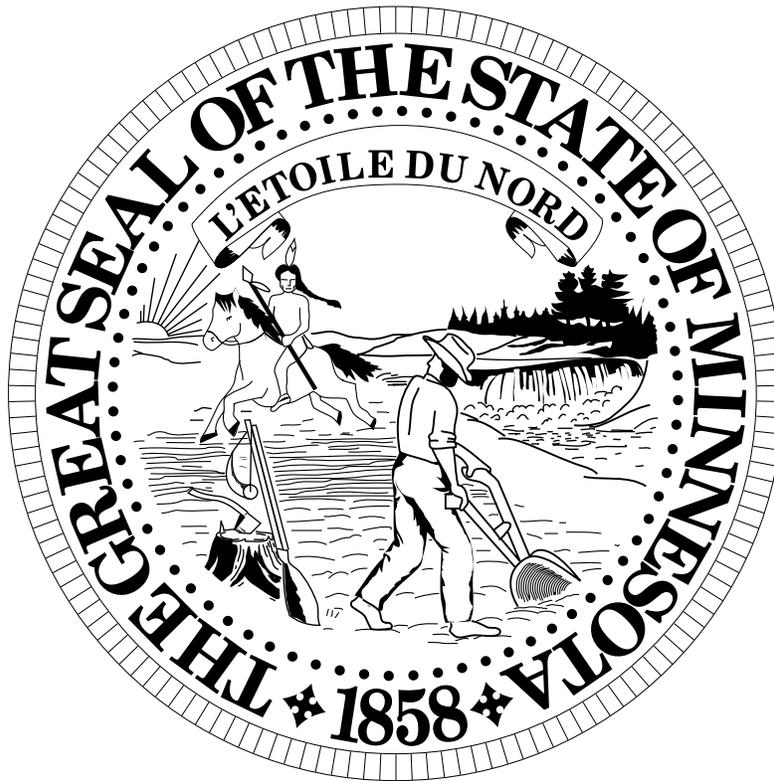


State of Minnesota

State Register

Rules and Official Notices Edition



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Monday 3 July 2000
Volume 25, Number 1
Pages 1-54

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

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Vol. 25 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#1	Monday 3 July	Noon Wednesday 21 June	Noon Tuesday 27 June
#2	Monday 10 July	Noon Wednesday 28 June	4:30 p.m. MONDAY 3 JULY
#3	Monday 17 July	Noon Wednesday 5 July	Noon Tuesday 11 July
#4	Monday 24 July	Noon Wednesday 12 July	Noon Tuesday 18 July

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PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 651-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$115.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

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FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

Contact: Senate Public Information Office (651) 296-0504
Room 231 State Capitol, St. Paul, MN 55155

Contact: House Information Office (651) 296-2146
Room 175 State Office Building, St. Paul, MN 55155

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Department of Children, Families, and Learning

Proposed Expedited Permanent Rules Relating to Profiles of Learning

NOTICE OF INTENT TO ADOPT RULES

Proposed Exempt Expedited Permanent Rules Relating to the Profile of Learning, *Minnesota Rules*, chapter 3501

Introduction. The Department of Children, Families and Learning intends to adopt rules following the expedited rulemaking procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You have 30 days to submit written comments on the proposed rules.

Agency Contact Person. Comments or questions on the rules must be submitted to the agency contact person. The agency contact person is: Kristin Asche at the Department of Children, Families and Learning, 1500 Highway 36 West, Roseville, Minnesota 55113-4266, Phone: 651-582-8248, Fax: 651-582-8725, E-mail: kristin.asche@state.mn.us. TTY users may call the department at 651-582-8201.

Subject of Rules and Statutory Authority. The statutory authority to adopt the rules in *2000 Minnesota Laws*, Ch. 500, § 20, which provides: "Beginning no later than July 1, 2000, the commissioner shall amend *Minnesota Rules*, chapter 3501, for state graduation requirements according to this section using the expedited process under *Minnesota Statutes*, section 14.389." Section 20 then lists specific mandates by the legislature which direct the commissioner to amend and repeal specific rule parts in chapter 3501.

Based upon the legislative mandate, the agency is now proposing amendments or repeals to the following rule parts in chapter 3501; definitions; grading criteria; and all references to state and local developed performance packages. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, August 2, 2000, to submit written comments in support of or in opposition to the proposed rules or any part of subpart of the rules. Your comments must be in writing and received by the agency contact person by the due date. Comments are encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comments, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules should also be made during this comment period.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

Modifications. The department may modify a proposed rule if the modifications do not result in a substantially different rule, as defined in section 14.05, subdivision 2, paragraphs (b) and (c). If the final rule is identical to the rule originally published in the *State Register*, the department will publish a notice of adoption in the *State Register*. If the final rule is different from the rule originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Adoption and Review of Rules. The agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 19 June 2000

Christine Jax, Commissioner

3501.0320 DEFINITIONS.

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

Subp. 2. **Definitions for the profile of learning.** For the purposes of parts 3501.0300 to 3501.0469, the terms in items A to J have the meanings given them.

[For text of items A to D, see M.R.]

E. “Performance ~~package assessment~~” means ~~a group of assignments and application activities that a student shall perform to demonstrate completion~~ any assessment method that will measure demonstrated student performance of the specifications of a content standard.

~~(1) “State model performance package” means a state developed performance package that is an example of assignments and application activities.~~

~~(2) “Local performance package” means a performance package other than a state model performance package adopted by a district to show that a student has completed all specifications of a content standard at a level that equals or exceeds the difficulty and complexity of the state model performance package.~~

F. “Rubric” means the criteria set by the commissioner ~~to that must~~ be used by a district ~~to assign a score to student work on a performance package~~ measure student work that meets the specifications of a content standard.

G. “Exemplar” means an actual example of student work on a performance ~~package assessment~~ determined ~~by the commissioner~~ to represent student performance that earns a score of “3” or “4” in accordance with the rubric as defined in item F.

[For text of items H to J, see M.R.]

3501.0330 GRADUATION REQUIREMENTS.

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

Subp. 2. Districts and students.

~~A. A district shall provide learning opportunities for all students in all preparatory content standards in learning areas one to nine, and learning opportunities sufficient to meet graduation requirements in high school content standards in all ten learning areas. A district shall offer at least one foreign language in learning area ten.~~

~~B.~~ There are 48 high school content standards that are in ten learning areas. A student is required to complete 21 of the 47 content standards in learning areas one to nine under subpart 3 for graduation. A student may select electives from 28 of the 47 content standards in learning areas one to nine under subpart 3. A student may select the content standard in learning area ten as one or more electives.

~~C. B.~~ This part shall be implemented according to *Laws 1998 2000*, chapter ~~398~~ 500, ~~article 5, section 9~~ sections 3 to 14, to be coded as *Minnesota Statutes*, section ~~120B.03~~ 120B.031.

[For text of subs 3 to 7, see M.R.]

3501.0370 ASSESSMENT AND SCORING STUDENT ACHIEVEMENT.

Subpart 1. [See repealer.]

Subp. 2. [See repealer.]

Subp. 3. Scoring criteria.

~~A.~~ Scoring criteria for a performance ~~package assessment~~ includes:

- (1) a score of “4,” that signifies student work that meets or exceeds the rubric for the state exemplar score of “4”;
- (2) a score of “3,” that signifies student work that meets the rubric for the state exemplar score of “3”;
- (3) a score of “2,” that signifies student ~~completion of work defined on the checklist under subpart 1, item C, but that does not meet~~ that meets the rubric for the state exemplars score of “2”; ~~and~~
- (4) a score of “1,” that signifies student ~~completion of work defined on the checklist under subpart 1, item C, with performance significantly below the rubric for the state exemplars~~ that meets the rubric for the score of “1”; ~~and~~
- (5) a score of “0,” that signifies incomplete student work.

~~B. Incomplete student work on a performance package shall not receive a score and does not complete a content standard.~~

Subp. 4. [See repealer.]

Subp. 5. **Individualized scores.**

A. ~~When a student completes an adjusted performance package, the district shall record the score as “pass.”~~

~~B.~~ When a student, under provisions in an IEP or Section 504 Accommodation Plan completes the specifications of a modified content standard as determined in the student’s plan, the district shall record the score as “pass-individual.” When a student’s IEP or Section 504 Accommodation Plan exempts the student from a content standard, the district shall record “exempt” for that content standard.

~~C.~~ B. When an LEP student, under provisions of an LEP individual graduation plan completes the specifications of a modified content standard, the district shall record the score as “pass-LEP.” When an LEP student under the provisions of an individual graduation plan completes all specifications of a content standard solely in a language other than English, except for work in learning area ten, the district shall record the score as “pass-LEP.”

[For text of subp 6, see M.R.]

3501.0400 HIGH SCHOOL STUDENT TRANSCRIPT DATA.

Subpart 1. **Transcript information.** A district shall include on the transcript for a high school student the following information:

- A. high school content standards completed by the student;
- B. the score achieved on each high school content standard, or a notation that the content standard has been certified as completed through the district’s process for transferring credit ~~under part 3501.0370, subpart 1, item B~~ pursuant to Minnesota Statutes, section 120B.031, subdivision 6; and
- C. date of completion of each high school content standard.

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

3501.0420 IMPLEMENTATION REPORTING.

Subpart 1. **Report to commissioner.** A district shall, by July 31, 1998, submit for approval by the commissioner, in a format prescribed by the commissioner, its district profile of learning implementation manual, including the following:

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

~~D. policies and procedures for assessment of student demonstration of the content standards, including criteria for local adoption of performance packages and identification of the teaching staff and processes established for scoring student work;~~

~~E.~~ policies and processes for staff development for continuous improvement of curriculum, instruction, and assessment;

~~F.~~ E. policies and procedures by which a student may meet a graduation requirement for a content standard, whether the district offers the content standard in its school curriculum or the student accomplishes the work in another learning environment, including process for transfer of standards completed in another Minnesota school district, recognition of work completed in other schools and postsecondary institutions, and credit for standards achieved in extracurricular activities, activities outside of the school, previous learning, and community and work experiences;

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Proposed Rules

~~G. E.~~ policies and procedures for periodic advising of students, the student's parents or guardians, or both, of the student's progress and achievement and of the choices and opportunities available for achieving learning, graduation, and the student's post-secondary educational and career goals;

~~H. G.~~ policies and procedures for recordkeeping and reporting of student achievement; and

~~I. H.~~ procedures for student and parent or guardian appeal of policies and procedures in the district's profile of learning implementation manual.

[For text of subps 2 and 3, see M.R.]

Subp. 4. [See repealer.]

REPEALER. Minnesota Rules, parts 3501.0360; 3501.0370, subparts 1, 2, and 4; 3501.0420, subpart 4; and 3501.0430, are repealed.

Board of Teaching

Proposed Permanent Rules Relating to Continuing or Professional Teacher License Issuance and Renewal

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received

Proposed Rules Relating to Continuing Professional Teacher License Issuance and Renewal: *Minnesota Rules*, Parts 8700.0900 to 8700.2300 and 8710.7000 to 8710.2300 with the repeal of Parts 8700.0900, 8700.1000, 8700.1200, 8700.2000, 8750.7000, 8750.7100, 8750.7200, 8750.7300, 8750.8000, 8750.8100, 8750.8200, 8750.8300, and 8750.8400

Introduction. The Board of Teaching intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:00 p.m. on August 3, 2000, a public hearing will be held in Conference Center Room 13/14, Department of Children, Families, and Learning Building, 1500 Highway 36 West, Roseville, Minnesota 55113, starting at 9:30 a.m., on Wednesday, August 23, 2000. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after August 3, 2000, and before August 23, 2000.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Michael Tillmann at The Minnesota Board of Teaching, 1500 Highway 36 West, Roseville, Minnesota 55113. His phone number is 651-582-8835. TTY users may call the Board of Teaching at 651-582-8201.

Subject of Rules and Statutory Authority. The proposed rules are about renewal of teacher licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, 122A.09 and 122A.18. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:00 p.m. on Thursday, August 3, 2000, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:00 p.m. on August 3, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the

agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for August 23, 2000, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at [651] 582-8835 after August 3, 2000, to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Allan W. Klein is assigned to conduct the hearing. Judge Klein can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone 612-341-7609, and fax 612-349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the State Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 17 June 2000

Michael L. Tillmann
Executive Director
Minnesota Board of Teaching

8700.1100 LOCAL COMMITTEES FOR CONTINUING EDUCATION AND RELICENSURE.

Subpart 1. **Membership.** A local committee ~~as authorized by Minnesota Statutes, section 122A.09, subdivision 4 shall be~~ established in each Minnesota public school district with membership as follows:

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

[For text of subps 2 to 4, see M.R.]

Subp. 5. **School district assistance.** ~~Up to three days per month~~ Release time or a per diem stipend may be provided by the local school district to each local committee member to attend local committee meetings.

Clerical assistance and supplies as requested by the local committee may be provided by the local school district in sufficient amount to enable the local committee to comply with the recordkeeping and reporting required ~~by parts 8700.0900 to 8700.2300.~~

[For text of subp 6, see M.R.]

Subp. 7. **Duties.** The duties of the local committee are as follows:

A. Set procedures for its own operation:

(1) establish written guidelines which ~~set include~~ time, place, and procedures for local committee meetings; ~~set and~~ procedures for local committee operations, including a procedure for emergency approval during periods when the committee is not regularly meeting; ~~and determine clock hours to be allocated for each category enumerated in part 8700.1000, subpart 3 in accordance with the maximum clock hour allocations stipulated in part 8700.1100, subpart 4;~~

(2) make the guidelines available to persons interested in or affected by decisions of the local committee, together with a list of the current local committee membership; and

(3) hold a hearing annually to allow the teachers in the district to review proposed or revised guidelines established by the local committee. ~~It is recommended that this hearing be held in the fall.~~

A working draft of local guidelines and proposed revisions shall be made available prior to the local hearing.

The local committee shall schedule the hearing at a time and place which is convenient for those interested in or affected by the guidelines to be able to attend.

Adequate and proper notice shall be given to all such persons within the district.

All local committee members should be present at the hearing.

The hearing shall continue until all persons who wish to speak have had an opportunity to do so.

Although input received at the hearing is not binding, the local committee is encouraged to modify its guidelines, insofar as modifications are consistent with ~~parts 8700.0900 to 8700.2300~~ chapters 8700 and 8710, if the information received during the hearing indicates that changes are necessary or desirable.

B. Provide recommendations to the Board of Teaching for the renewal of teaching licenses ~~as provided in Minnesota Statutes, section 122A.09, subdivision 4:~~

(1) Make recommendations regarding the issuance of the first continuing license by verifying one year of successful teaching experience for individuals on an entrance license. Successful teaching shall be determined by satisfying one or more of the following three criteria: a teacher receives an offer of a contract for the ensuing year; a teacher gains tenure or acquires a continuing contract; or supportive evidence is presented from supervisory personnel, professional colleagues, and/or administrators.

This experience shall be verified by the local committee chair or designee, whose name shall be on file with the ~~manager of licensing~~ Board of Teaching.

(2) Act, within a reasonable time, upon requests for recommendation for renewal of the continuing license by determining whether the applicant has met the requirements ~~of parts 8700.0900 to 8700.2300~~ for renewal in part 8710.7100.

(3) Endorse the application for first issuance or renewal of the continuing license of each qualified applicant. The applicant shall assume the responsibility for forwarding the endorsed application to the ~~manager of licensing~~ department of children, families, and learning.

(4) Provide supporting evidence to the Board of Teaching when ~~an appeal is taken from~~ a decision of the local committee is appealed.

C. Forward to the Board of Teaching the following information ~~in accordance with~~ according to the due dates ~~set forth~~ in this rule:

(1) Prior to November 1 of each year, verification of the current membership of the local committee.

(2) Prior to ~~November 1, 1980, and every five years thereafter~~ receiving approval from the Board of Teaching to operate as a local committee, a copy of the published local committee guidelines. At ~~such the~~ time that substantial changes are made in local guidelines, a revised copy of these guidelines shall be forwarded to the Board of Teaching.

(3) During February of each year, any recommendations for modifications ~~in parts 8700.0900 to 8700.2300~~ of state continuing licensure renewal requirements, based upon an evaluation of procedures and criteria or granting clock hours.

D. Provide those services and reports that may be required from time to time by the Board of Teaching.

E. Provide recommendations to appropriate personnel concerning the in-service needs of the district.

8700.1300 TRANSFER OF CLOCK HOURS.

If a licensed person ~~employed by one school district becomes employed by~~ under the jurisdiction of one local committee moves to the jurisdiction of a different district local committee during a renewal period, clock hours already earned and granted during that renewal period ~~shall forthwith be~~ are transferred to the new local committee ~~for the new district. Such~~ Clock hours shall be accepted by that committee.

8700.1400 GRANTOR OF CLOCK HOURS.

Clock hours shall be granted by the committee of the district where the applicant was employed at the time that the experience was completed.

Persons who have not been or are not currently employed by a school ~~district for a period of time~~ will be granted clock hours in either of the following ways:

A. by the local committee of the district where the applicant was last employed; or

B. by the local committee of the district where the applicant currently resides, if accepted by the local committee.

8700.1600 RENEWAL FOR OUT-OF-STATE RESIDENTS.

~~Persons~~ A person residing out of ~~the state of~~ Minnesota who ~~wish~~ wishes to maintain continuing Minnesota licensure may make application for renewal to the Board of Teaching ~~in accordance with provisions of parts 8700.0900 to 8700.2300~~ according to parts 8700.1100 and 8710.7100.

8700.1700 RULE INFORMATION.

The board of teaching shall provide each local committee ~~shall be provided~~ with current ~~information regarding changes in~~ Board of Teaching rules which pertain to licensure ~~in education by the director of licensing~~.

8700.1800 OPTION FOR FORMATION OF JOINT LOCAL COMMITTEES.

Two or more districts situated in close proximity to each other shall have the option of joining together to establish a joint local committee.

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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A plan for two or more districts to formulate a joint local committee shall be drawn up by a committee consisting of two teachers, one administrator, and one school board member or a designee, from each participating district, and be ratified by at least 70 percent of the licensed personnel employed by each participating district. The plan shall provide for fair representation of all licensed personnel and insofar as possible, shall be consistent with part 8700.1100, subpart 1 and other provisions of parts 8700.0900 to 8700.2300.

The ratified plan shall be submitted by the superintendent of the district employing the largest number of licensed personnel to the Board of Teaching.

The joint local committee shall be treated as any local committee and shall comply with all provisions of parts 8700.0900 to 8700.2300.

8700.1900 LOCAL COMMITTEES IN NONPUBLIC SCHOOLS.

Subpart 1. **Nonpublic school only.** Licensed personnel in a nonpublic school may establish a local committee for the same purpose as local committees established by public school districts. Licensed personnel in two or more nonpublic schools may combine to form a local committee upon the agreement of 70 percent of the licensed personnel in each school. The chair of the committee shall submit to ~~the director of licensing~~ the Board of Teaching, on an annual basis no later than November 1 of each year, verification of the membership of the committee and verification of the school or schools whose personnel have established the committee.

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

Subp. 3. **Committee conduct.** Insofar as possible, the committees authorized in subparts 1 and 2 shall be established and shall function in the same manner as provided in parts 8700.0900 to 8700.2300 for committees of public school districts and in such way as to provide fair representation for all licensed personnel and objective evaluation of requests for renewal of licenses. Duties of the committee and criteria for granting clock hours shall be identical to those for committees of public school districts.

8700.1910 LOCAL COMMITTEES IN SCHOOL DISTRICT CONSORTIA AND DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.

Subpart 1. ~~School district consortia only~~ **Consortia; Department of Children, Families, and Learning.** Licensed personnel employed by a Minnesota public school district consortium that is authorized by *Minnesota Statutes* or a consortium of charter schools may establish a local committee for the same purpose as local committees established by public school districts. The Department of Children, Families, and Learning may establish a local committee to serve licensed teachers who work for state government.

Subp. 2. **Committee conduct.** When possible, the committees authorized in subpart 1 shall be established according to part 8700.1100, subpart 1. The committees shall function in the same manner as provided in parts 8700.0900 to 8700.2300 for committees of public school districts and in a way that provides fair representation for all licensed personnel and objective evaluation of requests for renewal of licenses. Duties of the committee and criteria for granting clock hours shall be identical to those for committees of public school districts.

8700.2100 LOCAL COMMITTEE OF COLLEGE OR UNIVERSITY.

A college or university which is approved to prepare teachers for licensure in education may form a local committee or combine with other approved colleges or universities to form joint committees. Licensed personnel in approved colleges or universities may, in accordance with part 8700.1400, affiliate with a local committee established in a local school district or nonpublic school. Duties of the committee and criteria for granting clock hours shall be identical to those for committees of public school districts.

8700.2200 RIGHT OF APPEAL.

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

Subp. 2. **Appeal to Board of Teaching.** Decisions by a local committee for continuing education/relicensure denying the appeal may be appealed to the Board of Teaching by the applicant according to ~~the provisions of~~ part 8710.0900.

[For text of subp 3, see M.R.]

Subp. 4. ~~Appellant's duty to inform manager of licensing loss~~ **Licensure extension during appeal.** ~~In the event that the clock hours under appeal result in loss of licensure, it shall be the responsibility of the appellant to inform the manager of licensing of such loss of licensure.~~ The manager of licensing Board of Teaching shall extend the previous continuing license until all avenues of administrative appeal have been exhausted.

8700.2300 EVALUATION REVIEW OF LOCAL COMMITTEE FUNCTIONS.

~~The functions of the local committees shall be evaluated by The Board of Teaching during each shall review the compliance of the local committees with parts 8710.7300, 8710.7400, and 8710.7500, as applicable, at least once in each five-year period beginning in the 2000 calendar year which is divisible by five.~~

8710.7000 DUTY OF LICENSEE TO RENEW.

~~It shall be the responsibility of the person seeking the renewal of a continuing or professional teaching license to comply with licensure renewal requirements in part 8710.7100 and to submit the application, appropriate verification, and other supporting materials to the local continuing education/relicensure committee, in accordance with procedures and due dates established by that committee under part 8710.7200.~~

8710.7100 ISSUANCE AND RENEWAL OF PROFESSIONAL TEACHING LICENSES.

~~Subpart 1. **Scope.** This part applies to persons who have held entrance licenses and are seeking to obtain first professional licenses or to renew continuing or professional licenses issued by the Board of Teaching, except continuing licenses valid only for substitute teaching.~~

~~Subp. 2. **Professional licenses to substitute teach only.** An applicant who holds or has held a valid entrance, continuing, or professional license to teach issued by the Board of Teaching shall be granted a five-year license for short-call substitute teaching. This subpart also applies to an applicant who holds or has held a license to teach issued by another state if that license was issued based on completion of baccalaureate or postbaccalaureate teacher preparation programs.~~

~~Subp. 3. **Renewal of professional license.** A license renewal period begins on July 1 of the year of expiration. An application for renewal is accepted for processing by the Department of Children, Families, and Learning after January 1 of the year of expiration. A valid professional license shall be renewed for a subsequent period of five years when an applicant presents verification by the local continuing education/relicensure committee that the applicant has, within the past five years, successfully completed at least 125 clock hours of professional development as specified in part 8710.7200.~~

8710.7200 CLOCK HOURS; REQUIREMENTS FOR RENEWAL OF PROFESSIONAL LICENSES.

~~Subpart 1. **Definition.** "Clock hour" means an hour of actual instruction, or planned group or individual professional development activity as approved by the local continuing education/relicensure committee.~~

~~Subp. 2. **Renewal clock hours.** Verification by the local continuing education/relicensure committee that the applicant has completed 125 approved clock hours is required for renewal. Instruction and professional development activities meet requirements to renew licenses only if they address one or more of the standards in part 8710.2000. Effective for renewal of continuing licenses which expire on June 30, 2001, and after, applicants must include in their 125 clock hours instruction or other professional development activities which address positive behavioral intervention strategies and accommodation, modification, and adaptation of curriculum, materials, and instruction to appropriately meet the needs of varied students in achieving graduation standards.~~

~~Subp. 3. **Categories for clock hour allocation.** Verification of completion of experiences must be submitted by the applicant to the local committee. Clock hours must be earned in two or more of the categories in items A to I:~~

- ~~A. relevant coursework completed at accredited colleges and universities;~~
- ~~B. educational workshops, conferences, institutes, seminars, or lectures in areas appropriate to licenses held;~~
- ~~C. staff development activities, inservice meetings, and courses;~~
- ~~D. site, district, regional, state, national, or international curriculum development;~~
- ~~E. engagement in formal peer coaching or mentorship relationships with colleagues that addresses one or more of the standards in part 8710.2000;~~
- ~~F. professional service in the following areas:
 - ~~(1) supervision of clinical experiences of persons enrolled in teacher preparation programs;~~
 - ~~(2) participation on national, state, and local committees involved with licensure, teacher education, or professional standards; or~~~~

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

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(3) participation in national, regional, or state accreditation;

G. leadership experiences in the following areas:

(1) development of new or broader skills and sensitivities to the school, community, or profession;

(2) publication of professional articles in a professional journal in an appropriate field; or

(3) volunteer work in professional organizations related to the areas of licensure held;

H. opportunities to enhance knowledge and understanding of diverse educational settings in the following areas:

(1) experiences with students of another age, ability, culture, or socioeconomic level; or

(2) systematic, purposeful observation during visits to schools and to related business and industry; and

I. preapproved travel or work experience:

(1) travel for purposes of improving instructional capabilities related to the field of licensure; or

(2) work experience in business or industry appropriate to the field of licensure.

Subp. 4. Maximum allocation. Effective for all experiences completed after June 30, 2000, the local continuing education/relicensure committee shall grant clock hours on the following basis:

A. Relevant coursework under subpart 3, item A, must be granted 16 clock hours for each quarter credit earned, and 24 clock hours for each semester credit earned.

B. Successful completion of activities under subpart 3, items B to I, must be granted one clock hour for each hour of participation with the following exceptions:

(1) Supervision of clinical experiences of persons enrolled in teacher licensure programs for one quarter equals 16 clock hours or one semester equals 24 clock hours. No more than 30 clock hours may be granted in a five-year relicensure period for supervision.

(2) One week of preapproved travel or work experience for purposes of improving instructional capabilities equals ten clock hours. No more than 30 clock hours may be granted in a five-year relicensure period for travel or work experience. The limit of 30 clock hours may be waived when the local committee determines that the preapproved travel or work experience is critical to the teacher's advanced or current skills for the teacher's assignment; for example, travel to experience language or cultural immersion by a teacher of world language.

Subp. 5. Exception for national board certification. A local continuing education committee shall accept verification that a teacher is actively engaged in and making progress toward National Board of Professional Standards Certification or other national professional teaching certification approved by the Board of Teaching at the time of renewal as equivalent to fulfilling all clock hour requirements for continuing license renewal. A local continuing education committee shall accept verification that a teacher has earned National Board or other approved certification as equivalent to all clock hour requirements during the life of the certificate. If the certificate expires during the five-year renewal period, the local committee shall prorate hours completed under this exception and require completion of a prorated number of clock hours for the years the certificate is not in effect.

Subp. 6. Exception for local option. The Board of Teaching shall approve requests submitted by local committees that, through their school district master contracts or other official agreements between the local school board and its teachers, wish to substitute development and implementation of individualized professional development plans for some or all of the clock hour requirements for renewal of continuing licenses, provided that each individualized professional development plan:

A. is designed primarily to enhance the teacher's ability to effect increased student learning;

B. focuses on standards in part 8710.2000 and specific content knowledge required for the teacher's assignment;

C. includes management and monitoring of student learning, including positive behavioral interventions and adaptation and modification of curriculum, instruction, and assessment to assist varied student learners in achieving graduation standards;

D. includes a focus on research-based best practice;

E. identifies the procedures and criteria by which successful development and implementation of the individualized professional development plan will be validated and communicated with the local continuing education committee; and

F. requires that each teacher's individualized professional development plan equal or exceed 125 hours of professional development activities during the five-year period.

Subp. 7. Experience for clock hour credit. Except for subpart 3, item H, subitem (1), teaching experiences for which licensure is required shall not qualify for clock hour credit.

Subp. 8. Period for earning clock hours. An applicant requesting renewal of a license to teach must earn a minimum of 125 clock hours during each five-year period preceding application for licensure renewal. An applicant may not bank clock hours for purposes of relicensure, but clock hours earned after an application for renewal has been submitted may be applied to the next renewal period.

Subp. 9. School staff development. Instruction and professional development activities provided by a school may be included among the clock hours in this part.

Subp. 10. Renewal of license for two or more areas. An applicant who seeks renewal of a continuing license for two or more areas should allocate at least 30 clock hours to each of the licensure areas for a total of no fewer than 125 clock hours, with priority given to work in areas where the candidate is employed during the licensure period. An applicant who holds an administrative license or licenses may allocate clock hours for the renewal of teaching licensure under this subpart.

Subp. 11. Denial of clock hours. A local committee shall not grant clock hours for experiences that are primarily for personal rather than professional improvement or for experiences that duplicate other granted clock hour experiences without new or enhanced professional development value.

REPEALER. Minnesota Rules, parts 8700.0900, 8700.1000, 8700.1200, 8700.2000, 8750.7000, 8750.7100, 8750.7200, 8750.7300, 8750.8000, 8750.8100, 8750.8200, 8750.8300, and 8750.8400, are repealed effective July 1, 2001.

INSTRUCTION TO REVISOR. In the next and subsequent editions of Minnesota Rules, the revisor shall renumber each rule part in column A with the number listed in column B. The revisor shall make necessary cross-reference changes consistent with renumbering.

<u>A</u>	<u>B</u>
<u>8700.1100, subp. 1</u>	<u>8710.7300, subp. 1</u>
<u>8700.1100, subp. 2</u>	<u>8710.7300, subp. 2</u>
<u>8700.1100, subp. 3</u>	<u>8710.7300, subp. 3</u>
<u>8700.1100, subp. 4</u>	<u>8710.7300, subp. 4</u>
<u>8700.1100, subp. 5</u>	<u>8710.7300, subp. 5</u>
<u>8700.1100, subp. 6</u>	<u>8710.7300, subp. 6</u>
<u>8700.1100, subp. 7</u>	<u>8710.7300, subp. 7</u>
<u>8700.1300</u>	<u>8710.7300, subp. 8</u>
<u>8700.1400</u>	<u>8710.7300, subp. 9</u>
<u>8700.1500</u>	<u>8710.7300, subp. 10</u>
<u>8700.1600</u>	<u>8710.7300, subp. 11</u>
<u>8700.1700</u>	<u>8710.7300, subp. 12</u>
<u>8700.1800</u>	<u>8710.7300, subp. 13</u>
<u>8700.1910</u>	<u>8710.7300, subp. 14</u>
<u>8700.1900</u>	<u>8710.7400</u>
<u>8700.2100</u>	<u>8710.7500</u>
<u>8700.2200</u>	<u>8710.7600</u>
<u>8700.2300</u>	<u>8710.7700</u>

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Proposed Rules

Board of Teaching

Proposed Permanent Rules Relating to Teacher Licensing

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received

Proposed Rules Relating to Teacher Licensing, *Minnesota Rules* Chapter 8710 (Part 8710.0300 [subparts 1 through 11 and the repeal of subpart 4]; the repeal of Part 8710.0350; Part 8710.0400 [subparts 1, 2, 3C, 3E, 3F, and 3G, 3aB, 3aC, and 3aD, and 4 through 9]; Part 8710.0500, subpart 11; Part 8710.0550; Part 8710.0600, Part 8710.0700 [subparts 1, 2, 3C, and 4]; Part 8710.0800 [subparts 2 and 3]; Part 8710.0850; Part 8710.0900; Part 8710.1000; Part 8710.1050; the repeal of Parts 8710.1100 and 8710.1200; Part 8710.1250; the repeal of Part 8710.1300; Part 8710.1400; Part 8710.3300; Part 8710.6000 [subparts 1, 2, 4, and 6 and the repeal of subpart 3]; Part 8710.6100 [subparts 2 and 4, and the repeal of subpart 3]; Part 8710.6200 [subparts 2 and 4, and the repeal of subpart 3]; Part 8710.6300 [subparts 2 and 4, and the repeal of subpart 3]; and Part 8710.6400 [subparts 2 and 5 and the repeal of subpart 4]).

Introduction. The Board of Teaching intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:00 p.m. on August 3, 2000, a public hearing will be held in Conference Center Room 13/14, Department of Children, Families, and Learning Building, 1500 Highway 36 West, Roseville, Minnesota 55113, starting at 9:30 A.M. on Friday, August 25, 2000. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after August 3, 2000, and before August 25, 2000.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Michael Tillmann at The Minnesota Board of Teaching, 1500 Highway 36 West, Roseville, Minnesota 55113. His phone number is 651-582-8835. TTY users may call the Board of Teaching at 651-582-8201.

Subject of Rules and Statutory Authority. The proposed rules are about teacher licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, 122A.09 and 122A.18. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:00 p.m. on Thursday, August 3, 2000, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:00 p.m. on August 3, 2000. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for August 25, 2000, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the

scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at [651] 582-8835 after August 3, 2000, to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Richard C. Luis is assigned to conduct the hearing. Judge Luis can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone 612-349-2542, and fax 612-349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the State Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 17 June 2000

Michael L. Tillmann
Executive Director
Minnesota Board of Teaching

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

8710.0300 ~~REQUIREMENTS FOR THE~~ ISSUANCE AND, RENEWAL, AND VALIDITY OF ALL LICENSES.

Subpart 1. **In general.** Licenses ~~to teach in Minnesota~~ shall be granted by the Board of Teaching to persons applicants who otherwise meet all requirements of applicable statutes and rules ~~and who complete approved programs leading to teacher licensure in Minnesota institutions which are approved by the Board of Teaching to prepare persons for teacher licensure.~~

An applicant must qualify separately for each licensure area for which application is made and provide evidence of satisfactory completion of a program in the licensure area which has been approved by the Board of Teaching. A license becomes valid on the date issued by the personnel licensing section.

Subp. 1a. Types of licenses. The Board of Teaching shall grant the following types of licenses which shall be valid for the period of time specified in this subpart:

A. professional license, which expires five years from the June 30 nearest the date the license is issued;

B. entrance license, which expires two years from the June 30 nearest the date the license is issued;

C. nonrenewable license, which expires no more than three years from the June 30 nearest the date the license is issued;

D. temporary limited license, which expires on June 30 of the school year for which the license is issued, except for a temporary limited license issued under part 8710.0400, subpart 4, which expires one year from the June 30 nearest the date the license is issued;

E. limited intern license, which expires on June 30 of the school year for which the license is issued;

F. five-year short call substitute teacher license, which expires five years from the June 30 nearest the date the license is issued;

G. temporary limited short call substitute teacher license, which expires two years from the June 30 nearest the date the license is issued; and

H. life license, which does not expire.

Effective with licenses issued on or after the effective date of this rule, no person may hold a license under item C or D, or any combination of licenses under items C and D, for more than three years.

A license shall bear the date of issue and the date of expiration, and, if renewable, may be renewed on or after January 1 in the year of expiration upon application and meeting renewal requirements. A license shall expire if it is not renewed by July 1 in the year of expiration.

Subp. 2. ~~Initial license; entrance~~ **First professional license.** The ~~initial first~~ license which shall be issued in any licensure area to an applicant who meets all requirements of subpart 1 ~~and who completes an approved program leading to licensure in a Minnesota institution which is approved by the Board of Teaching to prepare persons for licensure is an entrance~~ a professional license, ~~that expires two years from the July 1 nearest the date the license was issued.~~

~~There are three exceptions to the requirement that the initial license which shall be issued in any licensure area must be an entrance license:~~

~~A. an applicant who holds a life or continuing license as a teacher who subsequently completes an approved program in an additional licensure area must be issued a continuing license;~~

~~B. an applicant who holds an entrance or continuing secondary vocational license based on a degree program in home economics education, industrial education, agriculture education, business education, or marketing education, verifies one year of teaching experience in the corresponding category of practice while holding a valid license, and completes an approved program in a nonvocational licensure area must be issued a continuing license; and~~

~~C. an applicant who does not meet requirements for an entrance license may be issued a limited license or a provisional license according to criteria specified in Board of Teaching rules that authorize the issuance of limited licenses and provisional licenses.~~

~~When one year of teaching experience is not completed prior to the expiration of an entrance license, another entrance license in that licensure area shall be issued upon application. If an entrance license in any licensure area is allowed to lapse, it shall be renewed, upon application, until the applicant has had one year of teaching experience in that licensure area after which time an applicant must qualify for a continuing license.~~

Subp. 2a. Addition of professional license. When a licensure area is added to a professional license in effect, the expiration date is that previously established for the professional license in effect.

Subp. 2b. Multiple expiration dates. If the licensee has completed and verified the professional license renewal requirements, a licensee may renew a year early for the purpose of correlating the expiration dates of professional licenses held.

Subp. 3. **Continuing Renewal of professional license.** ~~A continuing license, that expires five years from the July 1 nearest the date the license was issued, shall be issued to an applicant who has completed at least one year of teaching experience in a licensure area while holding an entrance license, as verified by the local continuing education committee. When a licensure area is added to a continuing license already in force, the expiration date becomes that already established for the continuing license in force. A professional license shall be renewed upon application according to this chapter and chapter 8700 governing continuing education.~~

~~Any person who applies for the renewal of a continuing license who has not at any time during the five year period immediately preceding been employed in the licensure area for which the license is valid shall furnish evidence of having earned and been granted 125 clock hours as verified by the local continuing education committee.~~

~~If a continuing license in any area is allowed to lapse, one of the following shall be issued an applicant has not been employed in a position requiring Minnesota licensure at any time during the school year immediately preceding the date of expiration, the applicant's professional license shall be renewed if one of the following is submitted:~~

~~A. a continuing license based upon verification by a local continuing education committee that the applicant has earned and been granted 125 clock hours, met renewal requirements for the professional license during the five-year period immediately preceding the application;~~

~~B. a continuing license based upon evidence that the applicant earned at least 12 quarter or eight semester hours of credit, in applicable to the licensure area where application is being made fields, during the five-year period immediately preceding the application; or~~

~~C. a one-year renewal of the lapsed continuing if neither item A nor B is submitted, a one-year extension of the expired professional license may be granted based upon on evidence that the applicant has been offered a position contingent upon holding a valid license. This extension expires on June 30 of the school year for which the license is issued and is nonrenewable. In order to qualify for a continuing professional license at the end of one year after the one-year extension, the applicant shall provide evidence that at least 12 quarter or eight semester hours of credit have been earned in the licensure area where application is being made or that 125 clock hours have been earned and granted as verified by the local continuing education committee during the five year period immediately preceding the date of application for the continuing license renewal requirements for the professional license have been met under item A.~~

~~Continuing licenses that expire five years from the July 1 nearest the date the license was issued shall be renewed upon application according to the rules of the Board of Teaching governing continuing education.~~

Subp. 4. [See repealer.]

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

Subp. 6. Renewal of previously issued entrance license. An applicant with a current or expired two-year entrance license who has not completed one year of teaching experience while holding a valid license may renew the entrance license for one additional two-year period only, after which time an applicant shall be granted a professional license. The professional license shall be renewed upon application according to the rules of the Board of Teaching governing continuing education. First time entrance licenses shall not be issued on or after the effective date of this rule.

Subp. 7. Licensure based on minor preparation. A teacher holding a license that was first issued prior to September 1, 2001, and is valid for teaching in grades 7 through 12 based on Board of Teaching rules authorizing half-time teaching based on minor preparation may teach half time or less during the school day in any secondary school those subjects or fields in which the teacher holds licensure. Notwithstanding subpart 1a, any teacher holding licensure valid for half-time teaching in grades 7 through 12 first issued after September 1, 1966, shall, within seven years after first issuance, acquire the minimum established by the Board of Teaching for major preparation based on rules authorizing the issuance of the original half-time license in order to continue to be licensed to teach in that subject or field.

Subp. 8. Validity of licenses held. A teacher holding secondary school licensure valid for teaching in grades 7 through 12 may teach in grades 7 and 8 of any school organizational pattern in those subjects or fields for which valid licensure is held. A teacher holding elementary school licensure valid for teaching in grades 1 through 6 may teach in grades 7 and 8 only if the teacher is providing instruction using self-contained classroom teaching model. Any other license issued prior to September 1, 2001, is valid only for the grade level, licensure field, and school organizational pattern for which the license was first issued.

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Subp. 9. Emergencies. If a person documents an emergency that prevents the person from completing rule requirements in order to continue to be licensed in that field, or if a school district or charter school documents an emergency for which no additional temporary limited licenses or personnel variances are permitted by rule, the Board of Teaching may take action to grant an emergency extension of time. Upon receiving an application for an extension of time, the Board of Teaching shall consider whether an extension of time shall be granted based on documentation of the emergency.

Subp. 10. Corrections. A license issued in error to a person who does not qualify for the license shall be corrected without charge to the licensee and the corrections shall be made without a hearing under part 8710.0900 and *Minnesota Statutes*, chapter 14. A license issued in error is not valid.

Subp. 11. Annual review. By September 1 of each year, the Board of Teaching shall issue an annual report summarizing the previous fiscal year's temporary limited licenses, personnel variances, waivers, and permissions to hire nonlicensed community experts, organized by licensure field and by school district or charter school.

8710.0400 APPLICANTS PREPARED OUTSIDE MINNESOTA.

Subpart 1. **In general.** A license to teach in Minnesota shall be granted to ~~a person~~ an applicant who otherwise meets applicable statutory requirements and who completes programs leading to licensure in a teacher preparation institution located outside Minnesota. A license shall be granted only in licensure fields for which the Board of Teaching has ~~established~~ rules governing programs leading to licensure. A license shall be issued according to either subpart 2 or 3.

Subp. 2. **Applicants prepared in states with contracts with Minnesota.** ~~A person~~ An applicant who completes approved programs leading to licensure in teacher preparation institutions within states which have signed contracts with Minnesota according to the interstate agreement on qualification of educational personnel shall be granted a first Minnesota entrant professional license. No license shall be issued on the basis of teaching experience only.

Subp. 3. **Applicants prepared in states without contracts with Minnesota.** ~~A person~~ An applicant who completes programs leading to licensure in teacher preparation institutions within states which have not signed contracts with Minnesota according to the interstate agreement on qualification of educational personnel shall be granted a first Minnesota entrant professional license when the following criteria are met:

[For text of items A and B, see M.R.]

C. the program leading to licensure completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota teacher preparation institutions according to Board of Teaching rules governing the licensure field and the grade level range of preparation is the same as, greater than, or not more than one year less than the grade level range of the Minnesota licensure field for which application is made;

[For text of item D, see M.R.]

E. the applicant has completed a program leading to licensure as verified by the an official transcript issued by the institution recommending the applicant for licensure; and

F. the applicant has completed instruction in methods of teaching and student teaching in the licensure field and at the licensure level of the program. ~~The student teaching requirement applies only to a person completing a program to be recommended for entrant licensure;~~ and

G. the applicant has completed student teaching or essentially equivalent experience.

Subp. 3a. **Applicants prepared outside United States.** ~~A person~~ An applicant who completes a licensure program from a college or university outside the United States shall be granted a first Minnesota entrant professional license when the following criteria are met:

[For text of item A, see M.R.]

B. the licensure program completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota teacher preparation institutions according to Board of Teaching rules governing the licensure field and the grade level range of preparation is the same as, greater than, or not more than one year less than the grade level range of the Minnesota licensure field for which application is made; and

C. ~~an the applicant for teacher licensure~~ the applicant has completed instruction in methods of teaching and student teaching in the licensure field and at the licensure level of the program. ~~The student teaching requirement applies only to persons completing a program to be recommended for entrant licensure;~~ and

D. the applicant has completed student teaching or essentially equivalent experience.

Subp. 4. **Exception for applicants who have not met part 8700.2700 or 8710.0500.** ~~A person~~ An applicant who has completed a teacher licensure program outside Minnesota, has met the criteria of subpart 3 or 3a, but has not completed the requirements of

part 8700.2700 or 8710.0500, or both, shall be granted a Minnesota ~~one-year nonrenewable provisional~~ temporary limited license based upon the provisions of this part.

An applicant who has completed a teacher licensure program outside Minnesota, has met the criteria of subpart 3 or 3a with the exception of the grade level range of the Minnesota licensure field for which application is made, but has not completed the requirements of part 8700.2700 or 8710.0500, or both, shall be granted a Minnesota temporary limited license based upon the provisions of this part. The license shall be issued for the grade level range of preparation, not to exceed the grade level range of the Minnesota licensure field for which application is made.

If part 8710.0500 has not been met upon expiration of the temporary limited license, a person may renew the temporary limited license twice. Each renewal of the temporary limited license requires the applicant to submit an official score report verifying having taken the skills area examination during the period of each temporary limited license and evidence of participating in an approved remedial assistance program provided by a school district or postsecondary institution that includes a formal diagnostic component in the specific areas in which the licensee did not obtain qualifying scores during the period of each temporary limited license.

Upon meeting this part and parts 8700.2700 and 8710.0500, ~~an entrant~~ including preparation for the grade level range of the Minnesota licensure field, a first professional license shall be granted.

Subp. 5. Exception for elementary education applicants who have not met specialty requirements. An applicant who has completed a teacher licensure program outside Minnesota that meets this part, but has not met the specialty requirements of part 8710.3200, subpart 4, for the license, shall be granted one of the following:

A. a nonrenewable license, valid for teaching elementary students in kindergarten through grade 6, if the applicant has met the requirements of parts 8700.2700, 8710.0500, and 8710.3200 for teaching elementary students in kindergarten through grade 6, but has not met the requirements of part 8710.3200, subpart 4; or

B. a temporary limited license, valid for teaching elementary students in kindergarten through grade 6, if the applicant has met the requirements of part 8710.3200 for teaching elementary students in kindergarten through grade 6, but has not met the requirements of part 8700.2700; 8710.0500; or 8710.3200, subpart 4.

A teacher issued a kindergarten through grade 6 nonrenewable license shall have two years from the expiration date of the first Minnesota license to complete the requirements for a specialty license required by part 8710.3200, subpart 4. A teacher issued a kindergarten through grade 6 temporary limited license may renew the license under subpart 4 if part 8710.0500 has not been met. No person may hold a nonrenewable license, a temporary limited license, or any combination of these licenses for more than three years. Upon meeting the requirements of this part and parts 8700.2700, 8710.0500, and 8710.3200, a first professional license shall be granted.

Subp. 6. Exception for applicants who have not met licensure level requirements. An applicant who has completed a teacher licensure program outside Minnesota that meets the requirements of this part, with the exception of the licensure level requirements of subpart 3, item C, or 3a, item B, shall be granted one of the following:

A. a nonrenewable license, in the licensure field at the grade level range of preparation, not to exceed the grade level range of the Minnesota licensure field for which application is made, if the applicant has met parts 8700.2700 and 8710.0500; or

B. a temporary limited license, in the licensure field at the grade level range of preparation, not to exceed the grade level range of the Minnesota licensure field for which application is made, if the applicant has met the requirements of this part, but has not met part 8700.2700 or 8710.0500.

A teacher issued a nonrenewable license shall have two years from the expiration date of the first Minnesota license to complete the requirements for teaching at the grade level range of the Minnesota licensure field. A teacher issued a temporary limited license may renew the license under subpart 4 if part 8710.0500 has not been met. No person may hold a nonrenewable license, a temporary limited license, or any combination of these licenses for more than three years. Upon meeting the requirements of this part and parts 8700.2700 and 8710.0500, and the licensure grade level range of the Minnesota licensure field, a first professional license shall be granted.

Subp. 7. Exception for applicants who have not met licensure requirements in part 8710.4250, 8710.4300, 8710.4750, or 8710.4800. An applicant for licensure as a teacher of communication arts and literature, a teacher of dance and theatre arts, a

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teacher of science, or a teacher of social studies who has completed a teacher licensure program outside Minnesota, who meets the requirements of this part with the exception of licensure level requirements of subpart 3, item C, or 3a, item B, shall be granted one of the following:

A. a nonrenewable license, in the licensure field, which shall be restricted for teaching only in the field of major preparation, if the applicant has met the requirements of parts 8700.2700 and 8710.0500, but has not met the requirements of part 8710.4250, 8710.4300, 8710.4750, or 8710.4800; or

B. a temporary limited license, in the licensure field, which shall be restricted for teaching only in the field of major preparation, if the applicant has not met the requirements of parts 8700.2700 and 8710.0500, and part 8710.4250, 8710.4300, 8710.4750, or 8710.4800.

A teacher issued a nonrenewable license shall have two years from the expiration date of the first Minnesota teaching license to complete the licensure requirements of part 8710.4250, 8710.4300, 8710.4750, or 8710.4800. A teacher issued a temporary limited license may renew the limited temporary license under subpart 4 if part 8710.0500 has not been met. No person may hold a nonrenewable license a temporary limited license, or any combination of these licenses for more than three years. Upon meeting the requirements of this part, parts 8700.2700 and 8710.0500, and part 8710.4250, 8710.4300, 8710.4750, or 8710.4800, a first professional license in the licensure field shall be granted.

Subp. 8. **Exception for applicants who have completed alternative preparation programs.** An applicant who has completed a teacher licensure program outside Minnesota that meets the requirements of this part, with the exception of having completed the preparation program in a teacher preparation institution accredited by the regional association for the accreditation of colleges and secondary schools, shall be granted a first professional license. To meet the requirements of subpart 3, item D, if the applicant is unable to secure a teacher preparation institution recommendation for licensure, the preparation program that offers the program leading to licensure must verify that the applicant has completed the approved licensure program and must recommend the applicant for a license in the licensure field and at the licensure level. To meet the requirements of subpart 3, item E, if an official transcript verifying completion of the licensure program is not available, the preparation program must provide official documentation of the program leading to licensure and must verify that the applicant has completed the approved licensure program.

If the applicant has not completed the requirements for a first professional license, a temporary limited license or a nonrenewable license may be issued upon meeting the requirements of subpart 4, 5, 6, or 7.

Subp. 9. **Exception for national board certified teachers.** An applicant who provides evidence of current national board certification, but has not completed the requirements of part 8700.2700 or 8710.0500, shall be granted a temporary limited license. If the requirements of part 8710.0500 have not been met upon expiration, the temporary limited license may be renewed under subpart 4. The Board of Teaching shall accept current national board certification in a licensure field for which the Board of Teaching has established rules governing programs leading to licensure as evidence of having met the criteria of subpart 3, item C, or 3a, item B. If the applicant also provides evidence of current licensure from another state in the same field as national board certification is held, but at a different grade level designation, the Board of Teaching shall accept evidence of licensure and certification together as having met the requirements of subpart 3, item C, or 3a, item B, provided this evidence includes all grade level designations of the Board of Teaching licensure rule. Upon meeting the requirements of parts 8700.2700 and 8710.0500, a first professional license based on this subpart shall be granted.

8710.0500 EXAMINATIONS FOR TEACHER LICENSES.

[For text of subs 1 to 10, see M.R.]

Subp. 11. **Applicants prepared in other states outside Minnesota.** Applicants for Minnesota licensure who are prepared in other states outside Minnesota who otherwise meet the applicable statutes and rules shall be granted a one-year ~~nonrenewable provisional license~~ temporary limited license, during which time the applicant must provide official evidence of successful completion of the requirements of this part. Applicants prepared in other states outside Minnesota who provide evidence of meeting requirements of this part for ~~initial first~~ initial first Minnesota licensure shall be granted ~~an entrance~~ a professional license.

[For text of subp 12, see M.R.]

8710.0550 ADDITIONAL FIELDS OF LICENSURE.

Subpart 1. **In general.** A person who holds a life license; a current nonvocational entrance, professional, or nonrenewable license; or a current entrance or continuing secondary vocational license based on a degree program in agriculture education, business education, consumer homemaking and family life education, industrial education, or marketing education granted by the Board of Teaching may apply for an additional field of licensure upon meeting the rule requirements for the licensure field and level. A person who holds only a Board of Teaching license as an educational speech-language pathologist, school nurse, school psychologist, school social worker, or school counselor, or a secondary vocational license other than one based on a degree program in agri-

culture education, business education, consumer homemaking and family life education, industrial education, or marketing education must meet the rule requirements for the licensure field and level and part 8710.2000.

Subp. 2. Middle level academic specialty. A person may apply for licensure in a middle level academic specialty upon meeting the requirements of part 8710.3300 provided that the applicant holds one or more of the following classroom teaching licenses issued by the Board of Teaching: a life license; a current nonvocational entrance, professional, or nonrenewable license; or a current entrance or continuing secondary vocational license based on a degree program in agriculture education, business education, consumer homemaking and family life education, industrial education, or marketing education.

Subp. 3. Kindergarten. Until June 30, 2005, an applicant holding a current entrance or professional elementary teaching license first granted by the Board of Teaching prior to September 1, 2001, shall be granted kindergarten licensure upon submitting evidence of having completed requirements for methods of kindergarten education in a state-approved teacher preparation program at a college or university that is accredited by the regional association for the accreditation of colleges and secondary schools and a recommendation for kindergarten licensure from that college or university.

Subp. 4. Exemption from teaching experience. On or before August 31, 2001, the Board of Teaching shall waive the teaching experience requirement for all applicants for licensure as teachers of reading.

8710.0600 PROCEDURES FOR ISSUANCE OF LIFE LICENSES.

Any teacher currently holding a valid license to teach granted by the Board of Teaching having a minimum of five years teaching experience in Minnesota, who was actually employed as a classroom teacher or other similar professional employee on a regular contract in any one of three years immediately preceding July 1, 1969, may apply for and receive a life license for those grades, subjects, and fields for which Minnesota licensure was held prior to July 1, 1969, upon payment of a processing fee set by the Board of Teaching. ~~The application shall be in writing on a life license application form addressed to: Minnesota Department of Children, Families, and Learning, Personnel Licensing Section, Sixth Floor, Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.~~

~~Life license application forms may be obtained from: Minnesota Department of Children, Families, and Learning, Personnel Licensing Section, Sixth Floor, Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101, (612) 296-2046.~~

8710.0700 PROCEDURES FOR VOLUNTARY SURRENDER OF ~~TEACHING~~ LICENSES.

Subpart 1. **Materials required to surrender license.** A person holding a ~~teaching~~ license granted by the Board of Teaching may voluntarily surrender the license by submitting to the executive ~~secretary~~ director of the Board of Teaching the following:

- A. a written request to surrender which specifies the ~~teaching~~ license or licenses to be surrendered;
- B. the applicant copy of the ~~teaching~~ license;
- C. the school district copy of the license, together with a written statement that the ~~designated administrator of the~~ employing school ~~superintendent~~ district or charter school has been notified that the ~~school district~~ employer's copy of the license has been removed from the school district or charter school files; and
- D. the required processing fee ~~set forth~~ in part 8710.0200.

Subp. 2. **Surrender date.** When the executive ~~secretary~~ director receives the materials listed in subpart 1 by January 1, the date of surrender is July 1 of that year. When the materials are received after January 1, the date of surrender is July 1 of the following calendar year. An applicant may revoke the request. The revocation must be made in writing to the executive ~~secretary~~ director no later than December 31 of the year in which the request for voluntary surrender is received by the executive ~~secretary~~ director.

Subp. 3. **When surrender is prohibited.** A person may not voluntarily surrender a license if any of the following exists:

[For text of items A and B, see M.R.]

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

Subp. 4. **~~Entrance~~ First professional license after surrender.** A person whose Minnesota ~~teaching~~ license has been voluntarily surrendered may apply for ~~entrance~~ first professional licensure in the subject or field for which licensure was previously surrendered. ~~An entrance~~ A first professional license shall be granted to the applicant if the following criteria are met:

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- A. a licensure rule exists in the subject or field for which licensure was previously surrendered;
- B. the applicant meets the ~~entrance~~ first professional licensure standards which are in effect in the subject or field at the time of application and meets procedures set forth in Board of Teaching rules applicable to ~~an entrance~~ a first professional license; and
- C. the required processing fee set forth in part 8710.0200 accompanies the application for ~~entrance~~ first professional licensure.

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

8710.0800 PROCEDURES FOR ~~THE~~ REVOCATION OR SUSPENSION OF ALL ~~TEACHING~~ LICENSES.

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

Subp. 2. **Revocation.** Revocation shall include the cancellation or repeal of a ~~teaching~~ license ~~and/or~~ or renewal privilege. Suspension shall disqualify a person from teaching, or performing any other function, which is permitted on the basis of holding a license issued pursuant to the rules of the Board of Teaching. Revocation shall be final, except that a person whose license has been revoked may petition the Board of Teaching for a license pursuant to part 8710.0850, subpart 1.

Subp. 3. **Suspension.** Suspension shall include the temporary withdrawal of a ~~teaching~~ license ~~and/or~~ or renewal privilege. Suspension shall disqualify a person from teaching or performing any other function which is permitted on the basis of holding a license issued pursuant to the rules of the Board of Teaching. The length of each suspension and any terms and conditions attached thereto shall be determined by the Board of Teaching upon the consideration of the following factors:

- A. the activity of the individual which led to the license suspension; ~~and~~
- B. any relevant mitigating factors which the individual may interpose on the individual's behalf; ~~and~~
- C. the prior teaching record of the individual; and
- D. other similar factors.

Unless otherwise provided by the Board of Teaching, a revocation or suspension applies to each license or renewal privilege held by the individual at the time final action is taken by the Board of Teaching. A person whose license or renewal privilege has been suspended or revoked shall be ineligible to be issued any other license by the Board of Teaching during the pendency of the suspension or revocation.

8710.0850 ISSUANCE OR REINSTATEMENT OF ~~A~~ LICENSE AFTER ~~A~~ REVOCATION OR SUSPENSION.

Subpart 1. **After revocation.** A person whose ~~teaching~~ license or renewal privilege has been revoked by the Board of Teaching may apply for and shall be granted ~~an entrance~~ a first professional license upon presentation of competent evidence that all terms and conditions which the board may have imposed have been fulfilled, and upon meeting current licensure standards.

Subp. 2. **After suspension.** A person whose ~~teaching~~ license or renewal privilege has been suspended by the Board of Teaching may apply for reinstatement of that license in one of the following manners:

A. If the suspended license was ~~an entrance~~ a license which ~~has lapsed~~ expired during the suspension, that license ~~will~~ shall be ~~reinstated~~ renewed upon proper application after the period of suspension has expired provided that this chapter permits renewal of the license and that all renewal requirements have been met and upon presentation of competent evidence that all terms and conditions which the board may have imposed have been fulfilled, ~~provided that the applicant has had less than one year of teaching experience while holding the entrance license. If the applicant has gained a year or more of teaching experience on the entrance license prior to the suspension and the license has lapsed during the suspension, a five year continuing license shall be granted after all other conditions stated in this provision have been met.~~

B. If the suspended license was ~~an entrance~~ a license which has not ~~lapsed~~ expired during the suspension, the person may resume teaching or performing any other function which is permitted on the basis of holding a license granted by the Board of Teaching for whatever period of time remains on that license after the period of the suspension has expired and upon presentation of competent evidence that all terms and conditions which the board may have imposed have been fulfilled.

C. ~~If the suspended license was a continuing license which has not lapsed during the period of the suspension, the person may resume teaching for whatever period of time remains on the continuing license after the suspension has expired and upon presentation of competent evidence that all terms and conditions which the board may have imposed have been fulfilled.~~

D. ~~If the suspended license was a continuing license which lapsed during the period of the suspension, the person may apply for another continuing license which shall be granted provided that the suspension has expired and upon presentation of competent evidence that all terms and conditions which the board may have imposed have been fulfilled, and further provided that current continuing education requirements have been completed.~~

~~E.~~ If the suspended license was a life license, the person may resume teaching or performing any other function which is permitted on the basis of holding a license granted by the Board of Teaching after the period of the suspension has expired and upon presentation of competent evidence that all terms and conditions which the board may have imposed have been fulfilled.

8710.0900 APPEAL TO ~~THE~~ BOARD OF TEACHING.

All persons denied issuance or renewal of ~~teaching~~ licenses granted by the Board of Teaching, and all Minnesota teacher-preparing institutions denied program or ~~college institutional~~ approval, and all persons licensed by the Minnesota Board of Teaching whose appeals are denied by the local committee for continuing education/relicensures, are hereby entitled to a hearing pursuant to *Minnesota Statutes*, chapter 14, on such denial and to a final decision by the Board of Teaching.

A person or an institution entitled to a hearing under the provisions of this part shall file a written request for such hearing with the executive secretary of the Board of Teaching within 30 days from the date of the denial. Failure to file a written request for a hearing within 30 days constitutes a waiver of the individual's right to a hearing.

8710.1000 SUBSTITUTE TEACHERS.

Subpart 1. **Long call substitute teacher.** A long call substitute teacher is one who replaces the same teacher for 15 or more consecutive days. A long call substitute teacher shall hold ~~an entrance or continuing a Minnesota license to teach for each licensure area taught~~ valid for the assignment.

Subp. 2. **Short call substitute teacher.** A short call substitute teacher is one who teaches on a day-to-day basis not to exceed 15 consecutive days replacing the same teacher. A short call substitute teacher shall hold a Minnesota license or short call substitute license. These licenses are valid for functioning as a short call substitute teacher at all grade levels in all fields.

~~A short call substitute teacher license expires five years from the July 1 nearest the date the license is issued and must be issued to an applicant who has held a Minnesota license and has completed a teacher preparation program.~~

Subp. 3. **Criteria for issuance of five-year short call substitute teacher license.** The Board of Teaching shall grant a five-year short call substitute teacher license to an applicant who has completed a teacher preparation program leading to full licensure in the governmental jurisdiction in which the teacher preparation program was completed.

Subp. 4. **Criteria for issuance of temporary limited short call substitute teacher license.** The Board of Teaching shall grant a temporary limited short call substitute teacher license to an applicant if it finds that the following conditions are met:

A. the designated administrator of an employing school district or charter school requests a temporary limited short call substitute teacher license;

B. the designated administrator of an employing school district or charter school verifies in writing that the school district or charter school is experiencing hardship in securing a sufficient number of licensed teachers to meet the need for short call substitute teachers; and

C. the applicant holds a baccalaureate degree from a United States college or university, or the equivalent.

8710.1050 LIMITED INTERN LICENSES.

Subpart 1. **Authority to issue limited intern licenses.** The Board of Teaching authorizes the issuance of limited intern licenses that permit a person to serve as an intern under the direct supervision of a licensed teacher or other education professional licensed by the Board of Teaching for the equivalent of no more than one school year while completing a preparation program leading to Board of Teaching licensure. The limited intern license does not authorize the intern to serve as a teacher or other education professional.

Subp. 2. **Criteria for issuance.** The Board of Teaching shall grant a limited intern license authorized under subpart 1 to an applicant if it finds that the following conditions are met:

A. the designated administrator of the employing school district or charter school requests a limited intern license according to this part;

B. the designated administrator of the employing school district or charter school verifies in writing that:

(1) the intern position is designed to serve as a learning experience for a college or university student who is completing a preparation program leading to Board of Teaching licensure;

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

(2) the intern will be assigned to assist a licensed teacher or other education professional licensed by the Board of Teaching whose students are the responsibility of the licensed teacher or other licensed professional;

(3) the intern will serve under the direct, day-to-day supervision of a licensed teacher or other education professional licensed by the Board of Teaching, and will not serve as the classroom teacher or other education professional for students; and

(4) the intern will not replace a licensed teacher or other licensed professional; and

C. the applicant is recommended for limited intern licensure by a college or university approved by the Board of Teaching, verifying in writing that:

(1) the applicant is currently enrolled in an approved preparation program leading to Board of Teaching licensure and has completed at least three years of preparation required for licensure; and

(2) the college or university will assist in designing the learning experience and will provide supervision of the intern during the learning experience.

Subp. 3. Validity and duration of limited intern licenses. A limited intern license is issued for one school year or a portion of a school year from the date of issuance to the following June 30 and is valid for use in the requesting school district or charter school only. The license may be renewed once, upon application, if the intern must complete the equivalent of one school year of internship experience during the following school year. The license shall be revoked by the Board of Teaching when it has been demonstrated that the intent and purpose of the licensure have not been fulfilled.

8710.1250 TEMPORARY LIMITED LICENSES.

Subpart 1. Authority to issue temporary limited licenses. The Board of Teaching authorizes the issuance of temporary limited licenses that permit a person to teach in an area for which the person has not completed an approved preparation program that leads to licensure by the Board of Teaching.

Subp. 2. Criteria for issuance. The Board of Teaching shall grant a temporary limited license authorized by subpart 1 to an applicant if it finds that the following conditions are met:

A. the designated administrator of the employing school district or charter school requests a temporary limited license according to this part;

B. the designated administrator of the employing school district or charter school verifies in writing that:

(1) no applicant holding a license in a subject or field for which a temporary limited license is requested can fulfill the requirements of the position;

(2) the position has been advertised, and if the position is one-half time or more, the position has been advertised statewide;

(3) the school district or charter school will provide a mentor to give support and assistance in necessary skill development for the person holding a temporary limited license;

(4) the applicant for whom the temporary limited license is requested holds a baccalaureate degree from a college or university accredited by the regional association for the accreditation of colleges and secondary schools; and

(5) the applicant has completed a college or university degree with at least a minor in the area for which teacher licensure is requested, or a degree directly related to the professional preparation for which educational speech/language pathology, school nurse, school psychologist, school social worker, or school counselor licensure is requested. An applicant for a temporary limited license as a school nurse must also provide evidence of current registration to practice as a licensed registered nurse and current registration as a public health nurse under the Board of Nursing. An applicant for a temporary limited license as a school social worker must also provide evidence of current licensure to practice as a social worker under the Board of Social Work.

Subp. 3. Validity and duration of temporary limited licenses. An application for a temporary limited license must not be submitted prior to August 1 of the school year for which it is requested. A temporary limited license is issued for one school year or a portion of a school year from the date of issuance to the following June 30 and is valid for use in the requesting school district or charter school only. If the requesting school district or charter school offers summer school, a temporary limited license that expires on June 30 is valid for teaching summer school in the year of expiration of the license.

Subp. 4. Number of temporary limited licenses allowed. Beginning with temporary limited licenses issued on or after the effective date of this rule, no more than three temporary limited licenses shall be granted to an applicant.

Subp. 5. Exception for applicants prepared in Minnesota teacher preparation institutions. A graduate of a Minnesota teacher preparation institution who has been granted a temporary limited license under subpart 2 but has not successfully completed the skills area examination may renew the temporary limited license two times. To renew a temporary limited license an applicant must:

A. provide an official score report which verifies having taken the examination during the period of each temporary limited license; and

B. provide evidence of participating in an approved remedial assistance program provided by a school district or postsecondary institution that includes a formal diagnostic component in the specific areas in which the applicant did not obtain qualifying scores during the period of each temporary limited license.

Subp. 6. Exception for applicants prepared outside Minnesota. An applicant who has completed a licensure program outside Minnesota may be granted a temporary limited license under part 8710.0400.

8710.1400 ~~LETTERS OF APPROVAL PERSONNEL VARIANCES.~~

Subpart 1. **Authority to issue ~~letters personnel variances.~~** The Board of Teaching hereby authorizes the issuance of ~~letters of approval personnel variances~~ which permit a teacher to teach in related subjects or fields for which such teacher is not currently licensed. The ~~superintendent of schools designated administrator~~ of a local school district ~~or charter school~~ may request the ~~manager of the personnel licensing section of the Department of Children, Families, and Learning~~ Board of Teaching to issue a ~~letter of approval personnel variance~~ which permits a teacher to teach subjects or fields for which that teacher is not currently licensed.

Subp. 2. **Criteria for issuance.** ~~Letters of approval~~ A personnel variance authorized by subpart 1 shall be issued to ~~superintendents of schools~~ the designated administrator of a school district or charter school if the ~~Board of Teaching finds that the~~ following conditions are met:

A. ~~the superintendent of schools designated administrator of the school district or charter school~~ requests a ~~letter of approval in accordance with the provisions of~~ personnel variance according to this part;

B. ~~the superintendent of schools designated administrator of the school district or charter school~~ verifies in writing that ~~a fully licensed teacher is not available for the position, and no teacher holding a teaching license in the subject or field for which the letter of approval is requested has been placed on unrequested leave by the school district who wishes to resume teaching in that subject or field; and:~~

(1) reasonable efforts have been made to assign existing staff to fill the position with a fully licensed teacher;

(2) no applicant holding a teaching license in a subject or field for which a personnel variance is requested can fulfill the requirements of the position; and

(3) the position has been advertised, and if the position is one-half time or more, the position has been advertised statewide;

C. ~~the teacher for whom the request is made holds a current valid Minnesota~~ entrance, professional, or nonrenewable license granted by the Board of Teaching; and

D. the teacher for whom the request is made is aware of the assignment.

Subp. 2a. **Exceptions.** No personnel variances shall be granted based on holding a current valid Minnesota temporary limited license unless the temporary limited license was granted based on having met all requirements except part 8710.0500. No personnel variances shall be granted for educational speech/language pathologists, school counselors, school nurses, school psychologists, or school social workers.

Subp. 3. **Duration of ~~letters of approval~~ personnel variance.** An application for a personnel variance must not be submitted prior to August 1 of the school year for which it is requested. A ~~letter of approval~~ personnel variance is valid for ~~a period not to exceed~~ one school year or a portion of a school year from the date of state approval to the following June 30. If the requesting school district or charter school offers summer school, the personnel variance that expires on June 30 is valid for teaching summer school in the year of expiration of the personnel variance.

Letters of approval shall be renewed for a period not to exceed one school year provided that:

A. the teacher for whom the request is made has completed at least six quarter hours of college credit since the last letter of approval was granted in an approved licensure program in the subject or field for which the approval letter was issued; and

B. the superintendent of schools requests a letter of approval in accordance with subpart 2.

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Proposed Rules

Subp. 3a. Number of personnel variances allowed. Beginning with personnel variances issued on or after the effective date of this rule, no more than three personnel variances shall be granted for any teacher to teach in subjects or fields for which the teacher is not licensed.

Subp. 4. Written reasons conditions for granting or denying letter personnel variance. The manager of the personnel licensing section of the Department of Children, Families, and Learning Board of Teaching shall state in writing to the superintendent of schools designated administrator of the school district or charter school the reasons conditions for granting or denying the letter of approval personnel variance requested pursuant to the provisions of this part.

8710.3300 MIDDLE LEVEL LICENSURE IN ACADEMIC SPECIALTY.

Subpart 1. Scope of practice. A teacher with a middle level academic specialty is authorized to teach that academic specialty to students in grades 5 through 8 in any school organizational pattern.

Subp. 2. Licensure requirements. A candidate for licensure in a middle level academic specialty shall:

A. hold one or more of the following classroom teaching licenses granted by the Board of Teaching: a life license; a current nonvocational entrance, nonrenewable, or professional license; or a current entrance or continuing secondary vocational license based on a degree program in agriculture education, business education, consumer homemaking and family life education, industrial education, or marketing education; and

B. show verification of completing a preparation program approved under part 8700.7600 leading to licensure in a middle level academic specialty in subpart 3. To be licensed to teach a middle level academic specialty in grades 5 through 8, an applicant shall, in addition to meeting the requirements of this part, also meet the requirements for a licensure specialty in part 8710.3200, subpart 4, item A, B, or C; 8710.4750, subpart 3; or 8710.4950, subpart 2, item A, except that an applicant holding a license valid for teaching an academic specialty to students in grades 7 through 12 shall be licensed to teach that academic specialty in grades 5 and 6 upon meeting the requirements of this part.

Subp. 3. Subject matter standard. A candidate for licensure in a middle level academic specialty must complete a preparation program under subpart 2, item B, that includes the candidate's demonstration of the knowledge and skills in items A and B.

A. A teacher of an academic specialty to middle level students understands the nature of early adolescence and the needs of young adolescents. The teacher must understand:

- (1) the research base for and best practices of middle level education;
- (2) the educational principles relevant to the physical, social, emotional, moral, and cognitive development of young adolescents;
- (3) the concepts of "belonging" and "family connectedness" as crucial to the development of young adolescents; and
- (4) the process and necessity of collaboration with families and other adults in support of the learning of young adolescents.

B. A teacher of an academic specialty to middle level students understands the teaching of an academic specialty that integrates understanding of the academic specialty with the teacher's understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of an academic specialty to middle level students in grades 5 through 8 must:

- (1) develop curriculum goals and purposes based on the central concepts of the academic specialty and know how to apply instructional strategies and materials that are appropriate for middle level students and are specific to the academic specialty;
- (2) understand how to integrate curriculum across subject areas in developmentally appropriate ways;
- (3) understand the role and alignment of district, school, and department mission and goals in program planning;
- (4) understand the need for and how to connect student's schooling experiences with everyday life, the workplace, and further educational opportunities;
- (5) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;
- (6) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;
- (7) understand the impact of reading ability on student achievement in the academic specialty, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read the academic specialty content more effectively; and
- (8) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with middle level students within a range of educational programming models. Candidates for licensure who hold a license at the

elementary level must complete these experiences with students in grades 7 and 8. Candidates for licensure who hold a license at the secondary level must complete these experiences with students in grades 5 and 6.

Subp. 4. **Professional license.** A professional license shall be issued and renewed according to this chapter.

Subp. 5. **Effective date.** The requirements of this part for licensure as a teacher of an academic specialty to middle level students in grades 5 through 8 are effective on September 1, 2001, and thereafter.

8710.6000 EDUCATIONAL ~~SPEECH-LANGUAGE~~ SPEECH/LANGUAGE PATHOLOGIST.

Subpart 1. **Scope of practice.** An educational ~~speech-language~~ speech/language pathologist is authorized to provide specialized speech/language services to prekindergarten through grade 12 students with identified communication disabilities including those affecting language, articulation, fluency, and voice.

Subp. 2. **Requirements for ~~entrance licensure~~ first professional license.** A first professional license as an educational speech/language pathologist shall be granted to an applicant who provides evidence of having completed a master's degree in speech/language pathology from a program accredited by the Council on Academic Affairs of the American Speech-Language-Hearing Association or to an applicant who provides evidence of holding a valid certificate of clinical competence from the American-Speech-Language-Hearing Association.

Subp. 3. [See repealer.]

Subp. 4. **~~Continuing Professional~~ Professional license.** A ~~continuing professional~~ professional license shall be renewed according to the rules of the Board of Teaching governing ~~continuing professional~~ professional licensure.

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

Subp. 6. **Effective date.** Requirements in this part for licensure as an educational ~~speech-language~~ speech/language pathologist are effective on September 1, 2001, and thereafter.

8710.6100 SCHOOL NURSE.

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

Subp. 2. **Requirements for ~~entrance licensure~~ first professional license.** A candidate for licensure as a school nurse shall:

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

Subp. 3. [See repealer.]

Subp. 4. **~~Continuing Professional~~ Professional license.** A ~~continuing professional~~ professional license shall be renewed according to the rules of the Board of Teaching governing ~~continuing professional~~ professional licensure. Evidence of current Minnesota Board of Nursing registration as a licensed registered nurse is also required.

[For text of subs 5 and 6, see M.R.]

8710.6200 SCHOOL PSYCHOLOGIST.

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

Subp. 2. **Requirements for ~~entrance licensure~~ first professional license.** A candidate for licensure as a school psychologist shall provide evidence of having completed a preparation program in school psychology accredited by the National Association of School Psychologists.

Subp. 3. [See repealer.]

Subp. 4. **~~Continuing Professional~~ Professional license.** A ~~continuing professional~~ professional license shall be renewed according to the rules of the Board of Teaching governing ~~continuing professional~~ professional licensure.

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

8710.6300 SCHOOL SOCIAL WORKER.

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

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Proposed Rules

Subp. 2. Requirements for ~~entrance licensure~~ first professional license. A candidate for licensure as a school social worker shall:
[For text of items A and B, see M.R.]

Subp. 3. [See repealer.]

Subp. 4. ~~Continuing Professional license~~. A ~~continuing professional~~ license shall be renewed according to the rules of the Board of Teaching governing ~~continuing professional~~ licensure. Evidence of current Board of Social Work licensure is also required.

[For text of subps 5 and 6, see M.R.]

8710.6400 SCHOOL COUNSELOR.]

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

Subp. 2. **Requirements for ~~entrance licensure~~ first professional license**. A candidate for school counselor licensure shall:

[For text of items A and B, see M.R.]

[For text of subp 3, see M.R.]

Subp. 4. [See repealer.]

Subp. 5. **Renewal of a ~~continuing professional~~ license**. A ~~continuing professional~~ license shall be renewed according to the rules of the Board of Teaching governing ~~continuing professional~~ licensure.

[For text of subp 6, see M.R.]

REPEALER. *Minnesota Rules*, parts 8710.0300, subpart 4; 8710.0350; 8710.1100; 8710.1200; 8710.1300; 8710.6000, subpart 3; 8710.6100, subpart 3; 8710.6200, subpart 3; 8710.6300, subpart 3; and 8710.6400, subpart 4, are repealed.

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Department of Agriculture

Adopted Permanent Rules Relating to Grain Storage License Fees

The rules proposed and published at *State Register*, Volume 24, Number 41, pages 1441-1442, April 10, 2000 (24 SR 1441), are adopted as proposed.

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (Minnesota Statutes 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the State Register. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of Minnesota Statutes, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with Minnesota Statutes 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the State Register. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

Department of Labor and Industry

Adopted Exempt Permanent Rules Relating to Occupational Safety and Health; Standard Industrial Classification List for AWAIR

The rules proposed and published at *State Register*, Volume 24, Number 44, pages 1569-1578, May 1, 2000 (24 SR 1569), are adopted as proposed.

Executive Orders

The governor has the authority to issue written statements of orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order #00-03: Declaring a State of Emergency in the State of Minnesota

I, JESSE VENTURA, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Emergency Executive Order:

WHEREAS, during the period from May 17, 2000, and continuing, severe thunderstorms accompanied by torrential rain, flash flooding, straight-line winds, hail, and lightning devastated southeastern Minnesota;

WHEREAS, these events have inflicted widespread and considerable damage to the public infrastructure as well as to homes, farms, and businesses; and

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Executive Orders

WHEREAS, as a result, there is a threat to public safety for citizens in the counties of Dodge, Faribault, Fillmore, Freeborn, Houston, Mower, Olmsted and Winona, and

WHEREAS, the resources of local, county, state and tribal government and private relief agencies have been exhausted in responding to the crisis;

NOW, THEREFORE, I hereby order that:

A State of Emergency exists in the State of Minnesota and do:

- Direct the Division of Emergency Management to continue the activation of the State Emergency Operations Plan, and, in conjunction with the Federal Emergency Management Agency and other state and federal agencies, determine the need for supplementary disaster aid and coordinate the provision of any such assistance as necessary under existing state and federal authority;
- Direct all state agencies to provide assistance that is necessary to help local units of government respond to and recover from this emergency.

Pursuant to *Minnesota Statutes 1998*, Section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes 1998*, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this twenty-second day of June, 2000.



JESSE VENTURE
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State

Office of the Governor

Emergency Executive Order #00-04: Declaring a State of Emergency in the State of Minnesota

I, JESSE VENTURA, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Emergency Executive Order:

WHEREAS, torrential rain that occurred on June 19, 2000, the continued heavy rain, and the forecast for continued heavy rain have created overland flooding which is closing roads, damaging crops and flooding homes and businesses; and

WHEREAS, these events have inflicted widespread and considerable damage to the public infrastructure as well as to homes, farms, and businesses; and

WHEREAS, as a result, there is a threat to public safety for citizens in the counties of Becker, Beltrami, Clay, Clearwater, Hubbard, Kittson, Lake of the Woods, Mahnomon, Marshall, Norman, Pennington, Polk, Red Lake and Roseau; and

WHEREAS, the resources of local and county government have been exhausted in responding to the crisis;

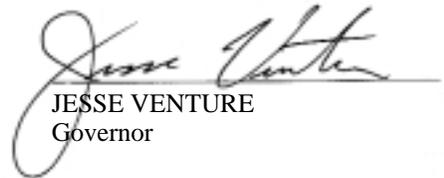
NOW, THEREFORE, I hereby order that:

A State of Emergency exists in the State of Minnesota and do:

- Direct the Division of Emergency Management to continue the activation of the State Emergency Operations Plan, coordinate damage assessment, and determine the need for supplementary disaster aid;
- Direct all state agencies to provide assistance that is necessary to help local units of government respond to and recover from this emergency.

Pursuant to *Minnesota Statutes 1998*, Section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes 1998*, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this twenty-sixth day of June, 2000.



JESSE VENTURE
Governor

File According to Law:



MARY KIFFMEYER
Secretary of State

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Minnesota Gambling Control Board

REQUEST FOR COMMENTS on Planned Amendment to Rules Governing: *Minnesota Rules* 7861.0010 - Definitions and *Minnesota Rules* 7861.0030 - Gambling Manager

Subject: The Minnesota Gambling Control Board requests comments on its planned amendment to rules governing *Minnesota Rules* 7861.0010 (Definitions) and *Minnesota Rules* 7861.0030 (Gambling Manager). The Board is considering amendments that establish qualifications for Gambling Managers.

Persons Affected: The amendment to the rules would likely affect licensed organizations that conduct lawful gambling, and applicants for gambling manager licenses.

Statutory Authority: *Minnesota Statutes* 349.151, subdivision 4(a)(5) authorizes the Board to make rules authorized by Chapter 349. *Minnesota Statutes* 349.12, subdivision 19(2) (2000) authorizes the Board to prescribe qualifications for gambling managers by rule.

Public Comment: Interested persons or groups may submit comments or information on these planned rules in writing or orally until further notice is published in the *State Register* that the Board intends to adopt rules. The Board does contemplate appointing a Public Advisory Committee to comment on the planned rules. Persons who will likely be affected by the proposed rules and/or who wish to participate in the Public Advisory Committee are urged to contact the Agency Contact Person.

Official Notices

Rule Drafts: The Board has not yet prepared a draft of the planned rule amendments. A draft of the proposed rules will be available before publication of the proposed rules in the *State Register*. Contact the Agency Contact Person to request that your name be placed on the mailing list to receive copies of rule drafts specific to this rulemaking project.

Agency Contact Person: Written or oral comments, questions, requests to receive a draft of the rules, requests to participate in the Public Advisory Committee, or requests for more information on these planned rules should be directed to:

Sharon Beighley
Minnesota Gambling Control Board
1711 W County Rd B #300S
Roseville MN 55113
Telephone: 651-639-4035
Fax: 651-639-4032
E-mail: sharon.beighley@gcb.state.mn.us

Alternative format: Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the Agency Contact Person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The Board is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 19 June 2000

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations on Behalf of St. Olaf College

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of St. Olaf College, a Minnesota non-profit corporation and institution of higher education (the "College"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on July 19, 2000 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$16,500,000 to finance a project generally described as (a) renovating and equipping the St. Olaf Center to house the departments of art and dance, (b) acquiring and installing furniture in Hoyme Hall, Kildahl Hall, Larson Hall, Mohn Hall and Rand Hall, (c) replacing bleachers in Skoglund Athletic Center and Manitou Field, (d) acquiring, renovating and equipping four houses for administrative or student housing use, (e) renovating and equipping the College's Administration Building, and (f) constructing certain utility improvements (collectively, the "Project"), owned or to be owned and operated by the College and located at 1520 St. Olaf Avenue, Northfield, Minnesota, 55057.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their view with respect to the proposal to undertake and finance the Project.

Dated: 27 June 2000

By Order Of The Minnesota Higher
Education Facilities Authority
Marianne Remedios
Executive Director

Department of Human Services

Health Care Administration

Medical Assistance Program

Request for Comments on County-Based Purchasing Federal Waiver Amendment Request

The Minnesota Department of Human Services (DHS) is announcing a 30-day comment period on the waiver amendment request submitted to the federal Health Care Financing Administration (HCFA) to implement county-based purchasing in Ramsey County. County-based purchasing is being developed in response to legislation passed in 1997 to allow counties to contract for or provide services to eligible Medical Assistance and General Assistance Medical Care recipients. A waiver request submitted in September 1999 describes county-based purchasing and the waivers from Federal law and regulation that will be needed to implement the program, and was amended from the request submitted to HCFA in January 1999.

The Ramsey County Office for Integrated Care Management has developed the Ramsey County Integrated Care Model. The waiver amendment request details how the plan will operate, including how enrollees will be able to access health care services and how the plan will contract with health care plans or providers.

Copies of the waiver amendment request are available to any interested parties. Comments must be received by 4:00 p.m. on Wednesday, August 2, 2000.

To request a copy of the waiver amendment request, please contact Chris Wasieleski at (651) 296-3882. Please direct comments or questions about the waiver amendment request to:

Kathleen Vanderwall
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3852
Telephone: (651) 282-3720
FAX: (651) 215-9453
E-mail: kathleen.vanderwall@state.mn.us

Minnesota Department of Public Safety

Minnesota Center for Crime Victim Services Division

REQUEST FOR COMMENTS on Planned Amendments to Rules Governing the Crime Victims Reparations Board, *Minnesota Rules*, parts 3050.2800, 3050.3200, 3050.3400, 3050.3700, and 3050.3900

Subject of Rules. The Minnesota Department of Public Safety requests comments on its planned amendments to rules governing the Crime Victims Reparations Board. The department is considering the following rules amendments to clarify existing rules relating to claims procedures and eligibility for reparations:

- *Minnesota Rule*, part 3050.2800 **Board Determination of Reasonableness.** The amendment would add another subpart to this rule stating that a claimant who seeks reimbursement for accessibility remodeling must use a consultant and contractor approved by the Board.
- *Minnesota Rule*, part 3050.3200 subpart 7. **Loss of Income; Parent and Spouse of the Deceased.** The amendment would expand reparations coverage for lost wages to include up to one week of lost income for adult children or siblings of homicide victims. Currently, the rule only allows payment of lost wages to parents, spouse and minor children.
- *Minnesota Rule*, part 3050.3400 **Secondary Victims.** This rule sets limits on the number of counseling sessions for secondary victims. The amendment would allow the Board to make exceptions to the rule in extraordinary circumstances where the limit imposes undue hardship on the victim.

Official Notices

- *Minnesota Rule*, part 3050.3400 **Secondary Victims** and *Minnesota Rule* part 3050.3500 **Parents of Injured Victims**. Currently, the rules allow reimbursement for lost wages, transportation and lodging, up to \$2000, to a parent who provides care to a victim. The amendment would add the same coverage for the spouse or children of an injured victim.
- *Minnesota Rule*, part 3050.3700 **Cost Ceiling on Hospital and Physician Expenses**. The amendment would allow the Board to compensate the victim in full if he or she has already paid hospital or physician expenses.
- *Minnesota Rule*, part 3050.3900 **Maximum Payment for Sexual Assault Evidentiary Exam**. The amendment would allow the Board to adjust the maximum payment on an annual basis. Currently, the rule contains a cap of \$500.

Persons Affected. The amendments would likely affect victims of crime seeking reparations benefits and providers of services. The department does not contemplate appointing an advisory committee to comment on the planned rule amendments.

Statutory Authority. *Minnesota Statutes*, section 611A.56, subdivision 1, paragraph (b), requires the Board to adopt rules to implement and administer sections 611A.51 to 611A.68.

Public Comment. Interested persons or groups may submit comments or information on this planned rule in writing or orally until 4:30 p.m. on July 31, 2000. The department has not yet prepared a draft of the planned rule amendments and does not anticipate that a draft of the rules will be available before the publication of the proposed rules. Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be directed to: Marie Bibus at the Minnesota Center for Crime Victim Services, 245 E. 6th St., #705, St. Paul, MN 55101, phone: 651-215-1557, FAX: 651-296-5787, E-mail: Marie.Bibus@state.mn.us. TTY users may call the department at 651-205-4827.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Rich Anderson
Executive Director, Crime Victims Reparations Board

Minnesota Department of Trade and Economic Development

Governor's Working Group on Minority Business Development

Notice of Public Meeting

The Governor's Working Group on Minority Business Development will hold a deliberative meeting on July 10, 2000, from 2:00 PM to 4:00 PM at the Department of Trade and Economic Development, Conference Room A, 500 Metro Square, 121 7th Place East, St. Paul, MN.

All meetings, whether to receive information or conduct deliberations, are open to the public. A verbatim transcript of the meeting will be prepared and all information or materials received by or produced by the Working Group will be public data under the Minnesota Government Data Practices Act (*Minnesota Statutes* Chapter 13).

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Human Services

Notice of Request for Proposals – Alternative Payment for Nursing Facility Services

1995 Laws of Minnesota, Chapter 207, Article 7, Section 32 (hereinafter *Minnesota Statutes* Section 256B.434) authorized the Commissioner of the Department of Human Services to establish a contractual alternative payment system as an alternative way to pay for nursing facility services under the Medical Assistance (MA) Program. In order to implement this legislation, the Department established the “Nursing Home Contract Project.” The purpose of the Project is to explore a contract-based reimbursement system as an alternative to the current cost-based system for reimbursement of nursing facility services under *Minnesota Statutes*, Section 256B.431.

The *1997 Laws of Minnesota* amended *Minnesota Statutes* Section 256B.434. Effective July 1, 1997, the Commissioner is required to issue a request for proposals (RFPs) from nursing homes to provide services on a contract basis at least twice annually. The Commissioner may select the number of proposals that can be adequately supported with state resources and may contract with all facilities submitting a proposal provided that the proposal meets eligibility requirements outlined in the RFP. The nursing facility may be required to negotiate with the State any modifications to the proposal as required by the State to make the terms of the proposal more favorable to the State.

The purpose of this RFP is to solicit proposals from eligible nursing facilities to enter into contracts with the Department to provide nursing facility services to MA recipients. Facilities selected to participate in this project will be eligible to contract with the Department for one-year terms.

Requests for copies of the complete RFP, “Alternative Payment for Nursing Facility Services,” should be directed to Gary M. Johnson at 651-296-2661. The original and two (2) copies of the proposal in response to the RFP must be submitted to the Nursing Home Contract Project, Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3836, no later than 4:00 p.m. on Monday, August 14, 2000.

The State of Minnesota reserves the right to reject any and all proposals submitted.

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

Department of Administration State Designer Selection Board

To Minnesota Registered Design Professionals: Request for Proposals for the Department of Veterans Affairs (Project 00-16) For the Further Development of the Minnesota State Veterans Cemetery

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, July 17, 2000, to:

Lisa Blue, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155-3000
651-297-5526

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

NOTE TO RESPONDERS: Proposals That Do Not Conform to the Following Content, Order and Format Requirements as Outlined in Items 1 Through 5 Below May Be Disqualified.

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8-1/2" x 11" sheets**, soft bound. No more than 20 printed faces should be included (see the following for clarification):
 - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
 - b. Blank dividers (with printed tab headings only) will not be counted as faces.
 - c. Front and back covers of proposals will not be counted as faces.
 - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
 - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

3. BRIEF PROPOSAL SUMMARY:

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer,

Professional, Technical & Consulting Contracts

identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

5. Eleven (11) copies of the proposal should be submitted.

6. Design firms wishing to have their proposals returned after the Board's review shall follow one of the following procedures:

- a. Enclose a *self-addressed, stamped* postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
- b. Enclose a *self-addressed, stamped* mailing envelope with the proposals. When the Board has completed its selection, proposals will be returned using this envelope.

Professional, Technical & Consulting Contracts

7. BOARD SELECTION CRITERIA:

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- d. Capacity to accomplish the work and services within the required constraints;
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

8. PROJECT 00-16

Department of Veterans Affairs
15550 Highway 115
Little Falls, MN 56345

a. PROJECT DESCRIPTION:

This project is for the further development of the MN State Veterans Cemetery near Little Falls, MN. This 36-acre cemetery was opened in 1994 and has remained largely undeveloped since that time. This is an active cemetery with over 800 occupied gravesites. The project consists of a new roadway system, grading of future burial sites, a storm water management system, an underground irrigation system, and landscaping. The project also includes construction of a new entrance gate and drives, columbarium gardens, a ceremonial assembly area, a memorial walkway, and a facility complex. The new facility complex will include a chapel, administration building, and public restrooms. The project should provide improvements that are long lived. The project will be funded through a grant from the U.S. Department of Veterans Affairs.

Designs shall comply with the following:

- The master concept plan that has been approved by the State Cemetery Grant Service, a department of the U.S. Department of Veterans Affairs.
- State Cemetery Grant Service Program Guide (PG 40-1).
- Minnesota State Building Code.

The master concept plan for the cemetery will be made available to the shortlisted firms and may be obtained by calling David P. Swantek at the Minnesota State Veterans Cemetery at 320-616-2527.

b. REQUIRED CONSULTANT SERVICES:

The scope of the project includes full design services for the project leading with landscape architecture and including cost estimating, civil engineering, mechanical engineering, electrical engineering, building architecture, bidding and construction administration services.

c. SERVICES PROVIDED BY OTHERS:

None

d. SPECIAL CONSIDERATIONS:

Experience in cemetery design/planning desired.

e. PROJECT BUDGET/FEES:

The current construction budget is estimated to be approximately \$2,156,000. The project costs, including fees and permits, have been fixed at \$2,780,000. Design fees available for this project are approximately \$220,000 reimbursable expenses included.

Professional, Technical & Consulting Contracts

f. PROJECT SCHEDULE:

The design process shall begin in August 2000 with construction to begin in June 2001 and project completion by June 2002.

g. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):

An informational meeting will be held Wednesday, July 12, 2000, at 9:30 a.m. at the Minnesota State Veterans Cemetery, 15550 Hwy 115, Little Falls, MN. Additional information will be made available to the firms chosen for the shortlist.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

Project Information Meeting and/or Site Visit: July 12, 2000
Project Proposals Due: July 17, 2000, by 12 p.m. (Noon)
Project Shortlist: August 1, 2000
Project Interviews and Award: August 8, 2000

i. PROJECT CONTACT(S):

Questions concerning the project should be referred to:

David P. Swantek, Cemetery Director
MN State Veterans Cemetery
15550 Hwy 115
Little Falls, MN 56345
Phone: 320-616-2527

Doug Kelley, Project Manager
State Division of Building Construction
Department of Administration
G-10 Administration
50 Sherburne Avenue
St. Paul, MN 55155
Phone: 651-297-3455
FAX: 651-296-7650

9. CONTRACT REQUIREMENTS:

- a. The amended Minnesota Human Rights Act (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. Costs incurred in responding to this RFP shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000

Professional, Technical & Consulting Contracts

and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.

- e. This RFP does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *debarred*, *suspended*, *ineligible*, *lower tier covered transaction*, *participant*, *person*, *primary covered transaction*, *principal*, *proposal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverages sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this response that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Department of Administration
State Designer Selection Board

To Minnesota Registered Design Professionals: Request for Proposals for MnSCU/Bemidji
State University (Project 00-17) for the Design of the American Indian Resource Center

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, July 17, 2000, to:

Lisa Blue, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155-3000
651-297-5526

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

NOTE TO RESPONDERS: Proposals That Do Not Conform to the Following Content, Order and Format Requirements as Outlined in Items 1 Through 5 Below May be Disqualified.

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8-1/2" x 11" sheets**, soft bound. No more than 20 printed faces should be included (see the following for clarification):
 - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
 - b. Blank dividers (with printed tab headings only) will not be counted as faces.
 - c. Front and back covers of proposals will not be counted as faces.
 - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
 - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

3. BRIEF PROPOSAL SUMMARY:

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer, identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.

Professional, Technical & Consulting Contracts

- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all gross fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above. The prime firm(s) shall subtract consultant fees from gross fees to determine total net fees using the format below.

PROJECT	(A) GROSS FEES	(B) SUBDESIGNERS PORTION	(C) NET TOTAL PROJECT FEE
TOTAL			

(The total shown in column (A) shall equal the sum of those shown in columns (B) and (C).)

4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- A discussion of the firm's understanding of and approach to the project.
- A listing of relevant past projects.

5. Fourteen (14) copies of the proposal should be submitted.

6. Design firms wishing to have their proposals returned after the Board's review shall follow one of the following procedures:

- Enclose a *self-addressed, stamped* postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
- Enclose a *self-addressed, stamped* mailing envelope with the proposals. When the Board has completed its selection, proposals will be returned using this envelope.

7. BOARD SELECTION CRITERIA:

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- Qualifications and technical competence in the required field of design;
- Ability to deal with aesthetic factors;
- Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- Capacity to accomplish the work and services within the required constraints;
- Availability of appropriate personnel;

Professional, Technical & Consulting Contracts

- f. Geographic relationship of the designer's base to the project site; and
 - g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.
- The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

8. PROJECT 00-17

MnSCU/Bemidji State University
1500 Birchmont Drive
Bemidji, Minnesota 56601

a. PROJECT DESCRIPTION:

Minnesota State Colleges and Universities (MnSCU) and Bemidji State University intend to retain architectural and engineering consulting services for the design of the American Indian Resource Center on the Bemidji State University campus.

The building will be an octagon shaped building with two or three stories with brick exterior with approximately 12,000 gross square feet. The building will include adaptable classrooms, a telecommunications seminar room, research library, kitchen and dining areas, computer center, study area, lounge, exhibit and display area, and offices. It will incorporate gathering areas for students, elders, faculty and support personnel into the structure.

b. REQUIRED CONSULTANT SERVICES:

The selected design team shall provide a comprehensive scope of services including Predesign, Schematic Design, Design Development, and Construction Documents. All drawings and specifications must conform to MnSCU design standards.

The design team will provide all architectural services, including interior design, cost estimating, and project scheduling, and all engineering services including civil, structural, mechanical, fire protection, electrical, electronic communication and audio/visual design.

Note: a roof design consultant designated by MnSCU will be assigned to and become an integral part of the consultant's design team. The consultant's fee shall include the fee and reimbursables of the roof design consultant.

c. SERVICES PROVIDED BY OTHERS:

None

d. SPECIAL CONSIDERATIONS:

For decades, the Bemidji State University campus community, American Indian alumni, and tribal leaders have discussed the need to create a center to house the American Indian studies and student programs, in a culturally responsive environment. The selected design team must be sensitive and knowledgeable.

e. PROJECT BUDGET/FEES:

Estimated project cost is \$2,000,000. This cost includes reimbursables, professional fees, construction, furniture, fixtures, equipment, contingencies and inflation factors. The State has appropriated funds from the 2000 legislative session to fund this project.

f. PROJECT SCHEDULE:

Design complete: April 2001

g. PROJECT INFORMATIONAL MEETING(S)/SITE VISIT(S):

An informational meeting is scheduled for Tuesday, July 11 at 1:00 p.m. at Bemidji State University. All firms interested in attending this meeting should contact Jean Lanners at 218-755-2012 or email at: jmlanners@vax1.bemidji.msus.edu, mail address Bemidji State University, Deputy Hall 349, Bemidji, Minnesota 56601.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

<u>Project Information Meeting and/or Site Visit:</u>	Tuesday, July 11, 2000
<u>Project Proposals Due:</u>	July 17, 2000, by 12 p.m. (Noon)
<u>Project Shortlist:</u>	August 1, 2000
<u>Project Interviews and Award:</u>	August 8, 2000

Professional, Technical & Consulting Contracts

i. PROJECT CONTACT(S):

Questions concerning the project should be referred to:

Thomas A. Faecke
Vice President for Administrative Affairs
Bemidji State University
Phone: 218-755-2012
E-mail: tafaecke@vax1.bemidji.msus.edu

Jeff Sande
Director of Physical Plant
Bemidji State University
Phone: 218-755-3988
E-mail: jasande@vax1.bemidji.msus.edu

9. CONTRACT REQUIREMENTS:

- a. The amended Minnesota Human Rights Act (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. Costs incurred in responding to this RFP shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. This RFP does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota Department of Agriculture Laboratory Services Division

Notice of Request for Proposals for Laboratory Information Management Systems

Description: The Minnesota Department of Agriculture (MDA) is seeking proposals and cost estimates from Laboratory Information Management Systems (L.I.M.S.) vendors for the implementation and installation of a L.I.M.S. to manage the day-to-day activities of the Laboratory Services Division. The lab performs tests for agronomic, food, environmental, microbiological, seed and plant pathology samples. The LIMS application will allow for increased automation of current processes and improve data entry, storage and management. The system must track information, assist in management of daily activities, billing information and produce administrative and analysis-based reports related to samples and processes overseen by laboratory and related personnel. The selected vendor will provide software, training, implementation support services and post-implementation support services.

Eligible Applicants: Desired applicants are vendors of Laboratory Information Management Systems. Experience with a wide range of laboratory disciplines in a governmental organization is desirable. The objective for the proposals is to evaluate product functionality for the Laboratory Services Division. There is no contractual obligation on the part of the Laboratory Services Division to any of the responding parties.

For a copy of the Request for Proposal and system requirements, contact:

Neil Palosaari, Minnesota Department of Agriculture, Laboratory Services Division,
90 West Plato Boulevard, Saint Paul, MN 55107
FAX: (651) 297-8787
E-mail: Neil.Palosaari@state.mn.us

This is the only person designated to answer questions regarding this request for proposal. Instructions for responding to the RFP are included in the document.

Final date for submitting proposals is 2:00 PM (CDT), on August 9, 2000. Proposals received after that time will not be considered. The term of the contract is one (1) year. The Minnesota Department of Agriculture will retain an option to extend the contract for one (1) additional year. No actual work or payment is guaranteed pursuant to the contract.

This Request for Proposal does not obligate the State to complete the proposed project and the State reserves the right to cancel the solicitation if it is considered to be in the State's best interest. All expenses incurred in responding to this notice will be borne by the responder.

Minnesota State Colleges and Universities (MnSCU) System Office

Request for Information (RFI) for Joint Venture Partnership(s)

The Minnesota State Colleges and Universities (MnSCU) is seeking letters of interest from potential business partners interested in joint ventures aimed at enhancing the eLearning capacity of MnSCU colleges and universities.

In particular, MnSCU is seeking innovative responses from organizations interested in combining assets strategically to take advantage of the dynamic environment of eLearning. In this context eLearning includes all areas of learning which are assisted by technology, including Internet, intranet, CD-ROM, interactive television and satellite transmission - often allowing for learning to take place anywhere and anytime. MnSCU's intention is to leverage its assets and in the process increase its agility in responding to new opportunities in this fast-paced field by entering into key partnerships with like-minded organizations.

Further information is available at: <http://Clearinghouse.mnscu.edu/RFI.html>

Letters of interest should be sent to: Michael Murphy, Associate Vice Chancellor - Strategic Partnerships, Minnesota State Colleges & Universities (MnSCU), 500 World Trade Center, 30 E. 7th Street, St. Paul, Minnesota 55101.

This is not a bid process. This request for information does not obligate MnSCU to complete the work contemplated in this notice, and MnSCU reserves the right to cancel this solicitation of interest if it is considered to be in its best interest to do so. All expenses incurred in responding to this notice shall be borne by the responder.

Professional, Technical & Consulting Contracts

Department of Health

Division of Family Health

Minnesota Children with Special Health Needs

Consultant Contracts Available for Medical and Related Services for Children with Special Health Care Needs

Openings exist at clinics for:

1. Board certified or approved physicians to provide medical examinations;
2. Board certified dentists and dental specialists to provide dental examinations;
3. Registered/certified public health or pediatric nurses to provide nursing services and/or clinic facilitation;
4. Licensed psychologists to provide psychological assessments;
5. Licensed social workers to provide social work consultation and/or clinic facilitation;
6. Certified audiologists to provide audiological examinations;
7. Registered occupational therapists to provide occupational therapy assessments;
8. Certified speech pathologists to provide speech assessments;
9. Registered physical therapists to provide physical therapy assessments;
10. Registered dietitians to provide nutritional counseling;
11. Licensed educational consultants to provide educational assessments;
12. Technicians to provide examinations/assessments.

To obtain detailed specifications for this proposal, qualified, interested persons should contact Mary Wanninger, Minnesota Children with Special Health Needs (MCSHN), 85 East Seventh Place, Suite 400, P.O. Box 64882, St. Paul, MN 55164-0882. Phone 1-800-728-5420 or E-mail: mcs hn@kids.health.state.mn.us. Proposals must be sent to: Minnesota Department of Health

Minnesota Children with Special Health Needs (MCSHN)
Attn: Mary Wanninger
85 East Seventh Place, Suite 400
P.O. Box 64882
St. Paul, MN 55164-0882

All proposals must be signed in ink and received no later than 4:00 p.m. August 12, 2000. Late proposals will not be considered.

A total of up to \$268,000.00 for the FY year of 2001 has been budgeted to fund these positions. Funding for individual positions varies by category and position.

Dated: 12 June 2000

Minnesota Historical Society

Request for Bids for Design, Layout, Typeset Three Issues of Minnesota History Magazine

The Minnesota Historical Society seeks an independent contractor to design, lay out, and typeset three issues of its quarterly journal, *Minnesota History*. Responsibilities include: typesetting from electronic text in Microsoft Word or Rich Text File format; design and layout on Macintosh computer of 3 to 4 illustrated articles plus book reviews and notes sections per issue; design and layout of four-color covers. Issues are typically 48 pages but may vary from 44 to 52 or more pages.

Requires demonstrated experience with desktop publishing: design, typesetting, and digital imaging skills. Must be able to provide printer with all text in PostScript or application files and art on Syquest disk with marked-up laser proofs. Demonstrated familiarity with humanities journal style and with typesetting requirements for scholarly publication required; ability to work with historic photographs and documents a must; experience with one, two, and four-color design also necessary.

Professional, Technical & Consulting Contracts

The Request for Bid is available by calling or writing Chris M. Bonnell, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, MN 55102. Telephone number (612) 297-5863 (chris.bonnell@mnhs.org).

All bids must be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, MN 55102 or an authorized agent no later than 2:00 pm Central Time, Monday, July 31, 2000. A bid opening will be conducted at that time. Bids must be submitted in a sealed envelope with the project name clearly written on the envelope. Late bids will not be considered.

Authorized agents for receipt of bids are the following: Chris M. Bonnell, Contracting Officer, Mary Green Toussaint, Contracting/Procurement Technician or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center. Bids may not be delivered to the information desk, to the guard or to any location or individual other than as specified above.

Complete specifications and details concerning submission requirements are included in the Request for Bids.

Department of Human Services

Notice of Availability of Request for Proposal to Provide Consultation in Complex Adaptive Systems to the Human Services Technology Group (HSTG)

SCOPE OF PROJECT

The Department of Human Services (DHS) is seeking professional and technical services to assist the Human Services Technology Group (HSTG) to achieve its strategic goals. This work involves helping to plan, develop and implement short and long term initiatives, and will include determining effective management approaches and offering recommendations, facilitating planning processes, organizing work of HSTG, and providing consultation within the framework of Complex Adaptive Systems (CAS).

For Fiscal Year 2001 and 2002, the consultant will provide approximately 250 - 300 hours in the application of Complex Adaptive Systems theory to the activities of HSTG, which include: providing advice, consultation, preparation, and facilitation for each HSTG monthly meeting; developing written documentation; and providing Complex Adaptive Systems training.

A complete copy of the RFP may be obtained by contacting:

Maureen Fuller
Administrative Assistant, ITS
Department of Human Services
444 Lafayette Road North
St. Paul, Minnesota 55155-3847
651-296-1691

Questions regarding this RFP may be addressed in writing only to

Linda Randolph
Director of Policy and Special Projects
Department of Human Services
444 Lafayette Road North
St. Paul, MN 55155-3847
FAX: 651-297-4698

All proposals must be received no later than **2:00 PM (Central Time) on Monday, July 24, 2000.**

Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Metropolitan Airports Commission

Notice of Call for Bids For High Speed Airport Plow Truck with Plow

Sealed bids will be received by the Metropolitan Airports Commission at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until 2:00 p.m., Local Time, MONDAY, JULY 17, 2000, for the procurement of **ONE (1) HIGH SPEED AIRPORT PLOW TRUCK WITH PLOW.**

At that time and place the bids will be publicly opened and the names and address of those responding read aloud. If mailed the Commission's mailing address is 6040 28th Avenue South, Minneapolis, MN 55450-2799, **and bids to be considered must be received by the Commission by the date and hour set for opening of bids.**

A **MANDATORY** pre-bid conference and site visit will be conducted on WEDNESDAY, JULY 5, 2000, at 10:00 a.m. Failure to attend this meeting will result in rejection of the bid. Prospective Bidders will meet at the following location:

MAC General Office
6040 28th Avenue South
Minneapolis, MN 55450-2799

Bids shall be according to the specifications. The Commission reserves the right to reject any or all bids or portions thereof, and to waive any minor irregularities or informalities therein. Copies of the Specifications may be obtained at the office of the Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450, Phone: 612-726-8146.

Dated: 19 June 2000

METROPOLITAN AIRPORTS COMMISSION
JoAnn Brown/Buyer-Administrator

Metropolitan Airports Commission

Notice of Call for Bids For Radio Controlled Bird Abatement System

Sealed bids will be received by the Metropolitan Airports Commission at its office at 6040 28th Avenue South, Minneapolis, MN 55450-2799, until 10:30 a.m., Local Time, MONDAY, JULY 10, 2000, for the procurement of **A RADIO CONTROLLED BIRD ABATEMENT SYSTEM.**

At that time and place the bids will be publicly opened and the names and address of those responding read aloud. If mailed the Commission's mailing address is 6040 28th Avenue South, Minneapolis, MN 55450-2799, **and bids to be considered must be received by the Commission by the date and hour set for opening of bids.**

Bids shall be according to the specifications. The Commission reserves the right to reject any or all bids or portions thereof, and to waive any minor irregularities or informalities therein. Copies of the Specifications may be obtained at the office of the Commission, 6040 28th Avenue South, Minneapolis, Minnesota 55450, Phone: 612-726-8146.

Dated: 21 June 2000

METROPOLITAN AIRPORTS COMMISSION
JoAnn Brown/Buyer-Administrator

Metropolitan Council

Notice of Request for Proposals for Consultant Services for a Fuel Management System for Metro Transit Project Number 65990, Contract Number 00P0023

The Metropolitan Council is requesting proposals for Consultant Services for a fuel management system including the design, build, installation and training that will control and record the individual dispensing of fuel and other dispensed fluids.

Installation will be at five local bus service areas and into approximately 1,000 buses.

A tentative schedule for the project is as follows:

Issue Request for Proposals	June 28, 2000
Receive Proposals	August 15, 2000
Notice to Proceed	September 15, 2000
Complete Project	September 1, 2001

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Jan Bevins, Contract Specialist, Contracts and Procurement Unit
Metropolitan Council Environmental Service
230 East Fifth Street
St. Paul, MN 55101

Inquiries should be directed to Gordon Backlund at 651-602-1801.

Minnesota Statutes, Section 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

Metropolitan Council

Notice of Request for Proposals for Consultant Services for Geotechnical Investigation and Engineering Services

Project Numbers 970110 & 970120 Contract Number 00P0045

The Metropolitan Council is requesting proposals for Consultant Services for Geotechnical Investigation and Engineering Services for South Washington County Gravity Interceptor and Colby Lake Lift Station. The Contractor will: Conduct soil borings, testing and sampling along the 10 mile long corridor of the proposed South Washington County Interceptor; Conduct continuous, above-ground electronic profiling of bedrock; and Prepare a professional geotechnical engineering report including all field findings and interpretation of factors influencing design and construction of the interceptor pipe, lift station, flow metering station and appurtenant structures.

Issues Request for Proposals	July 5, 2000
Receive Proposals	July 24, 2000
Notice to Proceed	August 16, 2000
Complete Project	November 14, 2000

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Jan Bevins, Contracts Specialist, Contracts and Procurement Unit
Metropolitan Council Environmental Service
320 East Fifth Street
Mears Park Centre
St. Paul, MN 55101

Inquiries should be directed to Gordon Backlund at 651-602-1801.

Non-State Public Bids, Contracts & Grants --- ---

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at 612-625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.



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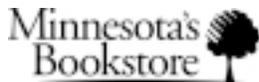
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