

## NEED AND REASONABLENESS

### MINNESOTA STATE BOARD OF VOCATIONAL TECHNICAL EDUCATION

#### Statement of Need and Reasonableness for licensure of Postsecondary Vocational Technical Personnel.

Revision of existing licensure and rule development for instructor licenses in new venture programs for technical college staff.

Health Occupations 3700.0400 to 3700.0435  
Surface Finishing and Plating Technician  
3700.0770  
Electronics Technology 3700.0765  
Technical College Counselor 3700.1050

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 which states:

Licensure. The State Board may adopt rules, according to the provisions of Chapter 14, for licensure of teaching, support, and supervisory personnel in postsecondary and adult vocational education. When necessary for continuous programs approved by the board and when the board determines that appropriate temporary standards do not exist, the State Board may adopt appropriate temporary standards without regard to chapter 14 and may issue temporary licenses to teaching and support personnel. A temporary license is valid up to one year and is not renewable, but a person holding a temporary license may, upon its expiration, be issued a license in accordance with standards adopted under chapter 14. The State Board may establish a processing fee for the issuance, renewal, or extension of a license."

#### BACKGROUND INFORMATION

The proposed permanent rules follow the format established by previous revised licenses.

The formal rule revision process involves a general advisory committee. Representatives include private trade schools, Board of Teaching, State Board of Vocational Technical Education staff,

teacher educators, union representatives, and licensed postsecondary staff in administration, supervision, instruction, and support service and special needs.

In addition, each individual rule has its own subcommittee consisting of State Board of Vocational Technical Education staff, technical college administrators, and licensed instructors and representatives from business and industry. Other individuals may be involved dependent upon the rule being promulgated as in the case of health areas, professional credentialing representation. Each rule is also reviewed by a licensure committee representing the State Board of Vocational Technical Education prior to the Board's resolution to adopt the rule.

The State Board of Vocational Technical Education is revising postsecondary and extension vocational education licenses for instructors and support staff. The licensure rules need clarification for the benefit of existing parties. The majority of the issues identified are related to interpretation of the terms: relevant education, relevant occupational experience, and vague or nonexistent course requirements. In addition, the technical college system is currently undergoing a major restructuring of programs and developmental services. Existing licensure results in an artificial barrier which prevents an instructor with expertise in a specific area from teaching that content in any program other than the one for which the individual is licensed. Thus an instructor holding an accounting license could only teach accounting within that program, preventing the technical college from using that knowledge to teach the credit course, Principles of Accounting. Revision is also an attempt to remove that artificial barrier.

#### GENERAL INFORMATION

The proposed permanent rules follow the precedent set by the revised agricultural instructor requirements adopted September 12, 1987, the revised business and office rules adopted February 6, 1988, technical occupational licenses adopted March 10, 1990, marketing occupational licenses adopted June 30, 1990, administrative licenses adopted on November 26, 1988, and financial aid license adopted May 25, 1990. There are four major changes within the previous revisions and reflected within these revisions.

1. Crossover areas. The crossover areas compliment the technical college system program restructuring. This effort converts programs to courses and then courses to credits. Thus, the license allows the holder to teach a particular program and specified courses in any program throughout the institute. The courses listed as crossovers are reasonable since they are a result of the expertise acquired via the occupational and/or educational experiences specifically required of the license holder. This is needed to remove an artificial barrier which, in the past, allowed the individual to teach only within a program. This makes it possible to implement the restructured programs with appropriately credentialed staff, allowing an instructor to teach specific courses anywhere within a college.

2. Occupational experience requirements. The occupational experience requirement identifies the job titles which will be accepted to meet licensure requirements. This specificity is needed to provide both the applicants and the hiring authority with information which will be used in making application for the license. The occupational experience requirements are reasonable because they are conceptually and functionally represented in the education programs and in the occupations for which the programs prepare individuals. There is also an increase in the total number of occupational hours from current rule of 6000 hours to revised rule of 8000 hours. This is reasonable since credit is given for educational experiences which relate directly to the occupation in question. In addition, credit will be given for teaching experience as it relates directly to the occupation being taught. Since these substitutions allow for a total of 4000 hours of occupational experience, the increase to 8000 hours is reasonable. In addition, the increase to 8000 hours represents only a total of one year. Since the crossover areas require more specificity required to teach individual courses throughout the institute, a greater depth and breadth of knowledge is required which is represented in the additional year of experience or education.

3. Recent occupational experience. There is an increase in recent occupational experience from "500 to 1000 hours in the last five years" to "2000 hours in the last five years". This increase is necessary so that individuals teaching programs and courses are knowledgeable about technical, economic and industrial changes as they relate to their specific occupational field. It is reasonable since it allows a five year time frame in which to acquire one year or 2000 hours of occupational experience. It would be possible therefore, to obtain the total 2000 hours by working only four summers.

4. Substitution for occupational experience. This subpart is necessary as a means of allowing teachers to expand into new, modified or restructured programs which reflect both new content area and existing content. The utilization of teaching experience in specified programs assure that only teaching experience which is conceptually related to the new, modified, or restructured program is allowed as a substitute for recent occupational experience. This recognizes specific knowledge not in current programs as applicable to new programs which contain a major portion 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 occupation. This amount is reasonable because it can be obtained over five years and is only 12 1/2 weeks.

#### 3700.0700 LICENSES IN THE HEALTH OCCUPATIONAL AREA

As the restructuring effort on a program is completed, the licensure revision for that specific area is started. The first licenses for revision in health occupations is the license used to teach the practical nursing program. This license is used as an appropriate credential for a number of extension offerings as

well. Since this license has a broad application and is widely used, this is the first permanent license chosen for revision. The Intent to Solicit Outside Opinion was published in the State Register on June 5, 1989. A resolution to authorize rule development was passed by the State Board of Vocational Technical Education on June 13, 1989. Several committee meetings, a general advisory committee meeting, and consultation with the Revisor of Statutes and the Attorney General's office resulted in the proposed rule. The State Board of Vocational Technical Education staff then made the final rule recommendations.

Subpart 1. Listed Here. This subpart informs the applicant of the requirements which must be met for an instructor seeking licensure under rules 3700.0400. It also refers to 3700.0100 which are the general licensure requirements for all instructors in the Technical Institute System.

Subpart 2. Recent Occupational Experience. Indicates to the applicant the total number of occupational recency hours required within the five years preceding the application for licensure.

Subpart 3. Does Not Apply. Repeals existing 3515 chart for the specified 3700.0466 rule and specific 3515 rules which conflict with the 3700.0466 rule.

3700.0466 Specific Licensure requirements. Specifies for the applicant specific authorization and requirements for each individual license which will come under this classification.

Subpart 1. May Teach. Lists programs and courses which license holder may teach.

Subpart 2. Other Requirements. Refers to the other requirements an applicant must meet for licensure as referred to above.

Subpart 3. Occupational and Educational Experience Requirement. Specifies education required and number of hours and specific occupational areas acceptable for instructor licensure in the specific occupational program.

Subpart 4. Substitution for Recent Occupational Experience. Identifies relevant current teaching experience which can substitute for a portion of the recency requirement of 3700.0400, subpart 2.

3700.04 Conversion to Existing Licenses. Informs interested parties of rule numbers and converted licensure categories.

The 3700.0400 rules will be implemented using current processes and there will be no fiscal impact.

## HEALTH OCCUPATIONAL AREA LICENSES

3700.0405 (3709.0230) Chiropractic Assistant  
3700.0410 (3709.0240) EKG/Cardiac Technician  
3700.0415 (3709.0250) Physical Therapist Assistant  
3700.0425 (3709.0260) Public Safety Communication (911)  
3700.0435 (3709.0270) Radiologic Technology

The preceding rule changes are minor modifications and are necessary to maintain language consistency with current revised licenses. Rule numbers are changed from temporary rule numbers of 3709 to permanent rule numbers 3700. There are no changes in the substance of the rules. The changes are editorial only and therefore reasonable.

### 3700.0466 PRACTICAL NURSING

Subpart 1. May teach. An instructor with a practical nursing teaching license may teach in the practical nursing programs within the technical institute system. In addition, this license allows the instructor to teach in a number of nursing related part-time or extension offerings. Our rules require an instructor teaching over 500 hours within our system to hold a full-time license despite the limited length of a program. An example would be the 75 hour nursing assistant program which might be taught by the same instructor for approximately 1000 or more hours per school year. Each of the extension areas listed have their knowledge base within the scope of practice of a registered nurse. They are, in fact, considered a delegated portion of nursing practice. The content is found within the nursing program. It is reasonable to assume then that the criteria as listed in subpart 3 for a nursing instructor would also be relevant to the listed areas. The crossover courses are courses within the nursing program and form the foundation of nursing. An applicant meeting the educational requirement for licensure in this field would have had all the courses or content listed in depth as part of his/her educational experience and it is therefore reasonable to include these courses as crossover areas.

Subpart 2. Other requirements. This refers to the general requirements as specified in 3709.0100. There are no changes in this subpart.

Subpart 3. Occupational and educational experience requirement. Educational and occupational experience is required of this applicant. The requirement for registration is a requirement which must be met as mandated by the Board of Nursing in order to practice and to teach within the field. It is therefore reasonable and necessary for an instructor in this area to be registered. In addition, the applicant must have occupational experience consistent with the content in the program. Familiarity with equipment and procedures currently used within specified institutions where program graduates currently find employment enables an instructor in conjunction with the educational experience requirement to develop the skills and

attitudes required to teach within these programs. The areas as listed assure the exposure to the content as expressed above and is therefore reasonable. The ratio of occupational experience is directly related to the amount of education an applicant has. This ratio is the same as in preceding revised licenses and there is no change in this ratio.

Subpart 4. Occupational recency substitution. The teaching experience allowed is only in core content and within actual nursing programs. It is therefore a reasonable substitution. It is assumed the instructor would have contact with industry and the advisory committees which allows the opportunity for currency in the fields. In addition, the individual would still need to have the remaining 500 hours of recency. The ratio of two hours of teaching to substitute for one hour of occupational experience is the same as for previously revised licenses and there is no change in this ratio.

#### 3700.0435 ATHLETIC TRAINER TECHNICIAN

Athletic trainer technician is a new venture program for which no appropriate program license currently exists.

Subpart 1. May teach. The applicant acquiring this license has the course content appropriate for teaching both the program and courses as listed. The rationale for this crossover is relevant to the requirements for the license as listed in subpart 3.

Subp. 2. Other requirements. Refers to requirements currently in rule regarding recency and relicensure. There are no changes in this subpart.

Subpart 3. Educational and occupational experience requirements. The requirements are in three parts. Education, certification and occupational. The degrees as listed were chosen for their content in sports technology. The content which is utilized within these degrees and taught in the athletic trainer technician program is related to prevention of athletic injuries, reconditioning evaluation and emergency treatment of athletic injuries. Included within these programs is exercise physiology, principles of physical fitness, body mechanics, sports psychology, legalities of sports and many sports training techniques. Since this makes up the core of the sports trainer technician program it is necessary for the instructor to have the cognitive knowledge to insure proper instruction in these areas. It is reasonable since these degrees are readily available within the State of Minnesota.

Certification in the Athletic Trainer's Association is a necessary portion of the required criteria to assure the instructor will have the broad base of knowledge which is common to athletics. This knowledge base required for certification will assure the hiring authority the candidate has the breadth and depth of knowledge and skills required of an individual within sports medicine. The content required to pass this certification is found within the degrees as stipulated in

subpart 3. The certification exam is given throughout the United States approximately 40 to 50 times per year. In addition it is given at least annually in the State of Minnesota. It is also given annually in the neighboring State of Wisconsin. The certification assures the hiring authority that the candidate also meets renewal requirements every 3 years enabling that individual to stay up to date on recent technology available in athletic training. This certification tells other disciplines within the health community the level of education and expertise the candidate holds and thus assuring them the candidate is within the individual scope of practice.

The occupational experience is within the field in which the graduate will be employed. It is therefore reasonable to require the applicant to have experience the occupational area for which the student is being prepared. Athletic trainer experience is an occupational area readily available in the State of Minnesota in a variety of settings.

Subp. 4. Occupational recency substitution. This subpart follows the precedent set by other revised licenses. The teaching substitution allowed is only in the areas relevant to the occupation taught. It is reasonable to assume the applicant has up to date information due to contact with the advisory committee and occupational site visits. In addition the substitution requires two hours of teaching to acquire one hour of occupational experience. It still requires the applicant to fulfill the 500 hours of occupational recency regardless of the total teaching experience.

#### 3700.0770 SURFACE FINISHING AND PLATING TECHNICIAN

Subpart 1. May Teach. The crossover areas here are limited to surface finishing and plating technician areas. As a result of the required education and experience it is reasonable to assume the applicant has sufficient knowledge to teach in the program and the core content in the technical college system.

Subpart 2. Requirements elsewhere. Refers to requirements to be satisfied which are currently in rule. There are no changes in this subpart.

Subpart 3. Occupational and educational experience requirement. The occupational experience as described is reasonable since that experience is expressed as content within the surface finishing and plating program. The experiences were written to assure the applicant has had experience with metal finishing equipment including barrel, rack, auto, and semiautomatic equipment. In addition, it is necessary to have worked with waste treatment practices and recycle and recovery techniques. Since a wide variety of finishing processes are taught within this program the depth and breadth of experience is reasonable and necessary. It can be anticipated that graduates will be required to use a variety of surface finishing and plating procedures. This includes preparation of metal or other surfaces, various plating techniques, quality control, and analysis of plating baths and wastewater. It is reasonable therefore to require this breadth

of experience for the instructor license.

The educational experience was selected for content in chemistry and related subjects. It was reasonable to require a minimum of one year of education with emphasis on chemistry to assure the applicant would if required have the chemistry and therefore the mathematics background to teach the chemistry, algebra, and trigonometry within this program.

Certification by the American Electroplating and Surface Finishing Society is required to assure a base knowledge and breadth of education to teach this program. This 40 hours of intensive training includes Introduction to Chemistry, Mathematics, processes of electroplating and electro-chemistry. This is a reasonable requirement since it is offered six times a year and is available through correspondence.

Subpart 4. Occupational recency substitution. This subpart is in keeping with present revised licenses which allows teaching content specific to the program to substitute for 1500 hours of the required 2000 hours of occupational experience. The teaching experience is in surface finishing and plating only. It is reasonable to assume contact with industry and advisory committees which would allow the instructor up to date knowledge about the industry. In addition, it takes 2 hours of teaching experience to substitute for one hour of occupational experience. The applicant must still obtain a minimum of 500 hours of occupational experience.

#### 3700.0765 ELECTRONICS TECHNOLOGY.

Subpart 1. May teach. An instructor may teach in the electronic program, specific trade and industrial and technical courses and finally content system wide. The program and content areas in trade and industrial, and technical were selected as appropriate given the experiences as described in subpart 3. The electronic core and electronic specific content is a reasonable system wide substitution since the applicant must verify 2 years of postsecondary education and 6000 hours occupational experience both in electronics.

Subp. 2. Other requirements. Refers to the other requirements an applicant must be which are in current rule. There are no changes in these requirements.

Subp. 3. Educational and occupational experience requirement. It is reasonable to require a minimum of two years of postsecondary education in electronics. The theory required to teach the algebra and trigonometry which are part of this program must be obtained within a classroom setting while application could be mastered within an occupational setting. Electronics technology requires a theoretical mathematical base obtained in a classroom setting. The occupational experience is quite specific to electronics since this is the base of all the electronic programs. In order to have the breadth of knowledge to teach within the electronics programs it is necessary to include installation, maintenance, troubleshooting and repair of



electronic circuitry to assure a candidate experience reflects the scope and sequence the student will be exposed to in the program content. Therefore is is a reasonable requirement. Since electronics application may occur in a variety of fields computer systems, industrial electronics, manufacturing electronics, electronic communications, and bio-medical electronics are all included as appropriate electronic experiences. This is a reasonable allowance since the base of electronic knowledge and experience have similar background although the applications may differ.

Subp. 4. Substitution for recent occupational experience. This subpart is explained previously in this statement. It is reasonable to require the teaching experience to be in electronics since that is the major focus of the programs. This applicant would be cognizant of current trends, information, and practices as a result of industrial visits, student placement and advisory committee consultation.

#### 3700.1050 TECHNICAL COLLEGE COUNSELOR

Subpart 1. Activities requiring a license. The activities as listed are a clarification of the activities listed in current rule 3515.6600. It was necessary and reasonable to rewrite statements which contained more than one activity. They have been separated and clarified for the benefit of interested parties. There is no substantial difference in the revised rule.

Subpart 2. Other requirements. Refers to existing requirements. There is no change in this subpart.

Subpart 3. Educational and occupational experience requirements.  
Item A. Requires a master's degree in counseling. There is no change from current rule.

Item B. and C. Due to the fact that counseling degrees may vary, required content was specified. The majority of degrees in counseling already contain this content; however, should a specific counseling degree lack the subject matter stated, the applicant is apprised of the need to acquire the content.

Occupational experience has been deleted from the revised rule. Since the occupational experience could be very dated and perhaps not relevant to current trends, it is eliminated. It is replaced by a practicum/internship which is supervised and evaluated, and coursework in career development and occupational information. This is necessary to be sure the applicant has proven counseling skills as well as employment information. The coursework allows for a greater breadth of occupational knowledge and is therefore reasonable for the variety of occupational training in the technical colleges.