proposed Exempt
Rules of the Department of Natural
Resources Relating to Display of Paddle
Board Licenses

**ORDER ON REVIEW
OF RULES UNDER
MINN. STAT. § 14.388
AND MINN. R. 1400.2400**

This matter came before Administrative Law Judge Joseph C. Meyer upon the application of the Professional Educator Licensing and Standards Board (Board) for a legal review under Minn. Stat. § 14.388, subd. 1(3) and 1(4) (2022).

On May 14, 2024, the Board filed documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules under Minn. Stat. § 14.386 and Minn. R. 1400.2400 (2023). No public comments were received by the Board or the Office of Administrative Hearings by the May 21, 2024 deadline.

Based upon a review of the written submissions by the Board, and for the reasons set out in the Memorandum which follows below,

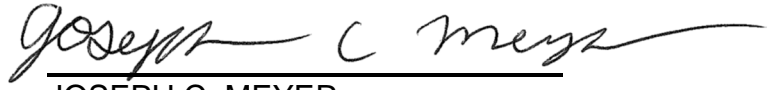
IT IS DETERMINED THAT:

1. The proposed rules were adopted in compliance with the procedural requirements of Minn. Stat. §§ 14.385 - .3895 (2022), and Minn. R. 1400.2000 - .2570 (2023).
2. According to Minn. Stat. § 129A.09, subd. 9 (a) – (b) (2022) and Minn. Stat § 129A.092, subd. 1 (2022), the Board has statutory authority to adopt the proposed rules.
3. The proposed rules meet the requirements of Minn. Stat. § 14.388, subd. 1(3) or 1(4).

IT IS HEREBY ORDERED THAT:

The proposed rules are **APPROVED**.

Dated: May 28, 2024


JOSEPH C. MEYER
Administrative Law Judge

MEMORANDUM

In 2023, the legislature made changes to statutes governing teacher licensure and preparation programs. Specifically, the legislature (1) replaced a requirement for teacher preparation programs to provide “research based best practices” in reading with a requirements that such programs include “evidence-based best practices in reading . . . including instruction on phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension”;¹ (2) exempted teacher candidates who meet certain requirements from state required examination requirements;² (3) clarified that applicants and school districts were jointly responsible for submitting applications for Tier 1 and Tier 2 licenses;³ (4) reduced the number of ways that an applicant can qualify for a Tier 2 license;⁴ (5) removed and modified certain requirements for applicants for Tier 4 licenses;⁵ and (6) exempted certain applicants for Tier 3 or Tier 4 licenses from content and pedagogical examinations.⁶

The changes to the statutes imposed certain requirements and exemptions upon rules governing licensure and preparation programs. The proposed rules amend existing rules by incorporating specific changes that the legislature made to the statutes and require no interpretation of law, thereby rendering them appropriate for a good cause exemption pursuant to Minn. Stat. § 14.388, subd. 1(3). To the extent that any organizational changes to the proposed rules were ancillary to the statutory changes, those changes do not alter the sense, meaning, or effect of the existing rules, rendering them appropriate for a good cause exemption pursuant to Minn. Stat. § 14.388, subd. 1(4). For these reasons, the proposed rules are **APPROVED**.

J.C.M.

¹ 2023 Minn. Laws ch. 55, art. 3, § 7.

² 2023 Minn. Laws ch. 55, art. 5 § 39.

³ 2023 Minn. Laws ch. 55, art. 3, §§ 25 and 31.

⁴ 2023 Minn. Laws ch. 55, art. 3, §§ 31 and 67.

⁵ 2023 Minn. Laws ch. 55, art. 3, §§ 38 and 39.

⁶ 2023 Minn. Laws ch. 55, art. 5, § 39.