

2010.0700 MINNESOTA STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

Statement of Need and Reasonableness for the  
Proposed Rules Governing the Licensure of  
Postsecondary Vocational Technical Education  
Personnel in Agricultural Occupations

The Statutory authority for the State Board of Vocational Technical Education to promulgate these rules is contained in Minnesota Statutes section 136C.04 subd. 9, (1986).

Rules as Proposed

Minnesota Rules 3700.0100 to 3700.0265 Postsecondary Vocational Licenses Agricultural Occupational Area.

Authority of the State Board of Vocational Technical Education to promulgate these rules is found in Minnesota Statutes Section 136C.04 Subd. 9, (1986) Powers and Duties of the Board which states:

Licensure. The State Board may promulgate rules, according to the provisions of Chapter 14, for licensure of teaching, support, and supervisory personnel in postsecondary and adult vocational education.

BACKGROUND INFORMATION

The issue of rule revision was first addressed at a meeting of the State Board of Education, Division of Vocational Technical Education (predecessor to the State Board of Vocational Technical Education) on Thursday, August 19, 1982 in Greenway A at the Hyatt Regency Hotel, 1300 Nicollet Mall, Minneapolis, Minnesota. One of the agenda items at that meeting was a presentation by Russell Beier, Director of East Grand Forks Area Vocational Technical Institute and Lyle Rahn, Director of Suburban Hennepin AVTI. Messrs. Rahn and Beier stated that the rules for licensure are extremely complex, re-assignments of personnel are difficult if not impossible, and substitute teachers are a problem. They requested that the then Division of Vocational-Technical Education be allowed to do a formal review of the rules.

Mr. Lou Smerling, a Board member, moved to direct the Division of Vocational-Technical Education to conduct a formal review of existing licensure rules to address but not be limited to the following issues:

1. The effects of vocational licensure within the bargaining units in K-14 districts;
2. The minimum qualifications of persons who have administrative responsibility and authority for vocational education decision making within K-14 districts;
3. The growing concern regarding the complexity of administering and monitoring the licensure rules;
4. The comparative relationship of postsecondary licensure in AVTIs with the procedures used by other postsecondary institutions to assure employment of qualified professional staff;
5. The implications of licensure requirements and their relationship to the governance issue; and
6. The ability of local districts to obtain qualified licensed substitutes and replacements.

The motion was seconded and carried unanimously.

In 1983, the Legislature authorized the formation of the State Board of Vocational Technical Education as the new governing board for postsecondary vocational technical education and separated postsecondary and adult vocational technical education from secondary vocational education.

The new State Board, aware of the original request for a total review and revision of licenses for postsecondary and extension instructors, support staff, and administrators, continued work on the formal revision of rules through a process which involved a general advisory committee. Represented licensed postsecondary administrators, support, supervisory staff, vocational teachers and support staff, private trade schools, Board of Teaching, State Board of Education Licensure Section, State Board of Vocational Technical Education staff, and the Minnesota Council of Vocational Technical Education served on the committee in an ex officio status. Notice of Intent to Solicit Outside Opinion regarding Proposed Rules Governing the Rules for Licensure of Vocational Education Personnel was published in the *State Register* Monday May 9, 1983. This committee formulated general licensure guidelines and procedures for selecting individuals to serve on specific committees. The committee has continued to review recommendations for rules.

A review of the existing rules suggested the licensure rules could be clarified for the benefit of interested parties. The majority of the issues identified were related to interpretation of the term relevant education, relevant occupational experience, and the use of charts to convey these and other requirements.

A Notice of Intent to Solicit Outside Opinion Regarding proposed Rules for Licensure of Vocational Education, Agricultural Occupations was published in the *State Register* Monday, April 6, 1987.

A second issue, relating to the existing licenses for instructors in the agricultural occupational area, was that an individual holding a particular license was authorized to teach only courses in the particular program represented by the title, despite expertise and knowledge in subject matter areas which were courses in other programs offered in the AVTI system. The concern regarding restrictiveness in assignment to teach in areas where the individual is qualified has been addressed in the proposed rules by expanding the teaching authority to include courses in specified subject areas which may be taught in any programs within the AVTI.

These specified subject areas in other programs are within the knowledge and expertise which can be attributed to an individual who meets the requirements of education and/or occupational experience required in the rule under which the individual is licensed.

In the proposed rules for agricultural licenses, the issues of clarity and interpretation related to relevant education and relevant occupational experience have been addressed by specifically identifying the subject focus and level of the education (degree or diploma) required for each license.

The occupational experience requirement is specifically identified by occupational title for each license.

The issues related to complexity in interpretation of information presented in licensure charts has been corrected by the format used in writing the new rules.

An analysis of the rules follows.

## AGRICULTURAL OCCUPATIONS

3700.0100 TO 3700.0265

Overview of Postsecondary Agricultural Occupational Area Licenses.  
Agriculture Occupational Area Licenses identify the licensure requirements for:

3700.0205	Farm Business Management
3700.0210	Farm Operations and Management
3700.0215	Dairy Herd Management
3700.0220	Lamb and Wool Management
3700.0225	Agriculture Supplies, Sales and Service
3700.0230	Horse Care: Stable and Backstretch
3700.0235	Agricultural Equipment Mechanics
3700.0240	Horticulture
3700.0245	Landscaping
3700.0250	Natural Resources
3700.0255	Logging Business Management
3700.0260	Forest Harvesting
3700.0265	Taxidermy

**3700.0100 GENERAL REQUIREMENTS FOR ALL POSTSECONDARY VOCATIONAL TECHNICAL TEACHERS**

Subpart 1. **Listed or referred to here.** Indicates an applicant must:

A Meet the requirements that are general for all applicants in the agricultural occupational area 3700.0200 and

B Meet the requirements of the specific agricultural license within that occupational area 3700.0205 to 3700.0265.

Subp. 2. **Requirements elsewhere.** Indicates that the applicant must still comply with existing rules 3515.0100 to 3515.4400 and 3515.5000. There have been no changes in these rules. They continue to apply as written.

**3700.0200 LICENSES IN THE AGRICULTURAL OCCUPATIONAL AREA.**

Subpart 1. **Listed here.** Refers to general requirements to be met by all instructors 3700.0100. No changes in rules 3515.0100 to 3515.4400 and 3515.5000.

Subp. 2. **Recent occupational experience.** This rule has been moved from licensure chart 3515.9920 and 3515.0100 Subpart 25 for agriculture occupations. The rule provides for an increase in recent occupational experience from "at least 500 hours within the five-year period immediately preceding the date of application for licensure" to "at least 1,500 hours". This increase is necessary so that the individuals teaching programs are knowledgeable with regard to changes occurring in the economy as they relate to agriculture and the changes in technology as they relate to agriculture.

This rule is reasonable because a five year time frame is allowed to meet the requirement of one half of the one year of full time employment in occupational experience.

**3700.0205 TO 3700.0265 REQUIREMENTS FOR SPECIFIC AGRICULTURAL LICENSES.**

3700.0205 to 3700.0260

Subpart 1. **May Teach.** Subpart 1 in each of these rules is new material. Each subpart 1 was added, first to clearly identify the program in which the individual is authorized to teach, and second, to identify the specific subject area which the individual is authorized to teach in other programs offered in the AVTI system. The existing licensure rules were limited to a particular agricultural occupational area. Consequently, an individual holding a particular license was authorized to teach only a component (course) of the particular program represented by the title of the license despite expertise and knowledge in subject matter areas which were components (courses) of other programs offered in the AVTI system. The new licenses expand the teaching authority to include courses in specific subject areas which might be taught in other programs within the AVTI. These specific area are drawn from the knowledge and expertise which can be attributed to an individual who meets the requirements of education and /or occupational experience as specified in the rule. This change is reasonable because it removes an artificial barrier and allows an individual to utilize expertise, knowledge and skills which are processed because of education and/or occupational experience in teaching.



Exception 3700.0265 **Taxidermy**

Subpart 1. This license does not authorized teaching subject matter in any other program. Individuals meeting the educational or occupational experience requirement of taxidermy licenses have specific knowledge and skills which could be utilized in programs which might be offered in the AVTI. However, there are no other AVTI programs or courses which are currently based on this knowledge. Therefore, no areas of expanded teaching authorization have been identified.

3700.0205 to 3700.0265 **ALL AGRICULTURAL OCCUPATIONAL AREA LICENSES**

Subp. 2. **Other requirements.** Subpart 2 in each of these rules refers to 3700.0100 general requirements and part 3700.0200 requirements within the agricultural occupational area. This part provides no new information but provides reference for the reader where the specific rule of interest does not refer to the general requirements in 3700.0100 for all instructors and the specific requirements in 3700.0200 for all agricultural area instructors.

3700.0210 to 3700.0250 and 3700.0260

Subp. 3. **Education and occupational experience requirements.** Subpart 3 in each of these rules specifies a combination of education and occupational experience to qualify for a license. The total education and occupational requirements do not differ significantly from those listed in charts contained in Minn. Rules pt. 3515.9920. They appear here in a narrative form allowing for easier interpretation by interested parties. Additional educational and occupational areas are included to represent increased opportunities in agricultural occupations and current educational opportunities. This is reasonable because it allows credit for occupation and education areas not available when the original license was written.

Exception 3700.0205 **FARM BUSINESS MANAGEMENT**

Subp. 3. **Education requirement.** The baccalaureate degree in agricultural education provides the broad and comprehensive education for this program. the requirement is reasonable because degrees from accredited institutions are available within the State.

Subp. 4. **Occupational Experience Requirement.** The occupational experience requirement identifies the job titles which will be accepted to meet the requirements. This specificity is needed to provide both the applicants and the administrator with information which will be used making application for the license. The occupational experience requirements are reasonable because they are conceptually and functionally represented in the educational program and in the occupation for which the program prepares individuals.

Subp. 5. **Incorporation by reference** identifies the National Ag Occupations Competency study used as reference in subp.4. B and subp.6.

Subp. 6. **Do not count experience in these occupations.** This subpart lists the exceptions to job titles acceptable as occupational experience in this license. The job titles listed as exceptions area are necessary to provide the applicant information about occupations which are not acceptable. The excepted references do not relate to the components as identified in Vocational Agriculture 3505.2700.

This incorporation is reasonable since the cited reference is a readily available, comprehensive document validated by a national committee of business and industry representatives from agriculture.

Exception 3700.0255 **LOGGING BUSINESS MANAGEMENT**

Subp. 3. **Occupational experience requirements.** This proposal differs from the other agricultural occupational and educational requirements in that the total experience required for licensure may be only occupational. The applicant must have been an operator or manager specifically in logging or woodlands. The rule is reasonable because the content is very specific to occupational tasks and the operator, management titles assure minimal qualifications to assure the teacher competency.

Exception 3700.0265 **TAXIDERMY LICENSE**

Subp. 3. **Occupational experience requirement.** This proposal differs from the other agricultural occupational and educational requirements in that the total experience required for licensure may be only occupational. The educational program taught is specific to taxidermy and does not cross any other program areas. Therefore, a complete working knowledge of the taxidermy field is required as an acceptable entrance level for the instructor, via working experience in the field, and only within that specified field.

3700.0210 to 3700.0250 and 3700.0260

Subp. 4. **Substitution for recent occupational experience.** Subpart 4 in each of these rules is necessary as a means of allowing teachers to expand into new or modified programs which reflect both new content areas and existing content. The utilization of teaching experience in specified programs assure that only teaching experience which is conceptually related to the new or modified program is allowed as substitute for recent occupational experience. This recognizes specific knowledge taught in current programs as applicable to new programs which contain a major portions of the same or similar content. 500 hours of recent occupational experience is still retained for the new licensure area to assure up to date industrial exposure to the new license area. This amount is reasonable because it can be attained over 5 years and is only 12 1/2 weeks.

Exception 3700.0205 **Farm Business Management**

Subp. 7. **Substitution for recent occupational experience** appears as Subp.7 due to the incorporation by reference in this license appearing in subp. 5 and subp. 6.

Exception 3700.0255 **LOGGING BUSINESS MANAGEMENT**  
3700.0265 **TAXIDERMY LICENSE**

Substitution for recent occupational experience appears as subp. 5. due to the incorporation of substitution for occupational experience as a separate subpart in these two licenses. The incorporation appears as subp. 4. Although education is not otherwise a requirement of these two licenses certain education may substitute for some of the required occupational experience. The substitution recognizes specific educational experiences to be of value as limited substitutions for occupational experience. This is reasonable because the substitutions are limited and related directly to the occupation which is being taught.

The proposed agricultural license revisions will be implemented through existing processes and will not result in new expenditures by the school districts.