

STATE OF MINNESOTA
BOARD OF TEACHING

Statement of Need and Reasonableness
for Proposed Rules 5 MCAR §§ 3.004, 3.006, 3.087, 3.005

Concerning: The proposed adoption of new or amended rules governing procedures for the revocation or suspension of Minnesota teaching licenses, letters of approval for a teacher to teach subjects or fields for which current valid Minnesota licensure is not held, adult basic/continuing education, and continuing education/relicensure.

5 MCAR § 3.004 Procedures for the Revocation or Suspension of Minnesota Teaching Licenses.

5 MCAR § 3.004 is needed to establish by rule procedures to be utilized by the Board of Teaching to implement the statutory authority of the Board to revoke and suspend Minnesota teaching licenses. These procedures assure persons holding Minnesota teaching licenses that the Board of Teaching has an established process for the revocation or suspension of a license and the issuance or reinstatement of a license after a revocation or suspension. The rule defines the terms "revocation" and "suspension," making a distinction between these actions, as both terms are used in Minnesota Statutes. Since licenses may be revoked or suspended, and since these licenses may be entrance, continuing, or life licenses, this rule sets forth the procedures to be utilized in the issuance or reinstatement of each of these types of licenses after a revocation or suspension. The Board of Teaching contends that these procedures are both needed and reasonable in order to provide consistency for the Board of Teaching in the process of acting to revoke or suspend, and issue or reinstate after revocation or suspension, Minnesota teaching licenses.

5 MCAR § 3.006 Letters of Approval for a Teacher to Teach Subjects or Fields for Which Current Valid Minnesota Licensure is not Held.

5 MCAR § 3.006 is needed to set forth criteria whereby the Board of Teaching provides for variance to the licensure rules of the Board, as authorized by Minn. Stat. § 15.0412, subd. 1a (1980). These criteria establish the procedures to be utilized and the conditions to be met in order for the Board of Teaching to grant variances to licensure rules. Reasons for granting or denying these variances must be in writing. The Board of Teaching contends that these criteria for granting variances to licensure rules of the Board are both needed and reasonable in order to provide a means whereby school districts can fill teaching positions in critical areas of licensure when the Board of Teaching has determined that no teacher licensed in that area is available for the position, and to provide consistency in the application of criteria for granting such variances.

5 MCAR § 3.087 Adult Basic/Continuing Education.

5 MCAR § 3.087 is needed to establish standards of licensure for teaching adults. Since 1964, adult education has received considerable attention in terms of legislation and funding. New teachers have been hired by local school districts, and thousands of adults have returned to school in Minnesota.

During the past year, more than 7,000 ABE and several thousand more continuing and adult high school diploma students were taught by more than 500 teachers. Classes were held in public school buildings, businesses, store fronts, churches, correctional institutions, public housing sites, and a host of other locations unfamiliar to the regular public school teachers. While the majority of adult education teachers in Minnesota are part-time, working on an hourly basis in the evening, increasingly many are full-time, contract teachers working exclusively with adults.

Licensure would help ensure a specified minimum quality of instruction in the adult classroom, would lead to greater professionalization of adult education as a teaching discipline, would add stature to teachers licensed to instruct, and would gain greater respect for teachers from their adult students.

No special licensure exists presently for academic teachers of adults at or below the secondary level. Licensure requirements within Minnesota are either elementary or secondary licensure.

These proposed standards of licensure are designed to:

1. Prepare teachers for the unique and difficult practice of teaching adults.
2. Prepare teachers to use methods suitable for adult learning goals, such as reading for work and other functional life skills, and reading for parenting.
3. Prepare teachers for the task of teaching the specific adult target populations--special populations which may include a high representation from minority groups, from persons with poverty level incomes, and from participants in correctional institutions and drug rehabilitation programs.

While some persons may believe that master's degree level preparation in adult basic/continuing education without preparation as an elementary or secondary teacher qualifies them to be licensed in this field, the Board of Teaching contends that the teaching and learning skills developed in the professional education component of an elementary or secondary education program serve as a necessary foundation for the teaching of adults who have educational needs below the twelfth grade completion level.

The Board of Teaching contends that mandatory licensure in this field at this time is not appropriate, since it would thwart the delivery of adult basic/continuing education in Minnesota. However, the Board of Teaching believes that a permissive rule will provide an appropriate avenue for teachers who wish to enhance their teaching skills and obtain licensure in the field of adult basic/continuing education.

5 MCAR § 3.005 Continuing Education/Relicensure.

The need to amend this rule arises because the Board of Teaching has been made aware by the practicing profession of the necessity for clarifying certain provisions in the rule governing continuing education/relicensure.

Subdivision B. references the rule governing the procedures for issuance of licenses to persons who are not eligible for continuing licenses or whose continuing licenses have lapsed, and replaces obsolete language recommended for repeal in existing provision D.

Subdivision E. clarifies the definition of renewal units to provide guidance to local continuing education/relicensure committees in allocating renewal units for professional growth activities.

Proposed E.1. clarifies the granting of renewal units, requires verification of completion of experiences by the applicant, and expands certain of the categories in which renewal units may be earned. Additional clarifying language proposed in E.3. disallows actual teaching experience to qualify for renewal unit credit.

Subdivision F. clarifies local committee membership and elections. Proposed F.7. replaces existing language to further clarify the duties of local committees. This clarification will provide more specific direction to local committees regarding procedures for their own operation, procedures for recommending persons for relicensure, and necessary information to be provided to the Board of Teaching. Additional clarifying language proposed in F.8. requires applicants to submit appropriate verification of completion of experience to the local committee. Clarifying language proposed in F.10. specifies the procedures to be utilized for renewal of continuing licenses for persons who are not employed by a school district or who reside out of the State of Minnesota, which enable such persons to renew their continuing licenses to teach.

Proposed F.14. replaces existing language which is obsolete and recommended for repeal, and references the Board of Education rule governing continuing education requirements for the relicensure of vocational and supportive personnel.

Subdivision G. replaces existing language to allow college or university personnel the same options as classroom teachers to form local committees for continuing education/relicensure or to affiliate with existing local school district or nonpublic school local committees.

Subdivision H. provides for timelines measured by working days rather than calendar days in the appeal process in order to avoid periods of time when schools are not in session and local committees are not meeting. This change will ensure that appellants will be able to meet the timelines specified in this provision.

The Board contends that these amendments are needed in order to clarify certain provisions in the rule governing continuing education/relicensure. The Board further contends that these amendments are reasonable since the requirements for continuing education remain the same and no changes have been proposed in the system for relicensure.