

Board of School Administrators**Proposed Permanent Rules Relating to Administrative Licensure, including Administrator Preparation and Issuance and Renewal of Licenses; Enforcement of the Code of Ethics for School Administrators; and Modernization and Technical Changes to Administrative Licenses****3512.0100 DEFINITIONS.**

Subpart 1. **Scope.** As used in ~~parts 3512.0100 to 3512.1700~~ this chapter, 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~~ superintendents of schools, and school ~~principal~~ principals.

[For text of subp 2a, see M.R.]

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of ~~the Department~~ of education.

[For text of subp 4, see M.R.]

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~~ of their duties in the areas of administration, personnel, supervision, evaluation, and curriculum.

[For text of subp 5a, see M.R.]

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~~ of their duties in the areas of 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 of their duties in the areas of administration, personnel, supervision, evaluation, and curriculum.

Subp. 8. **License definitions.**

A. "Professional license" means a two-year initial license or a five-year continuing license issued by the board to a qualified applicant who meets the program requirements and applicable administrative experience requirements for each administrative area in which the applicant seeks licensure.

B. "Initial license" means a two-year professional license issued by the board to a qualified applicant pursuant to part 3512.2100.

C. "Continuing license" means a five-year professional license issued by the board to a qualified applicant pursuant to part 3512.2300.

D. "Provisional license" means a two-year nonrenewable license issued by the board pursuant to part 3512.2050.

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

Subpart 1. **Scope.** A person ~~holding a position~~ working 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.**

A. An applicant for licensure as a superintendent, or principal, ~~or~~ must have three years of combined experience as any of the following:

(1) a public school classroom teacher (i) teaching in a position that required a state-issued license, and (ii) holding the state-issued license for the position or permission from the licensing agency while holding an educator license;

(2) a nonpublic school teacher teaching in a school that (i) is accredited by an accrediting agency recognized by the state in which the school is operated, (ii) is directly recognized as a school by the state, or (iii) is a Bureau of Indian Education school; or

(3) a school psychologist, school social worker, speech-language pathologist, or school counselor working in a school if the person held the appropriate state-issued license at the time of the experience.

B. An applicant for licensure as a director of special education ~~director shall~~ must have three years of ~~successful classroom teaching~~ combined special education 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 Professional Educator Licensing and Standards Board, as any of the following:

(1) a public school special education classroom teacher (i) teaching in a position that required a state-issued license, and (ii) holding the state-issued license for the position or permission from the licensing agency while holding an educator license;

(2) a nonpublic school special education teacher teaching in a school that (i) is accredited by an accrediting agency recognized by the state in which the school is operated, (ii) is directly recognized as a school by the state, or (iii) is a Bureau of Indian Education school; or

(3) a school psychologist, school social worker, or speech-language pathologist working in a school if the person held the appropriate state-issued license at the time of the experience.

C. For purposes of this subpart, teaching may be in an in-person classroom, hybrid classroom, or online classroom.

Subp. 3. ~~K-12~~ **Kindergarten through grade 12 superintendents, principals, and directors of special education.**

A. An applicant for licensure as a superintendent, principal, or director of special education must complete: at a regionally accredited Minnesota graduate school

(1) a specialist or doctoral program of a minimum of 60 semester credits or a program ~~consisting~~ of 60 semester credits beyond ~~the~~ a bachelor's degree that includes a ~~terminating graduate~~ master's degree and ~~topics preparatory for educational administration and the Minnesota competencies identified in preparation for completing the program~~ requirements under part 3512.0510 leading to a professional license. ~~Each program must be approved by the Board of School Administrators~~ The board must approve each licensure program 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~~ complete within 12 continuous months 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~~ of field experience in elementary, middle or junior high, and high schools as an administrative intern to a licensed and practicing school principal for principal licensure or a licensed and practicing superintendent for superintendent licensure. ~~The field experience applicant must include~~ complete at least 40 hours ~~or one week~~ of field experience at each school level not represented by the applicant's primary teaching experience.

C. An applicant for licensure as a director of special education must ~~have~~ complete a practicum or field experience within 12 continuous months, ~~that~~ which 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~~ must include at least 40 hours ~~or one week~~ at a special education administrative unit ~~other than the~~ not represented by the applicant's primary special education experience of the applicant.

Subp. 4. **Licensed elementary and secondary school principals.** To qualify for a kindergarten through grade 12 principal license, a person licensed ~~under this part~~ as an elementary school principal must complete a field experience of at least ~~200~~ 120 hours in secondary administration ~~to qualify for licensure as a K-12 principal~~, and a person licensed ~~under this part~~ as a secondary school principal must complete a field experience of at least ~~200~~ 120 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~~ subpart 3.

Subp. 5. [See repealer.]

Subp. 6. **Corrections.** A license issued in error is not valid. To correct a license issued in error, the board must expunge the license issued in error to the unqualified applicant or correct at no charge the incorrect license issued to the qualified applicant. A person denied an administrative license may appeal the denial under part 3512.1600.

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~~ must hold a license appropriate to ~~the~~ that position of school superintendent, principal, or director of special education. ~~Performance of~~ A person must hold the appropriate professional license if 50 percent or more of the person's duties ~~includes duties that provide assistance to~~ involve assisting the

superintendent, principal, or director of special education ~~consisting of 50 percent or more~~ in with administration, of personnel, employee supervision, employee evaluation, and curriculum implementation, or notwithstanding Minnesota Statutes, section 122A.40, subdivision 8, any of the person's duties including the duties listed in Minnesota Statutes, section 179A.03, subdivision 17.

The board may issue an initial ~~licenses may be issued~~ professional license for each administrative licensure area for which the applicant seeks licensure ~~is sought~~. An provided the applicant ~~must meet~~ meets 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~~ must comply with part 3512.2500. An approved institution with a board-approved program ~~must include a description of~~ describe how the institution evaluates the experience and preparation of licensure applicants ~~for licensure may have their experience and preparation in those~~ the areas listed in subpart 3 or 4 ~~evaluated by an institution with an approved program. The evaluation must include representation.~~ Representatives from college departments involved with the licensure program and licensed practicing superintendents, principals, and directors of special education must participate in the evaluation. This evaluation must result in a plan for the applicant to complete the knowledge, skills, and dispositions listed in part 3512.0510.

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

Subp. 3. **Continuing licensure.** The board must issue or renew a continuing license ~~shall be issued and renewed~~ according to part 3512.2300 governing continuing licenses.

[For text of subp 4, see M.R.]

Subp. 5. [See repealer.]

Subp. 6. [Repealed, 33 SR 658]

3512.0400 PROGRAM REQUIREMENTS.

Subpart 1. **Field experience.** ~~An approved~~ A board-approved school licensure program must include a 320-hour field experience. A person ~~taking part~~ participating in field experiences ~~shall~~ must not replace ~~required~~ superintendents, principals, or directors of special education employed at the participating school or district. Field experience must be under the direction of a board-approved program and 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~~ A board-approved licensure program for superintendents, principals, or directors of special education must ~~include a component that requires~~ require 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~~ include objective examinations, portfolio reviews, and observations.

3512.0505 DIRECTORS OF COMMUNITY EDUCATION.

Subpart 1. **Scope.** A person who serves as a district director or assistant director of community education ~~or assistant director of community education shall~~ must 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~~ must:

A. hold a baccalaureate degree from a regionally accredited college or university; and

B. satisfactorily complete a board-approved preparation program ~~listed in~~ under subpart 3, ~~approved by the board~~ leading to licensure of directors of community education.

Subp. 3. **Program requirement.** A licensure program leading to the licensure of ~~for~~ directors of community education must consist of a minimum of 20 semester hours, or the equivalent, and must provide a licensure 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~~ candidate must complete a practicum, which is a field experience, ~~that includes~~ including at least 320 clock hours in an administrative position ~~under the supervision of~~ supervised by a licensed director of community education. During the field experience, the candidate ~~shall demonstrate the ability to~~ must apply the knowledge and skills ~~listed in~~ under 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~~ districtwide 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 licensure program leading to licensure as ~~for~~ directors of community education ~~shall~~ must comply with part 3512.2500. An ~~approved~~ institution with a board-approved program must ~~include a description of~~ describe how the institution evaluates the experience and preparation of licensure applicants for licensure ~~may have their experience and preparation in those~~ the areas listed in subpart 3 ~~evaluated by an institution with an approved program.~~ The evaluation must include representation. Representatives from college departments involved with the licensure program and licensed practicing directors of community education

~~must participate in the evaluation. This~~ The 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~~ reduce the required college credits ~~necessary for an applicant~~ needs to be recommended for licensure.

Subp. 5. **Situational observation component.** ~~An approved~~ A board-approved licensure program for superintendents, principals, or directors of special education must ~~include a component that requires~~ require a licensure candidate person to demonstrate mastery of the ~~requirements in subpart 3~~ program knowledge, skills, and dispositions in part 3512.0510 as part of the exit evaluation. ~~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.~~ The exit evaluation must focus on knowledge, skills, and dispositions in the competencies for school administrators under part 3512.0510 and may include objective examinations, portfolio reviews, and observations.

~~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.** The board must issue a license ~~must be issued~~ according to part 3512.2000. The board must renew a continuing ~~licenses must be renewed~~ license according to part 3512.2300.

Subp. 7. [See repealer.]

Subp. 8. **Continuing license.** The board must issue a continuing license to a person who has been was issued an entrance initial license between July 1, 1984, and July 1, 1990, 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 who continues to hold an initial license if the person completes 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
The person must renew subsequent continuing licenses must be renewed according to part 3512.2300.

Subp. 9. [See repealer.]

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~~ must demonstrate competence in the ~~following~~ core areas: under this subpart.

A. ~~Leadership by~~ To demonstrate competence in leadership, a superintendent, principal, director of special education, or director of community education must:

(1) demonstrate leadership by collaboratively assessing and improving culture and climate a professional culture of engagement, ethical and equitable practice, and systems perspective;

(2) ~~providing~~ demonstrate leadership by the development of an educational mission for the school or district, which provides purpose and direction for individuals and groups;

(3) ~~modeling~~ demonstrate shared leadership and decision-making strategies and empower and entrust teachers and staff with collective responsibility for meeting the academic, social, behavioral, emotional, and physical needs of each student pursuant to the mission, vision, and core values of the school;

(4) ~~demonstrating an understanding of issues affecting education~~ understand how education is impacted by historical, local, state, national, and international events and issues;

(5) through a visioning process, ~~formulating~~ formulate strategic plans and goals with staff and community to promote the academic success and well-being of each student;

(6) demonstrate setting priorities in the context of stakeholder needs;

(7) ~~servicing~~ demonstrate an ability to serve as a spokesperson for the welfare of all learners ~~in a multicultural context~~ to ensure high expectations; and

(8) ~~understanding how education is impacted by local, state, national, and international events;~~ understand the dynamics of change and demonstrate the ability to implement change and educational reform.

~~(9) demonstrating the ability to facilitate and motivate others; and~~

~~(10) demonstrating the ability to implement change or educational reform;~~

B. To demonstrate competence in organizational management by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~demonstrating~~ demonstrate an understanding of organizational systems, including structural and cultural dynamics;

(2) ~~defining and using~~ define and use processes for gathering, analyzing, managing, and using data to plan and make decisions for program evaluation;

(3) ~~planning and scheduling~~ plan and schedule personal and organizational work, ~~establishing~~ establish procedures to regulate activities and projects, and ~~delegating and empowering~~ delegate and empower others at appropriate levels;

(4) ~~demonstrating~~ demonstrate the ability to analyze need and allocate personnel and material resources;

(5) ~~developing and managing~~ develop and manage budgets and ~~maintaining~~ maintain accurate fiscal records;

(6) ~~demonstrating~~ demonstrate an understanding of facilities development, planning, and management; and

(7) ~~understanding and using~~ understand and use technology as a management tool;

C. Diversity To demonstrate competence in equity and culturally responsive leadership by, a superintendent, principal, director of special education, or director of community education must demonstrate knowledge and skills to:

~~(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;~~

(1) ensure that each student is treated fairly, respectfully, and with an understanding of each student's culture and context;

(2) recognize, respect, and employ each student's strengths, diversity, and culture as assets for teaching and learning;

(3) ensure that each student has equitable access to effective teachers, learning opportunities, academic and social support, and other resources necessary for success;

(4) ensure policies and practices are in place that prevent problem behavior, encourage positive behavior, and respond to student behavior not aligned with expectations in a positive, fair, and unbiased manner;

(5) recognize, identify, and address individual and institutional biases;

(6) promote the preparation of students to live productively in and contribute to a diverse and global society;

(7) address matters of equity and cultural responsiveness in all aspects of leadership; and

(8) ensure policies and practices are in place that address student and staff mental and physical health and trauma.

D. To demonstrate competence in policy and law by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~developing, adjusting, and implementing~~ understand and implement policy to meet local, state, and federal requirements and constitutional provisions, standards, and regulatory applications to promote student success;

(2) ~~recognizing and applying~~ recognize and apply standards of care involving civil and criminal liability for negligence, harassment, and intentional torts; and

(3) ~~demonstrating~~ demonstrate an understanding of state, federal, and case law, and rules and regulations governing general education, special education, and community education;

E. To demonstrate competence in political influence and governance by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~exhibiting exhibit~~ an understanding of school districts as a political ~~system~~ systems, including governance models;

(2) ~~demonstrating the ability to involve~~ demonstrate an understanding of involving stakeholders in the development of educational policy;

(3) ~~understanding~~ understand the role and coordination of social agencies and human services to develop productive relationships and engage resources for the school community; and

(4) ~~demonstrating the ability~~ demonstrate an understanding of processes to align constituencies in support of school and district priorities and build coalitions for programmatic and financial support;

F. To demonstrate competence in communication by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~formulating and carrying out plans for internal and external communications~~ understand the need to develop shared understanding of and commitment to mission, vision, and core values within the school and the community;

(2) ~~demonstrating~~ demonstrate individual and team facilitation skills;

(3) ~~recognizing and applying~~ recognize and apply an understanding of individual and group behavior in ~~normal and stressful~~ all situations;

~~(4) facilitating teamwork~~;

~~(5)~~ (4) demonstrating demonstrate an understanding of conflict resolution and problem-solving strategies relative to communication;

~~(6)~~ (5) ~~making~~ make presentations that are clear and easy to understand;

~~(7)~~ (6) ~~responding, reviewing, and summarizing~~ respond to, review, and summarize information for groups;

~~(8)~~ (7) ~~communicating~~ communicate appropriately, through speaking, listening, and writing, for different audiences ~~such as~~, including students, teachers, parents, the community, and other stakeholders; and

~~(9)~~ (8) ~~understanding and utilizing~~ understand and utilize appropriate communication technology;

G. To demonstrate competence in community relations by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~articulating~~ articulate organizational purpose and advocate publicly for the needs and priorities to the community and media of students, families, and the community;

(2) ~~requesting and responding to community feedback~~ demonstrate the ability to engage the extended community;

(3) ~~demonstrating the ability to build community consensus~~ effectively generate and respond to various forms of communication through media;

~~(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)~~ (4) ~~promoting~~ promote a positive image of schools and the school district;

~~(8)~~ (5) ~~monitoring and addressing~~ monitor and address perceptions about school-community issues; and

~~(9) (6) demonstrating demonstrate~~ the ability to identify and articulate critical community issues that may impact local education;

H. To demonstrate competence in curriculum planning and development, instruction, and assessment for the success of all learners by, a superintendent, principal, director of special education, or director of community education must:

~~(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;~~

(1) implement state academic standards, a coherent system of culturally responsive curriculum, instruction, and assessment that promotes the mission, vision, and core values of the district to embody high expectations for student learning;

(2) develop, assess, and support teachers' and staff members' professional knowledge, skills, and practice through differentiated opportunities and emerging trends for learning and growth, guided by understanding professional and adult learning and development;

(3) apply research and best practices on integrating curriculum, technology, and relevant resources to help all learners achieve at high levels;

(4) understand and assess the implementation of alternative instructional designs, curriculum, positive approaches to behavior management, and assessment accommodations and modifications as appropriate in all programs;

(5) demonstrate the ability to use data from valid assessments that are consistent with knowledge of child learning and development and technical standards of measurement to monitor student progress;

(6) lead and assess instructional practice that is consistent with knowledge of child learning and development, effective pedagogy, and the needs of each student; and

(7) promote instructional practice that is consistent with knowledge of child learning and development, intellectually challenging, authentic to student experiences, recognizes student strengths, and differentiated and personalized.

~~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. I. To demonstrate competence in human resource management by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~demonstrating~~ demonstrate knowledge of effective personnel recruitment, selection, and retention;

(2) ~~demonstrating~~ demonstrate an understanding of staff development to improve the performance of all staff members;

(3) ~~demonstrating~~ demonstrate the ability to select and apply appropriate models for supervision and evaluation;

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

(5) ~~demonstrating~~ demonstrate 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~~ demonstrate an understanding of labor relations and collective bargaining; and

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

~~K. J.~~ To demonstrate competence in values and ethics of leadership by, a superintendent, principal, director of special education, or director of community education must:

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

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

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

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

(5) ~~demonstrating~~ demonstrate an understanding and application of the code of ethics for school administrators under part 3512.5200;

~~L. K.~~ To demonstrate competence in judgment and problem analysis by, a superintendent, principal, director of special education, or director of community education must:

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

(2) ~~demonstrating~~ demonstrate adaptability and conceptual flexibility;

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

~~(4)~~ (3) reaching reach logical conclusions by making quality, timely decisions based on available information;

~~(5) (4) identifying and giving~~ identify and give priority to significant issues;

~~(6) (5) demonstrating~~ demonstrate an understanding of and utilize appropriate technology in problem analysis; and

~~(7) (6) demonstrating~~ demonstrate an understanding of different leadership and decision-making strategies, including but not limited to collaborative models and model appropriately their implementation; ~~and.~~

M. L. To demonstrate competence in safety and security by, a superintendent, principal, director of special education, or director of community education must:

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

(2) demonstrate the means to address emergency and crisis situations.

~~(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~~ must demonstrate all core competencies described in subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

A. To demonstrate competence in policy and law by, a superintendent must:

- (1) ~~demonstrating~~ demonstrate an understanding of the role policy plays in school district governance and administration;
- (2) ~~demonstrating knowledge of~~ know and apply statutory regulations affecting school board meetings, communications, procedures, and practices; and
- (3) ~~demonstrating~~ demonstrate an understanding of the distinct roles and responsibilities of the school board; and superintendent.

B. To demonstrate competence in political influence and governance by, a superintendent must:

- (1) ~~demonstrating~~ demonstrate an understanding of the role the political process plays in public education and the connection between them;
- (2) ~~demonstrating~~ demonstrate an understanding of how to interact with local, and state, and federal governments; and
- (3) ~~demonstrating~~ demonstrate an understanding of the roles played by other community leaders in the school district; ;

C. To demonstrate competence in communication by, a superintendent must:

- (1) ~~demonstrating~~ demonstrate 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;~~ demonstrate effective skills in

communication leadership between the school district and the community, including internal and external constituencies.

D. ~~Organization~~ To demonstrate competence in fiscal management by ~~demonstrating~~, a superintendent must demonstrate 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. To demonstrate competence in judgment and problem analysis by ~~demonstrating~~ ~~knowledge of how to~~, a superintendent must effectively 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 must demonstrate all core competencies described in subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

A. To demonstrate competence in instructional leadership by, a principal must:

(1) ~~demonstrating the ability to understand and apply schoolwide literacy and numeracy systems; and~~ support teachers and staff in the implementation of state academic standards, coherent systems of culturally responsive curriculum, instruction, and assessment that promote the mission, vision, and core values of the school district to embody high expectations for student learning; and

(2) ~~demonstrating~~ demonstrate the ability to understand and apply districtwide literacy and ~~numeracy systems;~~ lead schoolwide literacy efforts in all content areas including numeracy.

B. ~~Monitor~~ To demonstrate competence in monitoring student learning by, a principal must:

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

(2) ~~demonstrating~~ demonstrate an understanding of student ~~guidance~~ support systems and auxiliary services;

(3) ~~demonstrating~~ demonstrate the ability to implement a ~~positive and effective~~ and monitor student management ~~system~~ data systems;

(4) ~~demonstrating the ability to develop and implement effective student discipline plans~~ implement schoolwide policies and practices that encourage positive behavior, and respond to student misconduct in a positive, fair, and unbiased manner;

(5) ~~demonstrating~~ demonstrate the ability to develop a master instructional schedule;

(6) ~~demonstrating~~ demonstrate the ability to meet the ~~enrichment, remediation, and special education~~ diverse learning needs of all students; and

(7) ~~demonstrating~~ demonstrate the ability to understand and support a comprehensive program of student activities; ~~and~~.

C. ~~Early childhood~~ To demonstrate competence in prekindergarten through grade 12 leadership by, a principal must:

(1) ~~demonstrating~~ demonstrate an understanding of the articulation and alignment of curriculum from ~~preschool~~ prekindergarten through grade 12;

(2) ~~demonstrating~~ demonstrate an understanding of different organizational systems and structures at ~~early childhood~~ prekindergarten, elementary, middle or junior high, and high school levels;

(3) ~~demonstrating~~ demonstrate the ability to work with children of all ages;

(4) ~~demonstrating~~ demonstrate the ability to work with parents, teachers, and other staff in all levels of schooling;

(5) ~~demonstrating~~ demonstrate an understanding of the characteristics of effective transitions from one level of schooling to the next; and

(6) ~~demonstrating~~ demonstrate 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~~ must demonstrate the core competencies described in subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

A. To demonstrate competence in policy and law by, a director of special education must:

(1) ~~demonstrating~~ demonstrate an understanding of state and federal laws, rules, and procedures governing special education finance, budgeting, and accounting; and

(2) ~~demonstrating~~ demonstrate an understanding of state and federal regulations governing the monitoring of special education ~~programs~~ services.

B. To demonstrate competence in organizational management by, a director of special education must:

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

~~(2)~~ (1) ~~demonstrating~~ demonstrate knowledge of statutory regulations relative to school districts affecting board meetings, policies, communications, procedures, and practices that affect special education governance; and

~~(3)~~ (2) ~~demonstrating~~ demonstrate an understanding of special education administrative models used in Minnesota.

C. To demonstrate competence in resource allocation by and fiscal management, a director of special education must:

(1) demonstrate an ability to apply state and federal laws, rules, and procedures governing special education finance, budgeting, and accounting to school district funding structures;

~~(1)~~ (2) demonstrating demonstrate an understanding of special education program development including needs assessment, design, implementation, and evaluation; and

~~(2)~~ (3) demonstrating demonstrate 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~~ must demonstrate the core competencies described in subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

A. To demonstrate competence in community education concepts by, a director of community education must:

(1) ~~understanding and describing~~ understand and describe the history and philosophy of community education;

(2) ~~demonstrating~~ demonstrate a knowledge and application of the principles of community education;

(3) ~~demonstrating~~ demonstrate 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~~ demonstrate, facilitate, and lead the integration of community education into the ~~early childhood~~ prekindergarten through grade 12 system;

(5) ~~demonstrating~~ demonstrate the skills necessary to conduct community needs assessments, ~~determine educational objectives, select learning experiences, schedule and promote programs, and establish and implement registration procedures~~ as required by statute and district policy;

(6) ~~demonstrating~~ demonstrate knowledge of the various assessment tools used to effectively evaluate community education programs and determine educational objectives and learning experiences; and

(7) ~~demonstrating~~ demonstrate an understanding of the resources available to support learners of all abilities and ages.

B. To demonstrate competence in community capital by, a director of community education must:

(1) ~~demonstrating~~ demonstrate a knowledge of ~~the~~ advisory councils, including their role, organization, functions, and development of advisory councils;

(2) ~~demonstrating~~ demonstrate the ability to involve advisory councils in addressing community and school issues;

(3) ~~demonstrating~~ demonstrate the ability to build collaborative partnerships in the community;

(4) ~~demonstrating~~ demonstrate the ability to effectively identify ~~the~~ formal and informal community political structures, ~~both formal and informal~~;

(5) ~~demonstrating~~ demonstrate the ability to identify and effectively use local, civic, and business resources to enhance ~~the~~ lifelong learning opportunities within the community;

(6) ~~demonstrating the~~ demonstrate knowledge of the techniques used for developing leadership among community members;

(7) ~~demonstrating~~ demonstrate knowledge about sustaining community involvement in the community education process; and

(8) ~~demonstrating~~ demonstrate knowledge of factors that affect school finance, including sources of revenue; expenditure classifications; generally acceptable accounting principles; and local, state, and federal finance calculations.

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~~ applies to applicants for K-12 kindergarten through grade 12 principal, superintendent, and or director of special education completing an approved licensure who complete a board-approved licensure program; but lacking ~~lack~~ the teaching experience ~~requirement~~ required in part 3512.0200, subpart 2.

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

Subp. 3. **Field experience.** An applicant ~~shall have~~ must satisfactorily ~~completed~~ complete a field experience in school administration as an intern in the license area sought. The applicant must attain the field experience ~~shall be~~ in a school district setting appropriate for the license ~~under the supervision of~~ while supervised by both educators from ~~an approved~~ a board-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~~ with at least 40 ~~must be~~ hours in each school level, including elementary, middle grades or junior high, and high school, and is in addition to the teaching experience ~~described~~ in subpart 4.

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

~~A. present a portfolio or other appropriate presentation, as determined by the approved board-approved school administration program demonstrating, to demonstrate the applicant's 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~~ must have experience and knowledge in curriculum, school organization, philosophy of education, early childhood education, and elementary, junior high, or middle school, and senior high schools. The internship ~~shall~~ must:

A. include one school year with a minimum hour equivalency of 1,050 hours of classroom ~~experiences, including eight weeks of supervised teaching~~ experience for a principal or superintendent license or 1,050 hours of special education experience for a director of special education license. A candidate may count up to 250 hours of online classroom teaching experience toward meeting the 1,050 hours of classroom experience;

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

C. include supervision ~~provided by~~ educators from an approved a board-approved school administration program; and

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

3512.0800 ALTERNATIVE PATHWAY LICENSURE FOR SCHOOL SUPERINTENDENTS.

Subpart 1. **Intent of alternative pathway to license.** An applicant for licensure through an alternative license shall pathway must demonstrate skills and competencies

needed to perform the functions of a superintendent. This alternative pathway 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 licensure through an alternative ~~license~~ pathway must demonstrate ~~that~~ the applicant has substantive experience and education in areas including but not limited to administration, supervision, management, and executive leadership; in ~~either~~ education, health care, business or industry, labor, or government. A candidate also may consult with a board-approved program. An applicant for an alternative license ~~shall~~ must:

- A. complete a written application;
- B. provide a written description of the applicant's exceptional qualifications;

[For text of items C to F, see M.R.]

Subp. 3. **Credential review committee.** An applicant ~~shall~~ must appear before a credential review committee and present evidence ~~relating to~~ of the applicant's proposed effectiveness as a superintendent. The applicant may present data and information regarding about the applicant's leadership effectiveness shall be presented as through testimony from teachers, parents, students, site council members, community members, and other interested persons. The review committee ~~shall~~ must 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~~ must recommend to the executive director whether to approve or disapprove the applicant's initial application. The executive director may accept or reject the credential committee's recommendation based on board-approved criteria. If the executive director disapproves the application, the applicant may appeal the executive director's decision to the board.

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

Subp. 5. **Education.** The candidate ~~shall~~ must 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.** The board must issue initial and renewal licenses shall be issued and renew licenses according to this subpart.

A. ~~Based upon~~ The board must either accept or reject the executive director's licensure recommendation. If the board accepts the executive director's recommendation to approve licensure, the credential review committee recommendation, board must issue the applicant may be granted a two-year initial license. The board may also identify ~~needed~~ activities ~~which the candidate shall~~ individual must implement during the ~~period of the~~ initial license period to strengthen the individual's skills ~~which may lead to improved and improve the individual's results as a superintendent. This~~ These activities may include a mentoring experience or improving specific skills or competencies ~~that need improvement.~~

B. ~~The two-year initial license may be renewed for~~ board must issue a five-year continuing license to an individual holding an initial license under this part after verification of verifying the individual completed one year of successful administrative experience. ~~Subsequent five-year renewals shall be granted~~ The board must consider any subsequent renewals of the individual's continuing license based upon continuing education requirements in part 3510.2700, ~~subpart 4~~ 3512.1200.

Subp. 7. **Appeal.** ~~If the candidate's initial application is rejected, an appeal may be filed with~~ The applicant may appeal the executive director's decision to the board within 30 days of the denial receiving notice of the decision.

[For text of subp 8, see M.R.]

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

[For text of subp 1, see M.R.]

Subp. 1a. **Approval.** The board, executive director, or board designee must approve all continuing education programs; and the clock hours which a licensee may be earned earn 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~~ is responsible for conducting ~~that the~~ program. ~~However,~~ The initiator may use resources from professional associations, governmental agencies, and the private business sector to conduct the program. The program initiator ~~is responsible for~~ must:

A. ensure prior approval for continuing education programs. Programs not receiving prior approval or a waiver from the executive director must obtain a continuing education variance from the board to be considered meeting the standards for a continuing license as defined in part 3512.0100, subpart 8;

B. collect and verify attendance;

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

D. identify competency areas under part 3512.0510; and

~~B. E. forwarding~~ forward 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~~ must consist of at least three clock hours and each program proposal ~~shall~~ contain must:

A. ~~a description of~~ describe the planning activities, including a list of the names, addresses, and positions of those involved in planning;

B. ~~a description of~~ describe the client group; or groups; for whom the program is designed;

C. ~~a statement of~~ state the program goals ~~which relates goals~~ related to client demands;

D. ~~a statement concerning~~ state any prerequisite education or experience required for program admission ~~to the program~~;

E. ~~a description of~~ describe the proposed continuing education program ~~which includes,~~ including:

(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~~ for achieving specified learning outcomes ~~will be determined~~ for each program participant;

F. ~~statements indicating~~ state the number of clock hours requested for the proposed program;

G. state the length of time for which approval is being requested;

H. state the number of times ~~that~~ the program is ~~to be~~ offered during the approval period; and

I. ~~evidencee~~ show that qualified staff ~~have been~~ are assigned to the program and ~~that other needed~~ resources ~~necessary~~ are allocated to the program ~~have been allocated~~.

Subp. 4. **Term of approval.** The board may approve programs ~~may be approved~~ for periods of time up to two years. The board must approve 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~~ fulfills continuing education requirements.

3512.1300 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.

Subpart 1. **Materials required to surrender license.** A person holding a license ~~granted~~ issued 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~~ specifying the license or licenses ~~to be~~ being surrendered;

B. the ~~applicant~~ applicant's copy of the license;

C. if still employed, the school ~~district~~ district's copy of the license with a written statement ~~that~~ indicating the employing school superintendent, or in the case of a superintendent license, the school board chair, ~~has been~~ was notified that the school ~~district~~ district's copy of the license ~~has been~~ was 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 license surrender is July 1 of that year. If the board receives 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. An applicant must submit a written request for 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 board received the applicant's request ~~for voluntary to voluntarily surrender is received by the board~~ the applicant's license.

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~~ altering the status of the license due to the person's conduct.

Subp. 4. **Initial license after surrender.** A person ~~whose~~ who voluntarily surrenders a Minnesota administrative or supervisory license ~~has been voluntarily surrendered~~ may apply for initial licensure in the field ~~for~~ in which ~~licensure was~~ the previously surrendered license was issued. The board must issue an initial license ~~must be granted~~ to the applicant if:

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

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

C. the applicant submits the required processing fee under part 3512.2000 ~~accompanies~~ with 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~~ after surrendering an administrative or supervisory license in another field.

3512.1500 THE ISSUANCE AND RENEWAL OF LICENSES.

Subpart 1. **Renewal.** A license to serve as superintendent, principal, or director ~~shall~~ must bear the date of issue and the expiration 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~~ is expired and ~~no longer~~ not valid for administration.

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

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.~~ The board's decision is final.

Subp. 2. **Appeal request.** A person entitled to a hearing under this part ~~shall~~ must file a written request for a hearing with the executive director within 30 days ~~from the date of~~

receiving notice 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.

3512.1700 RULES REVIEW.

The board must review licensure standards for superintendents, principals, and directors ~~shall be reviewed~~ every even-numbered year beginning in ~~the year~~ 2008.

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 board-approved program in the licensure area ~~that has been approved by the board.~~

Each application for the issuance or renewal of a license ~~shall~~ must be accompanied by the processing fee in part 8710.0200. The processing fee ~~shall~~ must 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.

The board must issue and renew all licenses ~~must be issued or renewed~~ according to criteria established in board rules ~~of the board,~~ and the licenses 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~~ the board approved the license. ~~Applications for renewal must be accepted by the Minnesota Department of Education, Division of Educator Licensing and Teaching Quality, The Professional Educator Licensing and Standards Board must accept applications to renew a license 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. 1a. **Provisional license.** The provisional license issued in any licensure area is a two-year license. The board must issue provisional licenses to persons who meet all requirements of applicable statutes and rules.

Subp. 2. **Initial license.** The initial license issued in any licensure area is ~~an entranee license, valid for two years~~ a two-year license. The board must issue 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 board-approved licensure programs approved by the board leading to licensure in Minnesota institutions ~~that are approved by the board pursuant to~~ under part 3512.2500 to prepare persons for licensure.

Subp. 3. **Failure to complete school year of experience affecting entranee initial license.** When a person does not complete one school year of administrative or supervisory experience is not completed before the expiration of an entranee initial license expires, the board must issue another entranee initial license in that licensure area ~~must be issued upon application~~ after receiving the person's licensure renewal application. If an entranee initial license in any licensure area is allowed to lapse, it shall be renewed, upon application, lapses, the board must renew the license after receiving the person's licensure renewal application. The board must continue to renew the license until the applicant has had completes one school year of administrative or supervisory experience while holding a valid entranee initial license, after which time an applicant ~~must qualify~~ qualifies for a continuing license.

Subp. 4. **Continuing license.** The board must issue and renew a continuing license, valid for five years, must be issued and renewed upon after receiving an application according to provisions enumerated in the specific licensure board rules of the board for the issuing and renewing continuing license being issued or renewed licenses.

Subp. 5. **Conduct review.** All applicants for licensure and license renewals are subject to a criminal history background check as required under Minnesota Statutes, section 122A.18, subdivision 8, and a conduct review performed by the board. The board may

refuse to issue a license or deny a license renewal based on the results of the background check or conduct review. An applicant who is denied a license or license renewal as a result of the background check or conduct review may appeal the board's decision pursuant to part 3512.1600.

3512.2050 PROVISIONAL LICENSE.

A. The board may issue a two-year nonrenewable license to an applicant who has not met all Minnesota preparation program requirements. The applicant must enroll and make progress in a board-approved program leading to licensure as a superintendent, a director of special education, or a kindergarten through grade 12 principal at a regionally accredited college or university during the applicant's two-year provisional status. The applicant must:

- (1) have completed an applicable preparation program in another state; or
- (2) hold an appropriate administrative license.

B. The board may extend a provisional license issued under this part for one additional school year if the board determines an extension is warranted based on board-adopted criteria.

C. A candidate for a provisional license under this part may substitute one year of full-time experience as a superintendent, assistant superintendent, principal, assistant principal, or director of special education in another state for the field experience required in part 3512.0400, subpart 1.

3512.2100 INITIAL LICENSE.

A. Licensure applicants must meet the requirements ~~must be met~~ for each administrative area where the applicant seeks licensure is sought. The board must issue an initial license ~~shall be issued~~ to an applicant who ~~has met~~ meets all of the following requirements. An applicant must:

A. (1) fulfill the requirements of ~~parts part~~ part 3512.2000, subparts 1 and 2, ~~and 3512.2700~~; and

B. (2) be recommended for licensure by a ~~Minnesota Board of School Administrators approved~~ board-approved Minnesota college or university which, in making such a recommendation, attests to ~~satisfactory completion of the applicant satisfactorily completing~~ 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, Professional Educator Licensing and Standards Board application intake staff~~ a college or university transcript of college or university work to be analyzed in order to determine program comparability of program.

B. A candidate who does not qualify for a continuing license issued under part 3512.2300 may apply to renew an initial license every two years and is not required to complete any clock hours of continuing education in order to renew an initial license.

3512.2300 CONTINUING LICENSE.

Subpart 1. **Continuing license for those holding entrance initial license.** The board must issue a five-year continuing license to an applicant who completes at least one school year of administrative or supervisory experience in a licensure area while holding an entrance initial license shall be issued a continuing license, valid for five years. Supervisory experience includes the tasks listed in Minnesota Statutes, section 179A.03, subdivision 17. When an applicant adds a licensure area is added to a continuing license already in force effect, the board must issue a continuing license is issued, and with the same expiration date becomes that already established for the continuing license already in force effect.

Subp. 2. **Life license.** The board must issue a five-year continuing license to an applicant who holds a life license and who subsequently completes an approved a board-approved program in an additional licensure area shall be issued a continuing license, valid for five years. The board must issue the license for the additional licensure area.

Subp. 3. **Renewal of continuing licenses.** ~~The renewal of board must renew the continuing licenses must be issued to~~ license of an applicant who provides evidence of completion of completing 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 renewing the continuing license. Approval of The board must approve continuing education programs; and the clock hours that may be earned an applicant may earn in each program, must be according to part 3512.1200. An applicant may apply relevant courses completed at accredited colleges and universities may be used toward the clock-hour clock-hour requirement. One quarter college credit equals 15 clock hours; and one semester college credit equals 20 clock hours. An applicant must meet the 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. The applicant may appeal to the board for a continuing education variance to allow credits the applicant earned outside the five-year period to count toward the 125-clock-hour requirement.

Subp. 4. **Lapsed license.** ~~If an applicant allows a continuing license has been allowed to lapse for more than 60 days and the applicant has not been is currently employed as an administrator or supervisor during the year immediately before the application for renewal, the applicant must provide evidence that, the applicant must obtain a variance from the board while the board renews the license. If the applicant was not employed as an administrator or supervisor during the year immediately before applying to renew the license, the applicant must demonstrate to the board that the applicant:~~

A. earned 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 applying for a continuing license, in which case the board must issue a five-year continuing license must be granted; or

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

3512.2400 SUSPENSION AND REVOCATION OF LICENSES.

Subpart 1. **Cause.** The board may revoke or suspend 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 the code of ethics for school administrators under 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~~ a person's license ~~of a person whose license was granted by the board after~~ if the following procedures ~~have been~~ in this subpart are followed:.

A. A student, a parent, a community member, or the school board employing the licensee must file a written complaint that specifies with the board specifying 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~~ must notify the licensee of the allegations ~~contained~~ in the complaint, ~~giving~~ and give the licensee an opportunity to respond to the allegations.

C. The board must hold a hearing conducted according to the rules of the Office of Administrative Hearings, ~~if not waived, must be held~~ unless the licensee waives the licensee's right to a hearing.

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~~ by holding a license issued under ~~the board rules of the board.~~ the board rules of the board. Revocation is final, except that a person whose license ~~has been~~ is 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~~ by holding a license issued under ~~the board rules of the board.~~ the board rules of the board. The board must determine the length of each suspension and attach any terms and conditions ~~attached to the suspension must be determined by the board on consideration of~~ after considering:

- A. the activity of the individual that led to the license suspension;
- B. any relevant mitigating factors ~~that~~ provided by 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 the board takes final action is taken by the board. The board must not issue any other license to a person whose license or renewal privilege has been is 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~~ was revoked by the board may apply for and may be ~~granted~~ issued an initial license ~~upon presentation of~~ after presenting reliable evidence that the person fulfilled all the 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~~ was suspended by the board may apply ~~for reinstatement of that~~ to the board to have the license according to reinstated under this subpart.

A. If the person's suspended license ~~was~~ is an ~~entrance~~ initial license that has lapsed during the suspension, the board must reinstate that license ~~must be reinstated upon proper application~~ if the person:

(1) properly applies to the board after the period of suspension has expired and upon presentation of expires;

(2) presents reliable evidence that the person met all terms and conditions ~~that the board imposed have been fulfilled, if the applicant has; and~~

(3) had less than one year of administrative or supervisory experience while holding the entrance initial license.

If the ~~applicant has~~ person gained a year or more of experience on the ~~entrance~~ initial license before the suspension and the license ~~has~~ lapsed during the suspension, the board must issue a five-year continuing license ~~must be granted~~ after the person meets all other conditions stated in this part ~~have been met~~.

B. If the person's suspended license is an ~~entrance~~ initial 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~~ expires and ~~upon presentation of~~ the person presents reliable evidence to the board that the person met 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~~ expires and ~~upon presentation of~~ after the person presents reliable evidence to the board that the person met 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~~. The board must issue the person a continuing license if:

(1) the suspension ~~has~~ is expired;₂

(2) the person presents reliable evidence that the person met all terms and conditions the board imposed ~~have been fulfilled~~₂; and ~~demonstrates~~

(3) the person completed 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~~ expires and after presenting reliable evidence to the board that the person met all terms and conditions imposed by the board ~~have been fulfilled~~.

3512.2500 PROCEDURES FOR APPROVAL OF LICENSURE PROGRAMS.

Subpart 1. **Request for approval.** Institutions ~~approved by the board~~ approves under this part 3512.2500 to prepare persons for licensure may request board approval ~~by the board~~ of licensure programs in administration and supervision. The board must evaluate

~~the programs shall be evaluated~~ for initial approval and thereafter ~~shall be audited~~ audit the programs for continuing approval ~~according to~~ under this part.

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

A. ~~a statement which verifies~~ verify the ~~institutional~~ institution's commitment to the licensure program;

B. ~~a description of the~~ describe the institution's organizational structure ~~of the institution and~~;

C. ~~procedures~~ describe the process to align strategic planning, assessment, and decision-making for implementing or sustaining the licensure program;

~~C. D. a description of~~ describe the anticipated 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~~ list and describe how the licensure program ~~which~~ relates individual program components to the knowledge, skills, and dispositions ~~to be achieved by that~~ persons completing the licensure program must achieve;

F. ~~a description of~~ describe the field-based experience, the assessment of prior experience and preparation, and the situational observation component;

G. ~~a description of~~ describe the systematic procedure for ~~evaluation of~~ evaluating the licensure program ~~which assures that~~ to ensure that all persons recommended for licensure

~~meet all licensure requirements for licensure have been met by all persons recommended for licensure;~~

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

I. ~~evidence that~~ list the college departments involved with the licensure program, licensed practicing education personnel, school administrators, and interested citizens who participated in developing 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~~ describe the procedures to establish and maintain an internal process for ~~systematic evaluation of~~ to systematically evaluate the licensure program; and

K. include program review data as mandated by the legislature and the board and describe how that data are utilized.

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

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

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

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

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

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

Based ~~upon~~ on the institution's appraisal of the program description ~~prepared by the institution~~ and the auditors' written report ~~of the auditors,~~ the board ~~shall~~ must:

- A. grant initial approval;
- B. grant continuing approval;
- C. grant conditional approval, state the conditions, and establish time lines for ~~meeting~~ the program to meet the stated conditions; or
- D. disapprove the licensure program, state the reasons for disapproval, and, if needed, stipulate a termination date ~~that will~~ to accommodate persons enrolled in the program.

Subp. 5. **Conditional approval.** If the board conditionally approves a licensure program is ~~conditionally approved,~~ the board ~~shall~~ must reconsider the licensure program's approval status ~~of the licensure program upon verification that the~~ after verifying that the

board's stated conditions are met. If the board's stated conditions are not met within the established time lines, the board must withdraw its conditional approval ~~must be withdrawn.~~

Subp. 6. **Programs that vary in curricular design.** The board must approve licensure programs that vary in curricular design ~~must be approved provided that~~ if the program components meet the approval criteria ~~for approval~~ in this part.

Subp. 7. **Revisions made in program.** If an institution ~~makes revisions in an approved~~ revises a board-approved licensure program, the administrator of the defined administrative and instructional unit of that institution ~~shall~~ must forward to the board a written description of the licensure program revision. The board must undertake an audit ~~must be made~~ to verify that the revised licensure program continues to meet board 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~~ must revoke or suspend the approval of a licensure program if the board determines that an approved licensure program no longer complies with this part.

3512.2600 LICENSURE FOR PERSONS PREPARED IN STATES OTHER THAN MINNESOTA.

Subpart 1. Criteria.

A. The board must issue 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~~ and the requirements of this part. The board must issue licenses ~~shall be granted~~ only in licensure fields for which the board has ~~established~~ rules governing licensure programs ~~leading to licensure~~. Persons prepared in other states ~~other than Minnesota~~ ~~shall~~ must 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. The board must issue an initial professional license to persons who complete administrative preparation 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~~ the applicant completed is recognized by the state as qualifying the applicant ~~completing the program~~ for such employment as an administrator or licensure within that state;

(3) the program ~~leading to licensure~~ the applicant completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota colleges and universities under the board rules of the ~~Board of School Administrators~~ governing the licensure field. A person licensed under this part must achieve educational equivalency with persons licensed in Minnesota by the time the person's initial professional license expires. Educational equivalency includes 30 semester credits beyond a master's degree or 60 semester credits beyond a bachelor's degree, including a master's, specialist, or doctoral degree; and

(4) the college or university ~~which offers~~ offering the program leading to licensure verifies that the applicant ~~has~~ completed an approved licensure administrative preparation program at that institution and recommends the applicant for a license ~~in a licensure field at a licensure level~~ if licensure is required by that state.

~~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. [See repealer.]

Subp. 3. **Field experience equivalency.** A licensure candidate may substitute one year of full-time experience as a superintendent, assistant superintendent, principal, assistant principal, or director of special education in another state for the field experience required by part 3512.0400, subpart 1.

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~~ must provide professional educational services in a nondiscriminatory manner.

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

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

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

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

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

J. A school administrator, in filling positions requiring licensure, ~~shall~~ must employ, recommend for employment, and assign only appropriately licensed personnel, or persons for whom the school district has been ~~granted~~ issued 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~~ must 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.** The board must enforce this part ~~shall be enforced in accordance with~~ according to 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.~~

A. When the board receives complaints alleging violations of the code of ethics for school administrators, the board must require the complaining party to submit:

(1) a signed, written complaint specifying the nature and character of the allegations; and

(2) a consent form provided by the board.

B. The board must consider only those complaints that comply with this subpart. The administrator ~~shall be~~ is 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~~ finds 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~~ to suspend or terminate proceedings against the administrator on conditions agreeable to both parties.

B. The board may send a letter of censure ~~from the board may be sent~~ to the person ~~determined to be in violation of~~ it determines is violating the standards of the code of ethics. The board must keep the letter ~~shall be kept~~ on file for a ~~period of time not to exceed~~ up to one calendar year.

C. The board may place an administrator ~~who has been found to have~~ it finds 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~~ is subject to board review ~~by the board~~. The board must direct the review ~~shall be directed~~ toward monitoring the administrator's activities or performance ~~with regard to whatever~~ and the conditions may be placed on the administrator during the probationary period. Before the ~~end of the~~ probationary period ends, the board ~~shall~~ must decide to extend or terminate the administrator's probationary licensure status or ~~to~~ take further disciplinary actions ~~as~~ consistent with this ~~rule~~ subpart.

D. The board may suspend the license ~~to practice~~ of the person ~~determined to be in violation of~~ it determines is violating the standards of the code of ethics ~~may be suspended for a period of time determined by the board~~. The board must determine the time period of any suspension.

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

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~~ variance from the rule would serve a compelling public purpose;

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~~ issue a variance from a rule if the applicant ~~can provide~~ provides evidence that ~~application of applying the rule to the applicant's individual circumstances of the applicant would not~~ serve the purpose of the rule. The board may not ~~grant~~ issue 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 the applicant's request ~~from the applicant~~, the board may permit an applicant to present an oral argument ~~in defense of~~ defending a variance application.

Subp. 5. [See repealer.]

Subp. 6. **Order; timing.** Within 60 days of ~~receipt of~~ receiving a completed variance application, the board must issue ~~a written order granting or denying~~ deny a variance and

~~specifying~~ specify the scope and period of the variance. The board must not ~~grant~~ issue a ~~discretionary~~ variance for a period longer than one year. The board's order must ~~include a statement of~~ state the relevant facts and the reasons for the board's action.

Subp. 7. **Limitations.** ~~The board may issue a variance may be granted to the applicant only for the specific circumstances for which the request is made~~ the applicant described in the variance application. The applicant may not apply the variance to other circumstances without specific board approval ~~from the board~~, and is prohibited from transferring a variance is not transferable to other individuals or entities in similar situations without specific board 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.~~ The fee for the variance application must be charged consistent with Minnesota Statutes, section 14.056.

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

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

Subp. 11. **Variance for director of community education.** Subject to the conditions in this subpart, the board must annually issue an administrative variance to a school district 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. The board must issue an administrative variance to school districts only if the individual is enrolled in a board-approved program leading to licensure as a director of community education and can show evidence the individual will complete the program within three school years.

B. A school district must apply annually for an administrative variance and must not exceed the three years stated in item A for any one individual.

C. The school superintendent must verify in writing the district's inability to contract with a fully licensed director of community education for a position. The superintendent must verify how the district advertised the director of community education position and that the district did not place a licensed director of community education interested in the position on unrequested leave of absence.

REPEALER. Minnesota Rules, parts 3512.0200, subpart 5; 3512.0300, subpart 5; 3512.0505, subparts 7 and 9; 3512.2600, subpart 2; 3512.2700; and 3512.5300, subpart 5, are repealed.