

STATEMENT OF NEED AND REASONABLENESS

3700.1205 General Education License

The Statutory Authority for the State Board of Technical Colleges to promulgate these rules as 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 post-secondary and adult vocational education. When necessary for continuous programs approved by the board and when the board approves appropriate temporary standards do not exist the 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 the license.

Background Information

General Education credits which apply to the Associate of Applied Science Degree are offered by agreements between the technical colleges and individual community colleges or state universities. There are two exceptions to this process. The legislature authorized Alexandria Technical College and Hutchinson Technical College to offer general education credits within their own institutions. Licensure in the technical college system does not exist for teachers in general education categories. However, state statute requires our instructors to be licensed. Therefore, it is necessary to develop licensure for the instructors teaching general education at these two college campuses.

Subpart 1. May teach. Lists the disciplines which allow an instructor to teach in a particular assigned field.

Subp.2. Other Requirements. Refers to other requirements an applicant must meet for licensure.

Subp. 3. Educational Experience Requirement. Specifies for the applicant the specific educational requirements which must be met for licensure.

Subp. 4. Provisional Status. Indicates to an applicant how the qualifications may be met during a provisional period and the criteria which must be met to eventually attain full-time permanent licensure.

Subp. 5. Renewable. Indicates to the application the limitations of the provisional status in licensure.

3700.1205 General Education License

Subp. 1. May teach. This subpart appraises the individual of the educational disciplines and the subsequent assigned fields available for instruction. The categories were selected in consultation with the community college system staff and administrative staff from Hutchinson Technical College and Alexandria Technical College. A deliberate attempt was made to keep the categories limited and obvious in their disciplines. The combination chosen as appropriate designation items A through R are to be:

- C. Composition/English/Literature.
- D. Ecology/Environmental Sciences.
- I. Journalism/Mass Communication.
- L. Oral Communication/Speech.
- M. Philosophy/Religious Studies.
- O. Political Science/Law

The intent was to follow the format already being used by other higher education systems for assignment of personnel according to educational discipline. By combining like disciplines it allows greater flexibility at the local level. This is a reasonable combination since it has already been identified as appropriate in other higher education systems, and these credits are to be transferable toward a degree in other Minnesota educational systems. Since General Education is offered only at Hutchinson Technical College and Alexandria Technical College, it was appropriate to limit the number of educational disciplines available for licensure. The categories selected were chosen because of their frequent use, availability of educated staff and clarity of subject distinction. In view of the need for transferability to other systems, the designations as indicated are both necessary and reasonable.

Subp. 2. Other requirements. This subpart appraises the individual of requirements that must be met elsewhere in rule and references that rule. These rules are generic to all general studies general education staff. It references the need for a general education instructor to be familiar with the world of work for which technical college students are educated and trained. It is reasonable to have this requirement to allow an instructor who has the academic background to become cognizant of the occupational programs offered and how overall education content fits in to specific occupational programs. Five options were identified.

- Option A. A credit course which assists academic instructors with application of content to occupational fields.
- Option B. 500 hours of experience in any of the occupational service areas.
- Option C. Authorized experience in which an individual would visit an occupational advisory committee, industrial sites and observe occupational programs instruction.
- Option D. Currently in rule and there is no change in that option.
- Option E. Recognizes the validity of an approved occupational internship. All the items listed acquaint the academic instructor with how general education content is relevant to occupational programs.

The options are readily available and more current than dated occupational experiences and therefore are reasonable. Since the technical college system educates individuals for various occupations, it is reasonable to require a general education instructor to have at least a tertiary knowledge of the programs offered at a given campus.

Subp. 3. Educational Experience Requirement. The subpart indicates an applicant must have a minimum of a master's degree with a major in the assigned field or 23 credits in the assigned field. Following consultation with both technical college staff, community college system staff and state university system staff, it was determined that the credits would not be transferable unless the instructors met the same criteria as required by the state universities and the community college system. The criteria as stated in the categories described is the same as an instructor in both of those systems. Therefore, it is both reasonable and necessary to require this criteria to enable transfer ability.

Subp. 4. Provisional Status. General Education has been offered at Alexandria and Hutchinson Technical College several years. Individuals were hired and put on contract in good faith despite having no license available. To allow for unnecessary hardship a provisional license will be issued to the individuals not meeting the full-time requirement providing they have indeed been teaching at least 15 quarter credits in the assigned field within five years of the effective date of this part. They must have a baccalaureate degree or above, and an approved education plan. Application must be made within one year of the effective date of this part. This sets the parameters for individuals who are currently teaching within the system as a general education instructor but as yet cannot meet the full-time requirements.

Subp. 5. Renewable. Mandates the individual to meet the full-time requirements. According to Subpart 4 this must be done within a three year time frame. This is a reasonable provision due to the good faith hiring of these individuals. It is a necessary provision that they meet the full-time requirements within three years to be certain of the transferability of credits.

These rules will be implemented using current processes and will not have a fiscal impact.

STATEMENT OF NEED AND REASONABLENESS

1. 3700.1200 General Studies
2. 3700.1210 General Studies, Applied Math
3. 3700.1220 General Studies, Applied Communications
4. 3700.1230 General Studies, Applied Physics
5. 3700.1240 General Studies, Applied Chemistry
6. 3700.1250 General Studies, Applied Anatomy/Physiology
7. 3700.1260 General Studies, First Aid Instructor
8. 3700.1265 General Studies, Cardio-Pulmonary Resuscitation (CPR) Instructor
9. 3700.1270 General Studies, Developmental Math
10. 3700.1275 General Studies, Developmental Reading
11. 3700.1280 General Studies, Occupational English as a Second Language

The Statutory Authority for the State Board of Technical Colleges to promulgate these rules as 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 post-secondary and adult vocational education. When necessary for continuous programs approved by the board and when the board approves appropriate temporary standards do not exist the 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 the license.

Background Information

The technical colleges continue the process of revising existing licensure rules. General Studies licenses are a continuation of that process. Each rule had its own subcommittee consisting of State Board of Technical College staff, technical college administrators, licensed instructors, and representatives from other academic areas. Professional organizations were also involved in the health occupation areas of First Aid and CPR. The general format for the rules are as follows:

Subpart 1. May teach. Lists content or program which license-holder may teach.

Subp. 2. Other Requirements. Refers to other requirements an applicant must meet for licensure.

Subp. 3. Education and/or Occupational Experience Requirements. Specifies particular requirements that must be met in order to obtain the license listed.

3700.1200 GENERAL STUDIES

Subpart 1. Listed Here. This subpart appraises the individual of requirements that must be met elsewhere in rule and references that rule. These are the rules that are generic to all licensed instructional staff. There are no changes in these requirements.

Subp. 2. Do Not Apply. Parts 3515.0100, Subp. 25; 3515.4100; 3515.4200; 3515.4300; and 3515.4400 reference the process of committee review. The requirement for each of these licenses is academic in nature. Since the technical colleges do not have the authority to grant degrees or degree equivalencies it is reasonable and necessary not to allow the technical colleges to grant degree equivalencies through the process of committee review. Therefore committee review for this credential is no longer an option. 3515.6005 Subpart 1 is replaced by the revised rules. 3515.9920 and 3515.9941 licensure charts are replaced by the revised rules.

Subp. 3. Occupational Experience. Current rule requires General Studies personnel to validate occupational experience outside education from 1000 to 4000 hours. Frequently this experience is extremely dated and bears no relevance to the content being taught in the classroom. The original intent of requiring occupational experience was to allow an academic subject instructor an understanding of the world of work for which technical college students are educated and trained. This arbitrary and capricious rule frequently disallowed qualified personnel from teaching in the technical college system. It was reasonable and necessary to change this requirement so occupational knowledge could be obtained in another way as it applied to mathematics, chemistry, etc. taught for occupational programs. Five options were identified. Option A is a credit course which assists academic instructors with application of such content to occupational fields. Item B would allow 500 hours of experience in any of the occupational service areas. Item C is an authorized experience in which an individual would visit an occupational advisory committee, industrial sites, and occupational program classroom observation. Option D is currently in rule. There is no change in that option. Option E recognizes the validity of an approved occupational internship. All of the items listed will acquaint the academic instructor with how general studies content is applied to occupational programs. These options are more readily available, more current, and, therefore, both reasonable and necessary.

3700.1210 GENERAL STUDIES, APPLIED MATH

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. This subpart identifies for the applicant requirements elsewhere. These requirements relate to initial licensure, the teacher education sequence, and renewal requirements. There are no changes in this subpart.

Subp. 3. Educational Requirements. This subpart identifies for the applicant the appropriate academic credentials for this license. Item A is the same as in current rule and there are no changes in this item. Item B recognizes a baccalaureate degree with a major in science and 45 credits in math. This is a reasonable addition since many of our applicants come from science and engineering fields with a heavy emphasis in mathematics with sufficient math to teach lower division content as it applies to occupational programs.

3700.1220 GENERAL STUDIES, APPLIED COMMUNICATION

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. This subpart identifies for the applicant requirements elsewhere. These requirements relate to initial licensure, the teacher education sequence, and renewal requirements. There are no changes in this subpart.

Subp. 3. Educational Requirements. The educational requirements as listed are the same as in current rule. There is no change in this subpart.

3700.1230 GENERAL STUDIES, APPLIED PHYSICS

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. This subpart identifies for the applicant requirements elsewhere. These requirements relate to initial licensure, the teacher education sequence, and renewal requirements. There are no changes in

this subpart.

Subp. 3. Educational Requirements. The educational requirements as listed are the same as in current rule. There is no change in this subpart.

3700.1240 GENERAL STUDIES, APPLIED CHEMISTRY

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. This subpart identifies for the applicant requirements elsewhere. These requirements relate to initial licensure, the teacher education sequence, and renewal requirements. There are no changes in this subpart.

Subp. 3. Educational Requirements. The educational requirements as listed are the same as in current rule. There is no change in this subpart.

3700.1250 GENERAL STUDIES, APPLIED ANATOMY/PHYSIOLOGY

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. This subpart identifies for the applicant requirements elsewhere. These requirements relate to initial licensure, the teacher education sequence, and renewal requirements. There are no changes in this subpart.

Subp. 3. Educational Requirements. The educational requirements as listed are the same as in current rule. There is no change in this subpart.

3700.1260 GENERAL STUDIES, FIRST AID INSTRUCTOR

**3700.1265 GENERAL STUDIES, CARDIO-PULMONARY
RESUSCITATION (CPR) INSTRUCTOR**

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. Identifies for the applicant requirements currently in rule to which all licensed instructors are subject. Exception is made for three content areas (3515.1400. items A to D.)

- A. Introduction to Vocational Teaching. This course is an overview of "how to teach" for all new instructors. Applicants meeting the criteria in Subp. 3 are already required to take content in "how to teach" as a result of the instructor training required by the listed accrediting bodies therefore it is reasonable to not require this content.
- C. Vocational Course Construction.
- D. Vocational Tests and Measurements.

Since the course curriculum and the course tests are mandated by the accrediting bodies, the instructor is not authorized to develop either curriculum or tests in CPR of First Aid. It is not reasonable or necessary to require these courses as their authorization is limited to CPR and/or First Aid.

Subp. 3. Educational Experience. The accrediting bodies listed are nationally recognized and certify instructors for these two areas. They provide the materials, the training and certification, and record maintenance. Each accrediting agency has defined procedures for instructor certification and recertification. It is therefore reasonable to recognize this as an appropriate standard. It is also necessary since the organizations are recognized by the majority of business, industry, health, military and educational organizations.

Occupational experience is not required since this skill is used by all occupational areas and the general public at large. There is no specific occupational training but rather a base of knowledge and skill training as offered by the credentialing bodies. Therefore, occupational experience as a requirement was neither reasonable or necessary.

3700.1270 GENERAL STUDIES, DEVELOPMENTAL MATH

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. This subpart identifies for the applicant requirements elsewhere. These requirements relate to initial licensure, the teacher education sequence, and renewal requirements. There are no changes in this subpart.

Subp. 3. Educational Requirements. This subpart Item A is essentially the same as current rule, however, it describes the minor in mathematics so that the applicant will be more clearly aware of the number of credits required. This is reasonable clarification. Item B, 1000 hours of experience teaching remedial math is the same as in current rule and there are no changes in this subpart. The other option of credits in remedial teaching Math Methods has been increased from three credits of remediation to six. This is a reasonable increase since math is to be taught on the developmental level, is the purpose of this license and education majors would have the additional teaching methods courses.

3700.1275 GENERAL STUDIES, DEVELOPMENTAL READING

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. This subpart identifies for the applicant requirements elsewhere. These requirements relate to initial licensure, the teacher education sequence, and renewal requirements. There are no changes in this subpart.

Subp. 3. Educational Requirements. This lists the academic requirements for this license. Item A specifies a baccalaureate degree in elementary education or special education/learning disabilities with 15 quarter credits in reading. The 15 quarter credits in reading are clearly stipulated since the function of this license is to teach remedial reading. Education or special education majors would have this content, therefore, that is a reasonable requirement. Item B, 1000 hours of experience teaching remedial reading classes remains the same as current rule. Three quarter credits are increased to six quarter credits to include general remediation techniques. This content is in K-12 degrees and is a reasonable addition to the license.

**3700.1280 GENERAL STUDIES, OCCUPATIONAL ENGLISH AS A
SECOND LANGUAGE**

Subpart 1. May Teach. This subpart identifies for the applicant the authorization of the particular license. There is no change in this subpart.

Subp. 2. Other Requirements. This subpart identifies for the applicant requirements elsewhere. These requirements relate to initial licensure, the teacher education sequence, and renewal requirements. There are no changes in this subpart.

Subp. 3. Educational Requirements. This subpart lists for the applicant the appropriate quarter credits required for this area. The credits as listed may be in English, reading, linguistics, communications, or speech. All of these areas are applicable to teaching English as a Second Language and are, therefore, reasonable. They are also readily available. Item B, 1000 hours of teaching English as a Second Language is in current rule. There are no changes in this requirement. The quarter credits in remediation are changed from three to six since this is the function of this license. Education majors would have methods of teaching remediation. This is, therefore, a reasonable addition.

Application. Conversion of existing instructors' licenses. Remedial bi-lingual, bi-cultural, remedial-related licenses will be repealed and individuals will be converted to the general remedial reading or math area as appropriate. This is a reasonable conversion since the individuals licensed in these areas have met all the qualifications of the remediation licenses. It is not reasonable to continue bi-lingual, bi-cultural licenses since frequently an individual who is bi-lingual or bi-cultural in one language experience may need to teach individuals versed in an extremely different language from the instructor. In addition these applicants may retain and renew their bi-lingual, bi-cultural licenses as long as they are functioning within that capacity in a hiring district, thus inflicting no unusual hardship. Minnesota Rules 3515.5500 Subparts 4, 5, 6, and 7, 3515.6000~~5~~ Subparts 2 and 3 and 3515.9942 are repealed as they are replaced by the revised licenses.

These rules will be implemented using current processes and will not have a fiscal impact.

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SUPPLEMENT TO STATEMENT OF NEED AND REASONABLENESS

RULES FOR LICENSURE TECHNICAL COLLEGE PERSONNEL

- 3700.1200 GENERAL STUDIES**
- 3700.1210 GENERAL STUDIES, APPLIED MATH**
- 3700.1220 GENERAL STUDIES, APPLIED COMMUNICATIONS**
- 3700.1230 GENERAL STUDIES, APPLIED PHYSICS**
- 3700.1240 GENERAL STUDIES, APPLIED CHEMISTRY**
- 3700.1250 GENERAL STUDIES, APPLIED ANATOMY/PHYSIOLOGY**
- 3700.1260 GENERAL STUDIES, FIRST AID INSTRUCTOR**
- 3700.1265 GENERAL STUDIES, CARDIO-PULMONARY RESUSCITATION**
- 3700.1270 GENERAL STUDIES, DEVELOPMENTAL MATH**
- 3700.1275 GENERAL STUDIES, DEVELOPMENTAL READING**
- 3700.1280 GENERAL STUDIES, OCCUPATIONAL ENGLISH AS A SECOND LANGUAGE**

REPEALER

This Statement of Need and Reasonableness can be made available in other formats, including Braille, large print and audio tape.

The Statutory Authority for the State Board of Technical Colleges to promulgate these rules as contained in Minnesota Statutes Section 136.04 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 post-secondary and adult vocational education. When necessary for continuous programs approved by the board and when the board approves appropriate temporary standards do not exist the 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 the license.

INTRODUCTION

Public post-secondary technical education is delivered through the State of Minnesota Technical Colleges. Qualifications for licensure include education and/or occupational experience. The licenses referred to in this supplement SONAR are not new to the system but rather revisions of current rules in Chapter 3515. Many 3515 chapter rules had previously been held in common with secondary vocational education. As these rules are

revised they are moved to chapter 3700, Rules For Technical Colleges.

Notice of Intent to Solicit Outside Opinion was published in the *State Register* on April 19, 1993. No comments were received in response to the published intent.

PROCESS. The Board office established a rule drafting committee to review current rules in general studies. State wide representation was established to represent each license area to be revised. Care was taken to represent greater Minnesota, as well as the Metropolitan area. In addition to specific general studies faculty representing each licensed area, the committee also had an administrator, occupational instructor, chancellor's faculty council representative, department chairperson and appropriate professional organization representative, such as American Heart Association, American Red Cross and National Safety Council.

The committee developed an initial draft which was shared by the committee throughout the State with anyone who may have interest in or be impacted by the proposed revised rules. Comments received were reviewed by the committee and if appropriate incorporated into the rule revision draft. Concerns raised by Minnesota Education Association (MEA) were addressed by this office at a Saturday meeting. Minnesota Federation of Teachers (MFT) was contacted by telephone to determine if there were objections to the rule. There were no objections placed to the Board Office.

Notice of Intent to Adopt Proposed Rules was published in the State Register on June 1, 1993. The Board office used the non-controversial rule process. This supplemental SONAR is in response to over 25 requests for a public hearing. On August 18, 1993 the State Board of Technical Colleges authorized holding a public hearing. This supplemental SONAR addresses each issue noted in the requests.

FIRST ISSUE. The first issue focused around the issue of committee review and appeal. Minnesota Rules, parts 3515.4100, 3515.4200, 3515.4300, and 3515.4400. Proposed rules in general studies (with exceptions for Applied First Aid and Applied Cardio Pulmonary Resuscitation) require a baccalaureate degree with a major in the license field requested. There is no change in this requirement from current rule.

Committee review is a provision whereby a committee of specified individuals evaluates the qualifications of an applicant, who has been denied a license because the evidence of qualifications presented by the candidate for licensure did not meet the qualifications identified in the rule.

The option of committee review is not provided for in the general studies rule in order to eliminate duplication of effort, reduce costs and provide a reevaluation process.

A process for the revaluation of evidence of courses and majors exists in the form of a degree equivalency option under Minnesota Rules, part 3515.0100, subp. 17. This option is implemented in the following manner. If a candidate believes that the education (degrees and/or courses) which they are presenting may not clearly demonstrate that they have met the

requirements established in the rule they may seek a determination of equivalent preparation from any postsecondary institution authorized to grant the corresponding degree or major. Under this process the candidate is free to select the institution and department and work directly with representatives of the institution and department. The only restriction placed upon the choice of institution and department is that the institution is authorized to grant the degree/major required in the licensure field. This process may be conducted before or during the original application process, thus increasing the efficiency of the process and reducing costs for the applicant. When the institution/department has completed the review and granted the equivalency, documentation of that decision is provided by the candidate to the State Board Licensure Unit. The statement of equivalency is accepted by the State Board as evidence that the candidate does meet the educational requirement stated in the rule and the license would be granted.

Providing for committee review in this rule when the processes for degree/major equivalency already exists is an unnecessary duplication of effort. Duplication of effort is particularly evident because faculty from degree/major granting institutions would be asked to serve on the committee review.

The cost associated with the reevaluation through the degree/major equivalency option are less than those which occur when a committee review is conducted by the Board Office. In addition to the \$50.00 application fee, a fee of \$100.00 is charged for committee review in those licenses where it is used as an option for reevaluation.

SECOND ISSUE. Centered around repeal of licensure chart Minnesota Rules, part 3515.9942 without grandparenting provisions for current licensed staff. However the licensure chart 3515.9942 listed for proposed repeal no longer applies to the licenses listed in that chart for the following reasons:

- Supplemental Support/Technical Tutor on licensure chart 3515.99 42 was repealed effective October 26, 1992.
- Interpreter for the Deaf was revised and moved to 3700.1060 effective July 29, 1991.
- Occupational English as a Second Language is part of the proposed revised rule 3700.1280.

The State Board addressed this concern however by not repealing licensure chart Minnesota Rules, part 3515.9942. Language added to the proposed rule will relate to the license not previously revised but part of the proposed rules. Language added to the proposed rule indicates "part 3515.9942 no longer applies to part 3700.1280". This is a reasonable statement since 3700.1200 will then take effect.

THIRD ISSUE. Requests for a public hearing centered around portion of the rule titled "APPLICATION AND CONVERSION OF EXISTING INSTRUCTORS' LICENSES." The proposed revised rule repeals Remedial Bilingual/Bicultural related licenses, however

individuals can be converted to the general remedial reading or math area as appropriate. This is a reasonable conversion since the individuals licensed in these areas have met all the qualifications of the remediation licenses. In addition, currently licensed Bilingual/Bicultural instructors may continue to renew the Bilingual/Bicultural license if they choose. It is not reasonable to continue issuing original bilingual/bicultural licenses since frequently an individual who is bilingual or bicultural in one language or experience may need to teach individuals in an entirely different language from the instructor. The state recognizes the need for sensitivity to students in bilingual and bicultural areas. This sensitivity and knowledge should be available to all areas of instruction and relevant to the background of the student population at specific campuses. The Board Office encourages colleges to provide staff development activities to enable staff to better facilitate the needs of the population represented at a particular campus. The Board Office has license categories in over 250 areas and believes this issue needs to be approached according to the demographics on a campus by all staff. The Board Office does issue a license entitled Vocational Advisor according to Minnesota Rules Chapter 3515.5500, Subp. 8. This subpart licenses individuals who recruit minority students for enrollment, serve as an advocate for minority students through counseling, appropriate support service and any other service needed to assist the students to succeed. This licensed position also serves on advisory committees related to special needs.

FOURTH ISSUE. Some hearing requests expressed concern for currently licensed instructors in the licensure fields that are part of the revised areas. In order to clarify any confusion a conversion chart in the form of an amendment is added to the proposed rules. This chart identifies existing license titles under "APPLICATION," "Column A" and the corresponding new license titles under "Column B". The conversion chart also allows the bilingual/bicultural remedial instructor the option of retaining that license or converting to the broader area remedial math or reading license.

FINAL ISSUE. Hearing requests were received which identified concerns regarding occupational program licensed instructors who taught math and communications previously no longer being able to teach this content as part of general studies. State Board of Minnesota Licensure Rules have never authorized occupational program licensed staff to teach courses in general studies. Math or communications may or may not be taught within the content area of their program, but if removed from the specific program and applicable to many occupational areas in a college, is then considered general studies requiring an appropriate general studies license.

MINNESOTA STATUTES. The proposed rules will not have any effect on Minnesota Statutes as described in:

- Section 14.115
- Sections 14.11, Subd. 2 and 17.80 to 17.84
- Section 115.43, Subd. 1 and 116.07, Subd. 6.
- 144A.29, Subd. 4.

These rules will be implemented using current processes and will have no fiscal impact on the Technical Colleges.

LIST OF WITNESSES AND EXHIBITS

A. Witnesses

In support of the need for and reasonableness of the proposed rules, the following witnesses will be available at the rulemaking hearing.

1. Georgia Pomroy, State Board of Technical Colleges, overview of the process used and a general response to the issues cited in the requests for a public hearing.
2. David Kingbury, State University System, degree equivalency.
3. Gayle Burgess, University of Minnesota, Waseca. Degree requirements and occupational experience requirement.
4. Helen Henrie, State Board of Technical Colleges, Board's response to issues, Bilingual/Bicultural licenses, and committee review.
5. Julie Eszlinger, State Board of Technical Colleges, Committee Review.

B. Exhibits

In addition to the procedural rulemaking documents and a revisor approved copy of the rule, the Board will provide the following exhibits:

- Rules as referenced in 3700.1205 to 3700.1280

CONCLUSIONS

Based on the foregoing, the proposed Minnesota Rules 3700.1205 General Studies; 3700.1220 General Studies, Applied Math; 3700.1220 General Studies, Applied Communications; 3700.1230 General Studies, Applied Physics; 3700.1240 General Studies, Applied Chemistry; 3700.1250 General Studies, Applied Anatomy/Physiology; 3700.1260 General Studies, First Aid Instructor; 3700.1265 General Studies, Cardio-Pulmonary Resuscitation; 3700.1270 General Studies, Developmental Math; 3700.1275 General Studies, Developmental Reading; 3700.1280 General Studies, Occupational English as a Second Language and Repealer are both needed and reasonable.

Oct 4, 1993

Date

Helen Henrie

Helen Henrie, Deputy Chancellor
State Board of Technical Colleges

SUPPLEMENT TO STATEMENT OF NEED AND REASONABLENESS

RULES FOR LICENSURE TECHNICAL COLLEGE PERSONNEL

3700.1205 GENERAL EDUCATION

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The Statutory Authority for the State Board of Technical Colleges to promulgate these rules as contained in Minnesota Statutes Section 136.04 Subd. 9 which states:

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INTRODUCTION

Alexandria and Hutchinson Technical Colleges through an agreement between the Chancellor of the Technical Colleges and the Chancellors of the State University System and the Community College System, respectively have been authorized to offer the 32 credit general education component of Associate of Applied Science degree programs they are approved to provide. The remaining Technical Colleges have agreements with Community Colleges, State Universities or the University of Minnesota to provide the general education credits required for Associate of Applied Science degrees.

The Technical College System is required by State Statute to license instructional faculty. Since licensure rules for general education instructors do not exist, a rule drafting advisory committee was formed to assist in drafting rules to meet the requirements.

A Notice of Intent to Solicit Outside Opinion was published in the *State Register* on January 11, 1993. No comments were received in response to the published Intent. A rule drafting advisory committee was then selected representing the two technical colleges which would be impacted by these rules. The representatives included general education instructional staff, program instructors, division chairperson and administration. In addition, representatives from the Intersystem Transfer Office and State University System were included. Consultation occurred through meetings with the staff of the Community College Central Office.

North Central Accreditation and Transferability. Three separate meetings of the rule drafting committee occurred during which an initial and revised draft were prepared. Specific attention was given to **North Central Accreditation** standards and transferability of the general education credits to other higher education institutions. The committee shared the draft with individuals who might have interest in or be impacted by the rules. Comments received were reviewed and if appropriate incorporated in the rule by the committee.

Notice of Intent to Adopt the Proposed Rule using the non-controversial rule process was published in the State Register on June 7, 1993. This supplemental SONAR is in response to over 25 requests for a public hearing and the authorization to hold such a hearing by the State Board of Technical Colleges on August 18, 1993. This supplemental SONAR addresses each issue noted in the requests.

FIRST ISSUE. The first issue focused around the issue of committee review and appeal. Minnesota Rules, parts 3515.4100; 3515.4200; 3515.4300; and 3515.4400. The proposed rules in general education require a master's degree with a major in the assigned field or 27 credits in the assigned field.

Committee review is a provision whereby a committee of specified individuals evaluates the qualifications of an applicant, who has been denied a license because the evidence of qualifications presented by the candidate for licensure did not meet the qualifications identified in the rule.

The option of committee review is not provided for in the general education rule in order to eliminate duplication of effort, reduce costs and provide a reevaluation process.

A process for the revaluation of evidence of courses and majors exists in the form of a degree equivalency option under Minnesota Rules, part 3515.0100, subp. 17. This option is implemented in the following manner. If a candidate believes that the education (degrees and/or courses) which they are presenting may not clearly demonstrate that they have met the requirements established in the rule they may seek a determination of equivalent preparation from any postsecondary institution authorized to grant the corresponding degree or major. Under this process the candidate is free to select the institution and department and work directly with representatives of the institution and department. The only restriction placed upon the choice of institution and department is that the institution is authorized to grant the degree/major required in the licensure field. This process may be conducted before or during the original application process, thus increasing the efficiency of the process and reducing costs for the applicant. When the institution/department has completed the review and granted the equivalency, documentation of that decision is provided by the candidate to the State Board Licensure Unit. The statement of equivalency is accepted by the State Board as evidence that the candidate does meet the educational requirement stated in the rule and the license would be granted.

Providing for committee review in this rule when the processes for degree/major equivalency already exists is an unnecessary duplication of effort. Duplication of effort is particularly evident because faculty from degree/major granting institutions would be asked to serve on the committee review.

The cost associated with the reevaluation through the degree/major equivalency option are less than those which occur when a committee review is conducted by the Board Office. In addition to the \$50.00 application fee, a fee of \$100.00 is charged for committee review in those licenses where it is used as an option for reevaluation.

SECOND ISSUE. Lack of grandparenting for Technical College staff to the new licensure fields. The requests for hearing on this issue did not indicate which instructional staff should be grandparented or what the qualifications of the staff to be grandparented would be. In past rule development grandparenting provisions have been applied to instances when existing rules have been revised. Thus current staff licensed in the fields revised were grandparented to the revised license. Since there is not a comparable license from which to grandparent there is not a grandparenting provision. A review of existing general education staff was made to determine the reasonableness of the proposed rule criteria and fields of assignment. The committee determined the needs of the two colleges were met by the proposed criteria and fields of assignment. Provisional licensure is allowed for three years to enable faculty members not currently meeting the proposed criteria to obtain the credentials for full licensure.

The categories were identified as appropriate to content currently being offered as well as probability of acquiring adequately qualified personnel. Field of assignments at the colleges were then reviewed with the Community College System Office as to reasonableness and transferability.

FINAL ISSUE. Some requests for a public hearing disagreed with the level of academic requirement set at the level of a Masters degree. According to North Central Accreditation criteria, Intersystem Transfer Office, State University System, and Community College System, this is the minimum credential recommended for instructors so that students may transfer general education credits to other educational institutions.

MINNESOTA STATUTES. The proposed rules will not have any effect on Minnesota Statutes as described in:

- Section 14.115
- Sections 14.11, Subd. 2 and 17.80 to 17.84
- Section 115.43, Subd. 1 and 116.07, Subd. 6.
- 144A.29, Subd. 4.

These rules will be implemented using current processes and will have no fiscal impact on the Technical Colleges.

LIST OF WITNESSES AND EXHIBITS

A Witnesses

In support of the need for and reasonableness of the proposed rules, the following witnesses will be available at the rulemaking hearing.

1. Georgia Pomroy, State Board of Technical Colleges, overview of the process used and a general response to the issues cited in the requests for public hearing.

2. Frank Starke, Alexandria Technical College and
3. Ron Erpelding, Hutchinson Technical College, level of academic credential required, grandparenting, fields of assignment, and committee review.
4. Nancy Wangen, Intersystem Transfer Office, transfer of credits to other higher education institutions and criteria required for general education instructional staff.
5. David Kingsbury, State University System, degree equivalency.
6. Helen Henrie, State Board of Technical Colleges, State Board response to the issues raised in the hearing requests.

B Exhibits

In addition to the procedural rulemaking documents and a revisor approved copy of the rule, the Board will provide the following exhibits:

- Willmar Community College Policy on Transfer Agreements
- St. Cloud State University Policy on Transfer Agreements
- Alexandria Technical College - General Education Policy Draft
- Cited Minnesota Rules

CONCLUSIONS

Based on the foregoing, the proposed Minnesota Rules General Education parts 3700. are both needed and reasonable.

Oct 4, 1993
Date

Helen Henrie
Helen Henrie, Deputy Chancellor
State Board of Technical Colleges

10/11/93

STATE OF MINNESOTA

MINNESOTA TECHNICAL COLLEGE SYSTEM

State Board of Technical Colleges
100 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

OFFICE MEMORANDUM

TO: The Legislative Commission to Review Administrative
Rules
Maryanne Hruby, Director
55 State Office Building
St. Paul, MN 55155

FROM: Georgia Pomroy, License Revision Specialist

DATE: October 5, 1993

PHONE: 296-3929

SUBJECT: Rules for Publication, *State Register*
October 11, 1993 General Studies & General Education

I have attached the Notice of Hearing and the original SONAR and SUPPLEMENTAL SONARS for rules 3700.1200 TO 3700.1280 General Studies and 3700.1205 General Education to be published in the *State Register* on October 11, 1993, in accordance with Minnesota Statutes, Sections 14.231 and 14.23.

Please contact me if you have any questions.

GP:pgw
MHRUBY.MEM

Attachment