

**STATE OF MINNESOTA**  
**BOARD OF SCHOOL ADMINISTRATORS**

**REVISED STATEMENT OF NEED AND REASONABLENESS**

**Proposed Amendments to Rules Governing the Minnesota School Administrators, *Minnesota Rules* part 3512; Revisor's ID R-04546**

**INTRODUCTION**

In 2001, the legislature moved jurisdiction for licensed school administrators from the former Minnesota Department of Children, Families and Learning (now called the Department of Education) to the newly created Board of School Administrators. *Minnesota Statute* 122A.14 specifies a ten-member board appointed by the governor and confirmed by the senate. The board is made up of one superintendent, one high school principal, one elementary principal, one teacher representative, one school board member, one higher education administrator, one higher education faculty member, one director of community education, one director of special education and one member of the public.

122A.14 also specifies the duties of the board. Rules for the board have been promulgated in *Minnesota Rule* 3512. Rules have not been updated since 2008.

The majority of proposed amendments simply re-format existing language from a passive voice to an active voice. The remaining amendments allow additional flexibility in licensure, strengthen oversight of professional development activities, align procedure with existing rule and upgrade decades-old administrator competencies required in university preparation programs to reflect current practice.

Minnesota Management and Budget reviewed the fiscal impact on local units of government on June 25, 2019 and determined there were none.

**RULE-MAKING PARTICIPANTS**

These amendments were developed over the past 18 months under the direction of Dr. Gary Prest, Director of Education Policy and Administrative Programs at the University of Minnesota, whom the board employed to lead a work group to review and recommend changes in *Minnesota Rule* 3512. The work group membership included:

**Bethel University**-Craig Paulson and Tracy Reimer

**Capella University**-Melissa McIntyre and Carol Bertram

**Concordia University**-Steve O'Connor

**Hamline University**-Kim Hartung and Sue Ann Gruver

**Minnesota State University-Mankato**-Jinger Gustafson and Jean Haar

**Minnesota State University-Moorhead**-Boyd Bradbury and Julie Swaggert

**St. Cloud State University**-Frances Kayona, Nic Miller, Janine Walker, Kay Worner and David Lund

**St. Mary's University**-William Bjorum

**Southwest Minnesota State University**-Sharon Kabes and JoAnne Hinckley

**University of Minnesota-Duluth**-Charles Rick

**University of Minnesota**-Gary Prest, Nancy Rajanen, Christine Sonenblum

**University of St. Thomas**-Sarah Noonan and Lucy Payne

**Walden University**-Gloria Kumagai

**Winona State University**-George Morrow and Robert Howman

**Board of School Administrators**-Anthony Kinkel, Janet Mohr, Karen Millar

**Public Educator Licensing and Standards Board**-Emily Busta and Debby Odell

**Schools for Equity in Education**-Brad Lundell

The following educational association members also participated in the review:

**Minnesota Association of School Administrators (MASA)**

Director Gary Amoroso

Superintendent Nancy Allen Maestro

Superintendent Brian Deitz

Superintendent Steven Unowsky

Superintendent Jay Haugen

Superintendent Christine Oserio

Superintendent Teri Staloch

**Minnesota Community Education Association (MCEA)**

Director Jackie Johnson

Director Sally Latimer

Director Bob Meyer

Director Bridget Gothberg

Director Dave Mauer

Director Brett Carlson

Director Tim Mauer

Director Wendy Webster

**Minnesota Association of Secondary School Principals & Minnesota Elementary School Principals' Association (MASSP) (MESPA)**

Principal Emily Palmer

Principal Karen Keffeler

Principal Joshua Alexander  
Principal Beth Anderson  
Principal Mark French  
Principal Michael Thompson  
Principal Rob Bach

**Minnesota Administrators of Special Education (MASE)**

Melissa Schaller  
Lora Arnott  
Dan Naidicz  
Laura Pingry-Kyle  
Simoin Bolin  
John Klaber

**Minnesota Rural Education Association (MREA)**

Fred Nolan

**Association of Metropolitan School Districts (AMSD)**

Scott Croonquist

**Minnesota School Board Association (MSBA)**

Kirk Schneidawind

**Schools for Equity**

Brad Lundell

**March 2019 amendments were reviewed by the University Collaborative.**

Minnesota's 14 University preparation programs unanimously voted to approve the proposed amendments. They are:

- Bethel University
- Capella University
- Concordia University
- Hamline University
- Minnesota State University - Mankato
- Minnesota State University - Moorhead
- St. Cloud State University
- Saint Mary's University
- Southwest Minnesota State University - Marshall
- University of Minnesota - Duluth
- University of Minnesota - Twin Cities
- University of St. Thomas
- Walden University
- Winona State University

## ALTERNATIVE FORMAT

Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make a request, contact Dr. Anthony G. Kinkel, Executive Director, Board of School Administrators, Minnesota Department of Education, 1500 Highway 36 W., Roseville, MN 55113, phone (651) 582-8236 and fax (651) 797-1608.

## STATUTORY AUTHORITY

In 2001, during the first special session, the legislature passed the Omnibus Education Bill (HF 1) which incorporated the bill creating the Board of School Administrators (BOSA). Article 7, section 3 of the bill transferred authority for licensure from the Dept. of Children, Families, and Learning to the Board of School Administrators (see below):

Sec. 3. Minnesota Statutes 2000, section 122A.18,

subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY TO LICENSE.] (a) The board of teaching must license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2.

(b) ~~The commissioner of children, families, and learning~~ board of school administrators must license supervisory personnel as defined in section 122A.15, subdivision 2, except for athletic coaches.

(c) Licenses under the jurisdiction of the board of teaching, the board of school administrators, and the commissioner of children, families, and learning must be issued through the licensing section of the department.

[EFFECTIVE DATE.] This section is effective September 1, 2001.

In Article 7, section 4, the legislature extended rule-making authority to the board for expiration and renewal of licenses which were to be done “according to the respective rules... the board of school administrators... adopts.” See below.

Sec. 4. Minnesota Statutes 2000, section 122A.18,

subdivision 4, is amended to read:

Subd. 4. [EXPIRATION AND RENEWAL.] (a) Each license the department of children, families, and learning issues through its licensing section must bear the date of issue. Licenses must expire and be renewed according to the respective rules the board of teaching, the board of school administrators, or the commissioner of children, families, and learning adopts. Requirements for renewing a license must include showing satisfactory evidence of successful teaching or administrative experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or completing such additional preparation as

~~the board of teaching prescribes. The commissioner of children, families, and learning~~ board of school administrators shall establish requirements for renewing the licenses of supervisory personnel except athletic coaches. The state board of teaching shall establish requirements for renewing the licenses of athletic coaches.

In *Minnesota Statutes* 122A.14, the legislature granted specific rule-making authority to the board in:

- Licensure---“The board shall adopt rules to license school administrators under chapter 14.” (Subd 1). Subdivision 1 further specifies that apart from the rules transferred to the board under Minn. Stat. § 122A.187, subd. 1, “the board may not adopt or amend rules under this section until the rules are approved by law.” The meaning of this clause is unclear, but the Board believes that the rules amendments proposed are within the scope of the rules transferred to the board under § 122A.187, subd. 1.
- Preparation Programs---“The board shall review and approve or disapprove preparation programs school administrators and alternative preparation programs for administrators under section 122A.27...”
- Continuing education--- “The board shall adopt rules establishing continuing education requirements that promote continuous improvement and acquisition of new and relevant skills by school administrators.”(Subd. 3)
- Code of Ethics---“The board shall adopt by rule a code of ethics covering standards of professional practice including ethical conduct, professional performance, and methods of enforcement, and advise school administrators in interpreting the code of ethics.” (Subd. 4)

2006 Minn. Laws Ch. 263, art. 2, § 20 grants the board authority to make technical revisions and clarifications to *Minnesota Rules*, chapter 3512.

The board’s statutory authority to adopt rules concerning variances is set forth in *Minnesota Statutes* 14.055. Subd. 5, reads, “An agency may adopt rules under section 14.389 establishing general standards for granting mandatory or discretionary variances from its rules. Section 14.389, subdivision 5, applies to these rules. An agency also may grant variances based on standards specified in other law.”

*Minnesota Rule* 3512.1700 also requires licensure standards for superintendents, principals, and directors to be reviewed every even-numbered year beginning in the year 2008.

In June of 2018, the executive director of the Board of School Administrators met with the chairs of the Education Committees of the Minnesota House of Representatives and of the Minnesota Senate to review the proposed amendments. The legislators reviewed statutory authority, compliance with substantive and procedural requirements, and the need and reasonableness of each section of the rule. After reviewing the proposed amendments, the legislators suggested nine specific modifications to the proposed amendments which the Board of School Administrators adopted.

Using the same provisions in statute, the current Board of School Administrators respectfully presents its amendments to the rule which the board believes is limited to its delegated statutory duties.

## **REGULATORY ANALYSIS**

**(1) a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule;**

- Individuals licensed as administrators will benefit. Repealing the human rights requirement specified in *Minnesota Rule 3512.2700* and imbedding it into the new competencies will save administrators trained in Minnesota tuition dollars because they will take one less course. Also, licensure candidates may now count on-line teaching experience toward meeting the three-year classroom teaching requirement. Under current rule, teachers teaching in an on-line teaching environment cannot count this experience thus requiring candidates to pay for an internship of 1,050 hours of supervised classroom duties.
- University preparation programs approved by the Board of School Administrators will see a minor impact. There will be minor costs associated with changing the curriculum to reflect the revised competencies. The costs are minimal due to the revisions coming from the universities themselves.
- Out-of-state administrators seeking a Minnesota licensure will benefit. Out-of-state superintendents and directors of special education will benefit from the rule changes due to the ability to obtain provisional licenses. Also, licensure candidates may now count on-line teaching experience toward meeting the three-year classroom teaching requirement for administrative licensure. Under current rule, on-line teaching experience does not count thus requiring candidates to pay for an internship of 1,050 hours of supervised classroom duties.
- In those rare instances in which school districts have Dean of Students performing administrative duties as defined in Minnesota Statutes 179A.03, subdivision 17, there is a slight increase in costs due to the requirement that those individuals must obtain an administrative license or change their job duties. School districts will see a reduction in costs due to the reduction of notification requirements and the ability to hire internal and out-of-state candidates who do not meet all of the licensure standards but meet the standards of a provisional license which has been extended to superintendents and directors of special education instead of just principals.
- Professional organizations with licensure, i.e., Minnesota Association of Secondary School Principals, Minnesota Association of School Administrators, Minnesota Association of Elementary School Principals, Minnesota Administrators for Special Education, Minnesota Community Education Association, Minnesota School Boards Association, Minnesota Rural Education Association, Association of Metropolitan School Districts, Education Minnesota, will benefit.

**(2) the probable costs to the agency and to other agencies of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues;**

In accordance with *Minnesota Statutes* 14.127, the board has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed \$25,000 for any small business or small city.

In accordance with law, the proposed amendments were sent to both Governor Dayton and Governor Walz's offices for review and approval.

The Board of School Administrators estimates minimal costs to the proposed amendments. Universities will have minimal costs with the updating of their curriculum to include the new competencies.

The Minnesota Department of Education and PELSB will need minimum staff time to learn the new rules.

**(3) a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule;**

The Board of School Administrators convened a University Work Group to study Rule 3512 and find the least intrusive way to modernize the rule to reflect current practices. For 18 months, the Work Group engaged educational stakeholders to help draft amendments which increase flexibility, guard against undue burdens or overly prescriptive language, and to provide simplicity and clarity to reflect current practice. As an example, the amendments propose allowing the board authority to extend a provisional license in unique circumstances.

Administrative licensure is governed by *Minnesota Statute* 122A.14. *Minnesota Rule* 3512 outlines the rules associated with the legislatively mandated responsibilities. Based on the recommendations of the Work Group, the Board of School Administrators believes rules are the only way to ensure fair and impartial enforcement of the requirements of *Minnesota Statutes* 122A.14. The proposed amendments provide the public a clearer understanding of administrative requirements and add additional flexibility for school districts and license holders.

The executive director also consulted with House and Senate legislative leaders to ensure that the board's proposed amendments were within the board's delegated authority by the legislature and that the changes reflected the legislature's desire to safeguard the public through vigorous oversight yet without unnecessary bureaucracy or intrusive methods.

**(4) a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule;**

The Board of School Administrators considered simply exercising its existing authority to respond to the changing educational environment through its power to grant variances under *Minnesota Rule* 3512.5300 which allows the board to consider a variance "from any rule or portion of a rule under the jurisdiction of the board of school administrators. The board may not

consider a request for a variance from a statute or court order.” However, after hearing testimony from educational interest groups about the need for providing clear and coherent standards in writing rather than case-by-case judgments made by the board during a variance process, the board felt the best way to comply with the statutory parameters and requirements contained in *Minnesota Statute 122A.14*, was through rule-making.

**(5) the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals;**

There are no discernible increased costs for any of these entities.

**(6) probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses and individuals;**

Failure to adopt these amendments will be a disservice to school districts and to individual administrators who find it difficult to navigate rules that were written in a passive voice and for circumstances that are vastly different from those facing administrators today. Moreover, the proposed amendments contain long-awaited flexibility to help school districts attract and retain skilled administrators who will improve the operations of those districts. Failure to adopt these amendments will also disallow Minnesota’s universities from utilizing competencies reflective of today’s more diverse student body and prevent them from training the next generation of administrators ready to lead schools that are vastly different from the schools when the competencies were last revised.

**(7) an assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference; and**

Administrative licensure is under the jurisdiction of state government. There are no federal regulations concerning the licensure of state school administrators.

**(8) an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule**

The primary objective of these amendments is to streamline and simplify rules governing administrators. The proposed rules also reformat language from a passive voice to an active voice simplifying enforcement. There is little, if any, cumulative effect with these proposed amendments between state and federal regulation simply because the federal government has no jurisdiction in the licensure of state administrators.



## PERFORMANCE BASED RULES

The Board of School Administrators administers the licenses of over 3,000 active administrators and over 4,000 inactive administrators. Each year, the board processes the licenses of over 550 new candidates, processes 1,600 requests for professional development, and adjudicates 120 ethical inquiries. The proposed amendments modify outdated and inefficient processes that do not reflect current practice and eliminates obsolete and antiquated regulation which impedes the board's ability to be flexible enough to respond to needs of the public and school districts. The proposed amendments increase performance by:

- ❖ allowing administrators on provisional licenses to extend their licenses an additional year when extenuating circumstances warrant. This will allow school districts to retain continuity in leadership.
- ❖ eliminating cumbersome notification requirements when requesting a variance. Burdensome notification requirements have artificially inflated the costs of variances to school districts for years.
- ❖ ensuring due process for candidates going through the alternative superintendent licensure process. This change improves the chances of individuals from alternative backgrounds to become licensed and serve the state of Minnesota.
- ❖ allowing provisional licenses to be extended to superintendents and directors of special education. This change will improve the performance of school districts by allowing candidates prepared in other states to become eligible for hire in Minnesota.
- ❖ allowing a waiver process for those program initiators who failed to receive prior approval for continuing education programs
- ❖ allowing an appeals process for those administrators earning continuing education clock hours outside the five-year window
- ❖ allowing online teaching experience to count toward meeting the three-year teaching experience requirement for licensure
- ❖ allowing experiences as a school psychologist, school social worker, and speech language pathologist to count toward licensure. For superintendent and principal's licenses, experiences as school counselor may also count toward meeting the teaching requirements. This change will benefit individuals by making these experiences count towards eligibility for licensure and will exponentially expand a number of eligible candidates for school district hiring pools.

## ADDITIONAL NOTICE PLAN

Prior to or on the same date that the revised Notice of Intent to Adopt Rules Without a Public Hearing is published in the *State Register*, the Board of School Administrators will:

1. Electronically provide a copy of the Notice of Intent to Adopt Rules Without a Public Hearing, the SONAR, and the proposed rules to the Board of School Administrators official rule-making list. This list was developed in July of 2019 by sending an email to the 7,000 licensed administrators informing them that the Board is proposing amendments to the rules and that those amendments can be found on the Board's website. Administrators were asked to respond to the email if they wanted to be included on the Board's official rule-making list. 81 administrators responded. The Rule-Making List can be found on the board's web-site at <https://bosa.mn.gov/bosa/index.htm> and click "Rule-Making List."

To email the 7,000 licensed administrators, the Board obtained an electronic spreadsheet containing these email addresses from the Professional Educator Licensing and Standards Board. The Board's two staff members and an intern then copied 150 of the addresses at a time, pasted them into a notice email, and then sent the email. These efforts took several hours of work by staff and the intern to complete.

The Board does not plan to repeat an email to the 7,000 licensed administrators. They have already been notified of the rulemaking and of where to find the rulemaking documents on the Board's website. Furthermore, there are personnel constraints as the intern who helped with the earlier email is no longer available to conduct another emailing. It would be difficult for the remaining BOSA staff members to timely complete a second emailing due to their current job responsibilities.

2. Maintain the link on the BOSA web-page displaying the proposed rules. The webpage is available at <https://bosa.mn.gov/bosa/index.htm> then click on "Final Rule 3512." The proposed amendments have been active on the web-site and available to the general public since April 2019 with the exception of technical difficulties during the week of July 15<sup>th</sup>.

Prior to or on the same date that the revised Notice of Intent to Adopt Rules Without a Public Hearing is published in the *State Register*, BOSA will post its revised Notice of Intent to Adopt Rules Without a Public Hearing on its webpage along with the SONAR. The Board also will post the dates of the new comment period on its webpage.

3. Electronically provide notice of the rulemaking and a link to the documents on the Board's website to the directors of the 14 approved Minnesota university administrator preparation programs and ask them to alert their faculty and students.
4. Electronically provide a copy of the Notice of Intent to Adopt Rules Without a Public Hearing, the SONAR, and the proposed rules to the following professional associations and ask them to distribute to their individual members. These groups represent nearly all of the active licensed administrators and approximately 80% of the inactive licensed administrators. The discrepancy is due to in-active members passing away or disconnecting the email address they listed the last time they obtained a license. Board staff has communicated with these groups and all have agreed to forward this information on to their members. The groups include:

- Minnesota School Board Association (MSBA)
- *Education Minnesota*
- Association of Metropolitan School Districts (AMSD)
- Minnesota Rural Education Association (MREA)
- Minnesota Association of School Administrators (MASA)
- Minnesota Community Education Association (MCEA)
- Minnesota Administrators of Special Education (MASE)
- Minnesota Elementary School Principals Association (MESPA)
- Minnesota Association of Secondary School Principals (MASSP)
- Minnesota Association of Charter Schools (MACS)

5. Electronically provide a copy of the Notice of Intent to Adopt Rules Without a Public Hearing, the SONAR, and the proposed rules to the Commissioner of the Minnesota Department of Education (MDE), the Commissioner of the Office of Higher Education, and the Executive Director of Professional Educator Licensing and Standards Board.
6. Electronically provide a copy of the Notice of Intent to Adopt Rules Without a Public Hearing, the SONAR, and the proposed rules to the 52 members of the Work Group described below and ask them to forward this information to the organizations that they represent and any other interested parties.
7. Mail the Notice of Intent to Adopt Rules, the SONAR, and the proposed rules to the chairs and ranking minority party members of the legislative policy and budget committees with jurisdiction over the Board and to the Legislative Coordinating Commission as required by Minnesota Statutes section 14.116. Because the Board's rulemaking authority was granted more than two years ago, the Board is not sending this information to the authors of the bill granting rulemaking authority.

The Board will not notify the commissioner of agriculture because the rules do not affect farming operations.

### **CONSULTATION WITH MMB ON LOCAL GOVERNMENT IMPACT**

As required by Minnesota Statutes, section 14.131, the Board of School Administrators consulted with Minnesota Management and Budget (MMB). On August 23, 2019, the board received the Agency's analysis that there is no impact to local units of government.

### **DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION**

As required by *Minnesota Statutes*, section 14.128, subdivision 1, the agency has considered whether these proposed rules require a local government to adopt or amend any ordinance or other regulation in order to live with these rules. The agency has determined that they do not because the amendments apply to the administrative license holders. The indirect effect of the proposed amendments is to reduce the costs to local school districts by adding additional flexibility when complying with licensure requirements and reducing the cumbersome process for requesting variances to the rule.

### **COST OF COMPLYING FOR SMALL BUSINESS**

As required by *Minnesota Statutes*, section 14.127, the Board of School Administrators has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small business or small city. The agency has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed \$25,000 for any small business or small city.

### **LIST OF WITNESSES**

The Board of School Administrators anticipates the following organizations will wish to have one or more representatives in attendance during the hearing:

- The 14 approved Minnesota university administrator preparation programs

- Minnesota School Board Association
- Education Minnesota
- Minnesota Education Equity Partnership
- Association of Metropolitan School Districts
- Minnesota Rural Education Association
- Minnesota Association of School Administrators
- Minnesota Community Education Association
- Minnesota Administrators of Special Education
- Minnesota Elementary School Principals Association
- Minnesota Association of Secondary School Principals
- Minnesota Association of Charter Schools
- Commissioner of the Minnesota Department of Education (MDE)
- Professional Educator Licensing and Standards Board

The Board of School Administrators anticipates the following class of individuals may wish to be in attendance during the hearing:

- Superintendents
- Principals
- Directors of Special Education
- Directors of Community Education
- Aspiring administrators
- Administrative preparation faculty
- Administrative preparation directors
- Charter School administrators

### **RULE-BY-RULE ANALYSIS**

The board proposes to modernize the rule by changing the verbiage from a passive voice to an active voice. These amendments are technical in nature and contain no substantive language. These amendments are found through-out the rule. Using an active voice rather than a passive voice keeps sentences concise making the meaning of the rule clear for the general public.

The board also proposes the following amendments which address the current demands of the profession:

#### **3512.0100 DEFINITIONS.**

The board proposes the following amendments to Subp. 8:

Subp. 8. License definitions.

- A. "Professional license" means a two-year initial license or a five-year continuing license issued by the board to a qualified applicant who meets the program requirements and applicable administrative experience requirements for each administrative area in which the applicant seeks licensure.
- B. "Initial license" means a two-year professional license issued by the board to a qualified applicant pursuant to part 3512.2100.
- C. "Continuing license" means a five-year professional license issued by the board to a qualified applicant pursuant to part 3512.2300.
- D. "Provisional license" means a two-year nonrenewable license issued by the board pursuant to part 3512.2050.

The proposed amendment consolidates existing language from 3512.2000, 3512.2100 and 3512.2300 relating to license definitions and places them under this subpart. This change is necessary for aspiring administrative candidates to better understand Minnesota's licensure terminology.

**3512.0200 EDUCATION AND EXPERIENCE REQUIREMENTS FOR SUPERINTENDENT PRINCIPAL, AND DIRECTOR OF SPECIAL EDUCATION**

The board proposes the following amendments to Subp. 2:

**Subp. 2. Teaching experience.**

- A. An applicant for licensure as a superintendent or principal, ~~or~~ must have three years of combined experience as any of the following:
  - (1) a public school classroom teacher (i) teaching in a position that required a state-issued license, and (ii) holding the state-issued license for the position or permission from the licensing agency while holding an educator license;
  - (2) a nonpublic school teacher teaching in a school that (i) is accredited by an accrediting agency recognized by the state in which the school is operated, (ii) is directly recognized as a school by the state, or (iii) is a Bureau of Indian Education school; or
  - (2) a school psychologist, school social worker, speech-language pathologist, or school counselor working in a school if the person held the appropriate state-issued license at the time of the experience.
- B. ~~An applicant for licensure as a director of special education director shall~~ must have three years of successful classroom teaching combined special education experience while holding a classroom teaching license valid for the position or positions in which the experience was gained. For purposes of this subpart, "classroom teaching license" means a license valid to teach granted by the Professional Educator Licensing and Standards Board. as any of the following:

(1) a public school special education classroom teacher (i) teaching in a position that required a state-issued license, and (ii) holding the state-issued license for the position or permission from the licensing agency while holding an educator license;

(2) a nonpublic school special education teacher teaching in a school that (i) is accredited by an accrediting agency recognized by the state in which the school is operated, (ii) is directly recognized as a school by the state, or (iii) is a Bureau of Indian Education school; or

(3) a school psychologist, school social worker, or speech-language pathologist working in a school if the person held the appropriate state-issued license at the time of the experience.

The proposed amendment Subp. 2(A) clarifies the definition of “teaching experience” for those seeking a superintendent or principal’s license. This change allows experiences as a school psychologist, school social worker, speech language pathologist, or a school counselor to apply toward meeting the three-year teaching requirement for licensure. These amendments were recommended by the University Work Group to expand the pool of eligible candidates for superintendent and principal.

Proposed Amendment Subp. 2(B) clarifies the definition of “teaching experience” for those seeking a director of special education license. Experiences as a school psychologist, school social worker, or speech-language pathologist are allowed to count toward meeting the three-year teaching requirement. Unlike the superintendent and principals definition, experiences as a school counselor are not included in allowable experiences for the director of special education license. This is because the Association of Special Education Directors believes experiences as a school counselor does not meet the standard for their profession.

Amendment Subp. 2(B) also narrows the definition of “teaching experience” for directors of special education by limiting the experience to three years of “special education” teaching experience. Current rule which allows both regular classroom and special education classroom experience to count. This change was recommended by the Association of Special Education Directors to ensure candidates had actual work experience with students with special needs. It is reasonable to require administrators working in special education to have experience with special needs students.

These amendments are necessary to ensure common definitions when PELSB staff and the university preparation programs attempt to determine eligibility for administrator licensure. It is reasonable to comply with the requests of the University Work Group and the professional associations and ensure common definitions.

The board proposes to add the following amendment Subp. 2C:

- C. For purposes of this subpart, teaching may be in an in-person classroom, hybrid classroom, or online classroom.

This amendment allows teaching experience in a “hybrid” or “online” classroom to count toward meeting the three-year teaching to become an administrator. This modification was recommended by a

consortium of online teachers to recognize the growing volume of instruction done in an online environment. This change will allow more teachers to be eligible for administrative licensure. It is reasonable to acknowledge and value the different modalities of teaching and allow for a more diverse pool of administrators.

The board proposes the following amendment to Subp. 3 B:

**Subp. 3. ~~K-12~~ Kindergarten through grade 12 superintendents, principals, and directors of special education.**

- B. An applicant for licensure as a superintendent or principal must ~~have field experience of complete within 12 continuous months at least 320 hours or 40 eight-hour days to be completed within 12 continuous months in elementary, middle or junior high, and high schools as an administrative aide to a licensed and practicing school principal for principal licensure or a licensed and practicing superintendent for superintendent licensure of field experience in elementary, middle or junior high, and high schools as an administrative intern to a licensed and practicing school principal for principal licensure or a licensed and practicing superintendent for superintendent licensure.~~ The ~~field experience~~ applicant must ~~include~~ complete at least 40 hours ~~or one week~~ of field experience at each school level not represented by the applicant's primary teaching experience.

The amendment changes the field experience requirement from “40 eight-hour days” to “320 hours.” This change was recommended by the University Work Group in recognition that leadership experiences do not always happen during the traditional “eight-hour day.” Moreover, this language provides flexibility when designing field experiences, especially in Greater Minnesota, where candidates may be driving long distances. It is reasonable to comply with the requests of the University Work Group to be more flexible with field experience definitions.

The board proposes the following amendment to Subp. 4:

**Subp. 4. Licensed elementary and secondary school principals.** To qualify for a kindergarten through grade 12 principal license, a person licensed under this part as an elementary school principal must complete a field experience of at least ~~200~~ 120 hours in secondary administration ~~to qualify for licensure as a K-12 principal,~~ and a person licensed under this part as a secondary school principal must complete a field experience of at least ~~200~~ 120 hours in elementary administration. ~~to qualify for licensure as a K-12 principal.~~ In addition to the field experience required in this subpart, an elementary or secondary school principal must meet the requirements in part 3512.0400, ~~subparts 2 and~~ subpart 3.

This amendment refers to candidates already licensed as a secondary or elementary principal. For secondary principals, this change reduces the amount of field experience hours required in an elementary school setting. Vice versa, if the candidate is an elementary principal, this reduces the number of field experience hours in a high school. This change was recommended by the University Work Group.

In 2008, Minnesota eliminated separate licenses for elementary and secondary principals and migrated to a K-12 licensure for principals. This amendment is necessary to help principals licensed under the old system, and those licensed out-of-state, by reducing the number of hours in the area outside their primary license. This language was recommended by the University Work Group to remove a barrier for experienced principals to meet the Minnesota standard. It is reasonable to comply with the requests of the University Work Group to be address current challenges.

The board proposes to repeal Subp. 5.

Subp. 5. [See repealer.]

Subp. 5 was moved to 3512.2050.

The board proposes to the following amendment called Subp. 6:

Subp. 6. **Corrections.** A license issued in error is not valid. To correct a license issued in error, the board must expunge the license issued in error to the unqualified applicant or correct at no charge the incorrect license issued to the qualified applicant. A person denied an administrative license may appeal the denial under part 3512.1600.

This amendment addresses those rare occasions when staff may issue the wrong license to an applicant. This provision allows the board to correct the license and re-issue it at no cost.

### **3512.0300 SCHOOL SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF SPECIAL EDUCATION.**

The board proposes the following amendment to Subp. 1:

Subpart 1. **License required.** A person who serves as or performs the duties of a superintendent, principal, or director of special education ~~shall~~ must hold a license appropriate to ~~the~~ that position. ~~of school superintendent, principal, or director of special education. Performance of A~~ person must hold the appropriate professional license if 50 percent or more of the person's duties includes duties that provide assistance to involve assisting the superintendent, principal, or director of special education consisting of 50 percent or more in with administration of personnel, employee supervision, employee evaluation, and curriculum implementation, or notwithstanding Minnesota Statutes, section 122A.40, subdivision 8, any of the person's duties including the duties listed in Minnesota Statutes, section 179A.03, subdivision 17.

The board may issue an initial licenses may be issued professional license for each administrative licensure area for which the applicant seeks licensure ~~is sought. An~~ provided the applicant ~~must meet~~ meets requirements for licensure as a superintendent of schools, as a school principal, or as a director of special education.

This amendment clarifies that a school employee performing supervisory duties listed in *Minnesota Statutes* 179 A.03, subdivision 17, which includes “hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other employees, direction of work of other employees, or



adjustment of other employees' grievances on behalf of the employer," must be licensed as an administrator.

*Minnesota Statutes* 122A.14, Subd. 1 requires the board to "adopt rules to license school administrators." Since the inception of the Board of School Administrators, there has been a steady growth of quasi-administrative positions. Some positions, such as "Dean of Students," have administrative responsibilities, including making personnel decisions. Some deans of students have no administrative license. Others are not even licensed as a teacher. In an effort to strengthen this section, the board worked with Minnesota's professional associations, including the Minnesota School Board Association, to craft an amendment which would protect school employees and the public by ensuring that school employees making decisions defined by Minnesota law as decisions made by "supervisors," are required to have an administrative license. The board used existing *Minnesota Statute* 179A.03, subdivision 17, for its definition of supervisory decisions. Because of the legal and human ramifications of supervisory decisions, especially personnel decisions, the board believes it is reasonable to require school districts to hire appropriately licensed people who have been trained for such responsibilities.

The board proposed to repeal Subp. 5.

Subp. 5. [See repealer.]

Subp. 5 was moved to 3512.2600.

### **3512.0505 DIRECTORS OF COMMUNITY EDUCATION.**

The board proposes the following amendment for Subp. 5:

Subp. 5. **Situational observation component.** ~~An approved~~ A board-approved licensure program for superintendents, principals, or directors of special education must include a component that requires ~~require~~ a licensure candidate a person to demonstrate mastery of the requirements in subpart 3 program knowledge, skills, and dispositions in part 3512.0510 as part of the exit evaluation. The extent of mastery must be evaluated by placing the candidate in a series of realistic hypothetical problem-solving situations while being observed by a team of at least four persons competent to evaluate the extent of mastery of the requirements in subpart 3. This component must allow the candidate to demonstrate mastery of all the requirements in subpart 3 during a single period of observation. The exit evaluation must focus on knowledge, skills, and dispositions in the competencies for school administrators under part 3512.0510 and may include objective examinations, portfolio reviews, and observations.

This amendment deletes obsolete language specifying the nature of an exit evaluation for directors of community education. The University Work Group recommends this section be amended due to the prescriptive nature of the language. None of the universities are currently conducting exit evaluations this way. The universities believe they have the expertise to design exit evaluations appropriate to their own program without specifying it in the rule. It is reasonable to comply with the requests of the university preparation programs.

The board proposes repealing Subp. 7.

Subp. 7. [See repealer.]

This amendment is needed because the board has determined there is no longer any licensed director of community education still licensed that served during the period of July 1, 1984-July 1, 1990.

The board proposes repealing Subp. 9.

Subp. 9. [See repealer.]

This amendment deletes the “Approval for Exception” process which allows school districts to hire nonlicensed directors of community education. The new rule creates an alternative process found in 3512.5300, Subp.11. This was done based on the recommendation by the Minnesota Community Education Association. The current process was deemed unworkable because it was interpreted that school districts could not hire other candidates if any licensed community education director had applied for the position. Some school districts discarded this rule objecting to being forced to hire licensed directors who had documented performance issues, bad references, or who were not a good fit for the district. It is reasonable to delete unworkable language which hamstrings school districts from hiring the best candidates.

### **3512.0510 PROGRAM REQUIREMENTS FOR ALL ADMINISTRATIVE LICENSES.**

The board proposes the following amendments to Subp. 1 which are competencies required of all administrative licensure candidates:

Subpart 1. **Core leadership competencies for Minnesota administrative licenses.** A person who serves as a superintendent, principal, director of special education, or director of community education ~~shall~~ must demonstrate competence in the ~~following~~ core areas under this subpart.

A. ~~Leadership by~~ To demonstrate competence in leadership, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~demonstrate leadership by~~ collaboratively assessing and improving culture and climate a professional culture of engagement, ethical and equitable practice, and systems perspective;
- (2) ~~providing~~ demonstrate leadership by the development of an educational mission for the school or district, which provides purpose and direction for individuals and groups;
- (3) ~~modeling~~ demonstrate shared leadership and decision-making strategies and empower and entrust teachers and staff with collective responsibility for meeting the academic, social, behavioral, emotional, and physical needs of each student pursuant to the mission, vision, and core values of the school;
- (4) ~~demonstrating an understanding of issues affecting education~~ understand how education is impacted by historical, local, state, national, and international events and issues;
- (5) through a visioning process, formulate strategic plans and goals with staff and community to promote the academic success and well-being of each student;
- (6) demonstrate setting priorities in the context of stakeholder needs;

- (7) ~~servicing~~ demonstrate an ability to serve as a spokesperson for the welfare of all learners in a multicultural context to ensure high expectations; and
- (8) ~~understanding how education is impacted by local, state, national, and international events; understand the dynamics of change and demonstrate the ability to implement change and educational reform.~~
- (9) ~~demonstrating the ability to facilitate and motivate others; and~~
- (10) ~~demonstrating the ability to implement change or educational reform;~~

B. To demonstrate competence in organizational management by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~demonstrating~~ demonstrate an understanding of organizational systems, including structural and cultural dynamics;
- (2) ~~defining and using~~ define and use processes for gathering, analyzing, managing, and using data to plan and make decisions for program evaluation;
- (3) ~~planning and scheduling~~ plan and schedule personal and organizational work, establishing establish procedures to regulate activities and projects, and delegating and empowering delegate and empower others at appropriate levels;
- (4) ~~demonstrating~~ demonstrate the ability to analyze need and allocate personnel and material resources;
- (5) ~~developing and managing~~ develop and manage budgets and maintaining maintain accurate fiscal records;
- (6) ~~demonstrating~~ demonstrate an understanding of facilities development, planning, and management; and
- (7) ~~understanding and using~~ understand and use technology as a management tool;.

C. Diversity To demonstrate competence in equity and culturally responsive leadership by, a superintendent, principal, director of special education, or director of community education must demonstrate knowledge and skills to:

- (1) ~~demonstrating an understanding and recognition of the significance of diversity, and responding to the needs of diverse learners;~~
- (2) ~~creating and monitoring a positive learning environment for all students;~~
- (3) ~~creating and monitoring a positive working environment for all staff;~~
- (4) ~~promoting sensitivity about diversity throughout the school community; and~~
- (5) ~~demonstrating the ability to adapt educational programming to the needs of diverse constituencies;~~

- (1) ensure that each student is treated fairly, respectfully, and with an understanding of each student's culture and context;
- (2) recognize, respect, and employ each student's strengths, diversity, and culture as assets for teaching and learning;
- (3) ensure that each student has equitable access to effective teachers, learning opportunities, academic and social support, and other resources necessary for success;

(4) ensure policies and practices are in place that prevent problem behavior, encourage positive behavior, and respond to student behavior not aligned with expectations in a positive, fair, and unbiased manner;

(5) recognize, identify, and address individual and institutional biases;

(6) promote the preparation of students to live productively in and contribute to a diverse and global society;

(7) address matters of equity and cultural responsiveness in all aspects of leadership; and

(8) ensure policies and practices are in place that address student and staff mental and physical health and trauma.

D. To demonstrate competence in policy and law by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~developing, adjusting, and implementing~~ understand and implement policy to meet local, state, and federal requirements and constitutional provisions, standards, and regulatory applications to promote student success;

(2) ~~recognizing and applying~~ recognize and apply standards of care involving civil and criminal liability for negligence, harassment, and intentional torts; and

(3) demonstrate an understanding of state, federal, and case law, and rules and regulations governing general education, special education, and community education;

E. To demonstrate competence in political influence and governance by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~exhibiting~~ exhibit an understanding of school districts as a political system systems, including governance models;

(2) ~~demonstrating the ability to involve~~ demonstrate an understanding of involving stakeholders in the development of educational policy;

(3) ~~understanding~~ understand the role and coordination of social agencies and human services to develop productive relationships and engage resources for the school community; and

(4) ~~demonstrating the ability~~ demonstrate an understanding of processes to align constituencies in support of school and district priorities and build coalitions for programmatic and financial support;

F. To demonstrate competence in communication by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~formulating and carrying out plans for internal and external communications~~ understand the need to develop shared understanding of and commitment to mission, vision, and core values within the school and the community;

(2) ~~demonstrating~~ demonstrate individual and team facilitation skills;

(3) ~~recognizing and applying~~ recognize and apply an understanding of individual and group behavior in normal and stressful all situations;

(4) ~~facilitating teamwork;~~

(5) (4) ~~demonstrating~~ demonstrate an understanding of conflict resolution and problem-solving strategies relative to communication;

(6) (5) ~~making~~ make presentations that are clear and easy to understand;

- (7) ~~(6) responding, reviewing, and summarizing~~ respond to, review, and summarize information for groups;
- (8) ~~(7) communicating~~ communicate appropriately, ~~through speaking,~~ listening, and writing, for different audiences ~~such as,~~ including students, teachers, parents, the community, and other stakeholders; and
- (9) ~~(8) understanding and utilizing~~ understand and utilize appropriate communication technology;

G. To demonstrate competence in community relations by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~articulating~~ articulate organizational purpose and advocate publicly for the needs and priorities ~~to the community and media~~ of students, families, and the community;
- (2) ~~requesting and responding to community feedback~~ demonstrate the ability to engage the extended community;
- (3) ~~demonstrating the ability to build community consensus~~ effectively generate and respond to various forms of communication through media;
- (4) ~~relating political initiatives to stakeholders, including parental involvement programs;~~
- (5) ~~identifying and interacting with internal and external publics;~~
- (6) ~~understanding and responding to the news media;~~
- (7) (4) ~~promoting~~ promote a positive image of schools and the school district;
- (8) (5) ~~monitoring and addressing~~ monitor and address perceptions about school-community issues; and
- (9) (6) ~~demonstrating~~ demonstrate the ability to identify and articulate critical community issues that may impact local education;

H. To demonstrate competence in curriculum ~~planning and development,~~ instruction, and assessment for the success of all learners by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~demonstrating the ability to enhance teaching and learning through curriculum assessment and strategic planning for all learners, including early childhood, elementary, middle and junior high school, high school, special education, gifted and talented, and adult levels;~~
- (2) ~~demonstrating the ability to provide planning and methods to anticipate trends and educational implications;~~
- (3) ~~demonstrating the ability to develop, implement, and monitor procedures to align, sequence, and articulate curriculum and validate curricular procedures;~~
- (4) ~~demonstrating the ability to identify instructional objectives and use valid and reliable performance indicators and evaluative procedures to measure performance outcomes;~~
- (5) ~~appropriately using learning technologies;~~
- (6) ~~demonstrating an understanding of alternative instructional designs, curriculum, behavior management, and assessment accommodations and modifications; and~~
- (7) ~~demonstrating an understanding of the urgency of global competitiveness;~~
- (1) implement state academic standards, a coherent system of culturally responsive curriculum, instruction, and assessment that promotes the mission, vision, and core values of the district to embody high expectations for student learning;

- 2) develop, assess, and support teachers ‘and staff members’ professional knowledge, skills, and practice through differentiated opportunities and emerging trends for learning and growth, guided by understanding professional and adult learning and development;
- (3) apply research and best practices on integrating curriculum, technology, and relevant resources to help all learners achieve at high levels;
- (4) understand and assess the implementation of alternative instructional designs, curriculum, positive approaches to behavior management, and assessment accommodations and modifications as appropriate in all programs;
- (5) demonstrate the ability to use data from valid assessments that are consistent with knowledge of child learning and development and technical standards of measurement to monitor student progress;
- (6) lead and assess instructional practice that is consistent with knowledge of child learning and development, effective pedagogy, and the needs of each student; and
- (7) promote instructional practice that is consistent with knowledge of child learning and development, intellectually challenging, authentic to student experiences, recognizes student strengths, and differentiated and personalized.

I. Instructional management for the success of all learners by:

- ~~(1) demonstrating an understanding of research of learning and instructional strategies;~~
- ~~(2) describing and applying research and best practices on integrating curriculum and resources to help all learners achieve at high levels;~~
- ~~(3) demonstrating the ability to utilize data for instructional decision making;~~
- ~~(4) demonstrating the ability to design appropriate assessment strategies for measuring learner outcomes;~~
- ~~(5) demonstrating the ability to implement alternative instructional designs, curriculum, behavior management, and assessment accommodations and modifications; and~~
- ~~(6) demonstrating the ability to appropriately use technology to support instruction;~~

J. I. To demonstrate competence in human resource management by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~demonstrating~~ demonstrate knowledge of effective personnel recruitment, selection, and retention;
- (2) ~~demonstrating~~ demonstrate an understanding of staff development to improve the performance of all staff members;
- (3) ~~demonstrating~~ demonstrate the ability to select and apply appropriate models for supervision and evaluation;
- (4) ~~describing and demonstrating~~ describe and demonstrate the ability to apply the legal requirements for personnel selection, development, retention, and dismissal;
- (5) ~~demonstrating~~ demonstrate an understanding of management responsibilities to act in accordance with federal and state constitutional provisions, statutory and case law, regulatory applications toward education, local rules, procedures, and directives governing human resource management;
- (6) ~~demonstrating~~ demonstrate an understanding of labor relations and collective bargaining; and

(7) ~~demonstrating~~ demonstrate an understanding of the administration of employee contracts, benefits, and financial accounts.

K. J. To demonstrate competence in values and ethics of leadership by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~demonstrating~~ demonstrate an understanding of the role of education in a democratic society;
- (2) ~~demonstrating~~ demonstrate an understanding of and model democratic value systems, ethics, and moral leadership;
- (3) ~~demonstrating~~ demonstrate the ability to balance complex community demands in the best interest of learners;
- (4) ~~helping~~ help learners grow and develop as caring, informed citizens; and
- (5) ~~demonstrating~~ demonstrate an understanding and application of the code of ethics for school administrators under part 3512.5200.

L. K. To demonstrate competence in judgment and problem analysis by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~identifying~~ identify the elements of a problem situation by analyzing relevant information, framing issues, identifying possible causes, and reframing possible solutions;
- (2) ~~demonstrating~~ demonstrate adaptability and conceptual flexibility;
- (3) ~~assisting others in forming opinions about problems and issues;~~
- (4) (3) ~~reaching~~ reach logical conclusions by making quality, timely decisions based on available information;
- (5) (4) ~~identifying and giving~~ identify and give priority to significant issues;
- (6) (5) ~~demonstrating~~ demonstrate an understanding of and utilize appropriate technology in problem analysis; ~~and~~
- (7) (6) ~~demonstrating~~ demonstrate an understanding of different leadership and decision-making strategies, including but not limited to collaborative models, and model appropriately their implementation. ~~and~~

M. L. To demonstrate competence in safety and security by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~demonstrating~~ demonstrate the ability to develop and implement policies and procedures for safe and secure educational environments; and
- (2) ~~demonstrate the means to address emergency and crisis situations.~~
- (2) ~~demonstrating the ability to formulate safety and security plans to implement security procedures including an articulated emergency chain of command, safety procedures required by law, law enforcement assistance, communication with the public, and evacuation procedures;~~
- (3) ~~demonstrating the ability to identify areas of vulnerability associated with school buses, buildings, and grounds and formulate a plan to take corrective action;~~
- (4) ~~demonstrating an understanding of procedural predictabilities and plan variations where possible; and~~
- (5) ~~demonstrating the ability to develop plans that connect every student with a school adult, eliminate bullying and profiling, and implement recommended threat assessment procedures.~~

In 2007, Minnesota became one of only two states in the nation to require administrative candidates to achieve “competencies” to be licensed. Subp. 1 are core leadership competencies are required of all administrative licensure candidates.

The majority of the language in the amendments changes the verbiage to reflect active voice. Amendments that include substantive change are listed below.

Amendment A(3) requires administrators to learn how to empower and entrust teachers and staff to help with the academic, social, behavioral, emotional, physical needs of each student.

Amendment A (8) introduces a new competency on the dynamics of how to implement change and educational reform.

Amendment (C) redefines diversity to ensure that each student is treated fairly, respectfully, and with an understanding of each student’s culture. The amendment requires competence in equity and culturally responsive leadership. The amendment also replaces the current sub-bullets with eight new sub-bullets with an emphasis on positive behavior, prevention, addressing matters of equity and culturally responsiveness, and to focus on staff mental and physical health and trauma.

Amendment (E) strengthens the competency dealing with social agencies and human services by requiring the ability to develop productive relationships and engage resources for the school community.

Amendment (F) strengthens the competencies in communication by requiring the ability to develop shared understanding and commitment to vision, mission, and core values within the school and community.

Amendment (H) replaces the existing competence in curriculum planning and development with new standards in instruction and assessment including implementing the state academic standards, a coherent system of culturally responsive curriculum, understanding and accessing the implementation of alternative instructional designs, and positive approaches to behavioral management.

This section adds a competency on the ability to use data from valid assessments and a new competency on addressing emergency and crisis situations.

These changes were recommended by the University Work Group, representing all 14 university-approved preparation programs, after 18 months of work. These changes are consistent with national accreditation standards. These rule changes are necessary to ensure all approved programs teach the appropriate administrative competencies needed for licensure. It is reasonable to review standards every ten years and update training practices to respond to the changing environment and demographics of Minnesota’s school children. It is reasonable to accept the suggestions by the University Work Group to modernize the global competencies required of all administrators.



The board proposes the following amendments to Subp. 2. These are core competencies for superintendents only.

Subp. 2. **Superintendent competencies.** A person who serves as a superintendent ~~shall~~ must demonstrate all core competencies described in subpart 1 and competence in the ~~following~~ specific areas under this subpart.

A. To demonstrate competence in policy and law by, a superintendent must:

- (1) ~~demonstrating~~ demonstrate an understanding of the role policy plays in school district governance and administration;
- (2) ~~demonstrating knowledge of~~ know and apply statutory regulations affecting school board meetings, communications, procedures, and practices; and
- (3) ~~demonstrating~~ demonstrate an understanding of the distinct roles and responsibilities of the school board and superintendent.

B. To demonstrate competence in political influence and governance by, a superintendent must:

- (1) ~~demonstrating~~ demonstrate an understanding of the role the political process plays in public education and the connection between them;
- (2) ~~demonstrating~~ demonstrate an understanding of how to interact with local, state, and federal governments; and
- (3) ~~demonstrating~~ demonstrate an understanding of the roles played by other community leaders in the school district.

C. To demonstrate competence in communication by, a superintendent must:

- 1) ~~demonstrating~~ demonstrate knowledge of cultivating positive relationships between and with school board members; and
- (2) ~~demonstrating an understanding of the importance of communication leadership between school district and its community;~~ demonstrate effective skills in communication leadership between the school district and the community, including internal and external constituencies.

D. ~~Organization~~ To demonstrate competence in fiscal management by demonstrating, a superintendent must demonstrate knowledge of factors that affect school finance, including sources of revenue; expenditure classifications; generally acceptable accounting principles; and local, state, and federal finance calculations. ~~And~~.

E. To demonstrate competence in judgment and problem analysis by demonstrating knowledge of how to, a superintendent must effectively balance varied and competing interests to ensure the mission and vision of the school district is carried forward.

The majority of these amendments change verbiage to reflect active voice. In addition, amendment C(2) adds a competency in communication between the school district and community. The University Work Group recommends adding this competency to reflect the growing demands of superintendents to be

skilled in communicating with an increasingly skeptic general public, especially in light of the growing dependence of passing referendums for funding. It is reasonable to accept the recommendations of the approved preparation programs.

The board proposes the following amendments to Subd. 3. These are competencies for principals only.

Subp. 3. **Principal competencies.** A person who serves as a principal ~~shall~~ must demonstrate all core competencies described in subpart 1 and competence in the ~~following~~ specific areas under this subpart.

A. To demonstrate competence in instructional leadership ~~by, a principal must:~~

- (1) ~~demonstrating the ability to understand and apply schoolwide literacy and numeracy systems; and support teachers and staff in the implementation of state academic standards, coherent systems of culturally responsive curriculum, instruction, and assessment that promote the mission, vision, and core values of the school district to embody high expectations for student learning; and~~
- (2) ~~demonstrating~~ demonstrate the ability to understand and apply districtwide literacy and numeracy systems; lead schoolwide literacy efforts in all content areas including numeracy.

B. ~~Monitor~~ To demonstrate competence in monitoring student learning ~~by, a principal must:~~

- (1) ~~demonstrating~~ demonstrate the ability to create a culture that fosters a community of learners;
- (2) ~~demonstrating~~ demonstrate an understanding of student guidance support systems and auxiliary services;
- (3) ~~demonstrating~~ demonstrate the ability to implement ~~a positive and effective~~ and monitor student management ~~system~~ data systems;
- (4) ~~demonstrating the ability to develop and implement effective student discipline plans~~ implement schoolwide policies and practices that encourage positive behavior, and respond to student misconduct in a positive, fair, and unbiased manner;
- (5) ~~demonstrating~~ demonstrate the ability to develop a master instructional schedule;
- (6) ~~demonstrating~~ demonstrate the ability to meet the ~~enrichment, remediation, and special education~~ diverse learning needs of all students; and
- (7) ~~demonstrating~~ demonstrate the ability to understand and support a comprehensive program of student activities. ~~and.~~

C. ~~Early childhood~~ To demonstrate competence in prekindergarten through grade 12 leadership ~~by, a principal must:~~

- (1) ~~demonstrating~~ demonstrate an understanding of the articulation and alignment of curriculum from ~~preschool~~ prekindergarten through grade 12;
- (2) ~~demonstrating~~ demonstrate an understanding of different organizational systems and structures at ~~early childhood~~ prekindergarten, elementary, middle or junior high, and high school levels;
- (3) ~~demonstrating~~ demonstrate the ability to work with children of all ages;
- (4) ~~demonstrating~~ demonstrate the ability to work with parents, teachers, and other staff in all levels of schooling;

- (5) ~~demonstrating~~ demonstrate an understanding of the characteristics of effective transitions from one level of schooling to the next; and
- (6) ~~demonstrating~~ demonstrate an understanding of the developmental needs of children of all ages.

The majority of these amendments change verbiage to reflect active voice.

Amendment A (1) adds a competency in supporting teachers and staff in the implementation of state academic standards and a coherent system of culturally responsive curriculum, instruction, and assessment.

Amendment B (4) adds a new competency on implementing school wide policies and practices that encourage positive behavior, and respond to student misconduct in a positive, fair, and unbiased manner.

The University Work Group recommends adding these new competencies to reflect the changing demands of today’s principals. Principals must implement state standards and culturally responsive curriculums in order to improve academic achievement in Minnesota’s increasingly diverse student body. Principals must also be skilled in addressing discipline through practices that emphasize positive behavior to reduce suspensions and expulsion. It is reasonable to accept the recommendations of the University Work Group.

The board proposes the following amendments Subp. 4. These competencies only apply to directors of special education.

**Subp. 4. Director of special education competencies.** A person who serves as a director of special education ~~shall~~ must demonstrate the core competencies described in subpart 1 and competence in the ~~following~~ specific areas under this subpart.

A. To demonstrate competence in policy and law by, a director of special education must:

- (1) ~~demonstrating~~ demonstrate an understanding of state and federal laws, rules, and procedures governing special education finance, budgeting, and accounting; and
- (2) ~~demonstrating~~ demonstrate an understanding of state and federal regulations governing the monitoring of special education ~~programs~~ services.

B. To demonstrate competence in organizational management by, a director of special education must:

- (1) ~~demonstrating an understanding of the role policy and procedure play in school district governance and administration;~~
- (2) (1) ~~demonstrating~~ demonstrate knowledge of statutory regulations relative to school districts affecting board meetings, policies, communications, procedures, and practices that affect special education governance; and
- (3) (2) ~~demonstrating~~ demonstrate an understanding of special education administrative models used in Minnesota.

C. To demonstrate competence in resource allocation by and fiscal management, a director of special education must:

(1) demonstrate an ability to apply state and federal laws, rules, and procedures governing special education finance, budgeting, and accounting to school district funding structures;

(1) ~~(2) demonstrating~~ demonstrate an understanding of special education program development including needs assessment, design, implementation, and evaluation; and

(2) ~~(3) demonstrating~~ demonstrate an understanding of the resources available, along with the agencies and organizations that serve students with a disability and their families.

The majority of these amendments change verbiage to reflect active voice.

Amendment C (1) adds language that strengthens the resource allocation competency by including a fiscal management component. This section adds a competency for candidates to be able to apply state and federal laws, rules, procedures governing special education finance, budgeting, and accounting to school district funding structures. The University Work Group recommends adding these new competencies to better prepare directors for the increasingly litigious work environment and the complexities of modern budgeting. It is reasonable to accept the recommendations of the University Work Group.

The board proposes the following amendments to Subp. 5. These competencies involve directors of community education only.

**Subp. 5. Director of community education competencies.** A person who serves as a director of community education ~~shall~~ must demonstrate the core competencies described in subpart 1 and competence in the ~~following~~ specific areas under this subpart.

A. To demonstrate competence in community education concepts by, a director of community education must:

(1) ~~understanding and describing~~ understand and describe the history and philosophy of community education;

(2) ~~demonstrating~~ demonstrate a knowledge and application of the principles of community education;

(3) ~~demonstrating~~ demonstrate a knowledge of the role of the local school board district's administrative team; ~~and the community education director's role in it;~~

(4) ~~demonstrating, facilitating, and leading~~ demonstrate, facilitate, and lead the integration of community education into the ~~early childhood~~ prekindergarten through grade 12 system;

(5) ~~demonstrating~~ demonstrate the skills necessary to conduct community needs assessments, ~~determine educational objectives, select learning experiences, schedule and promote programs, and establish and implement registration procedures~~ as required by statute and district policy;

(6) ~~demonstrating~~ demonstrate knowledge of the various assessment tools used to effectively evaluate community education programs and determine educational objectives and learning experiences; and

(7) ~~demonstrating~~ demonstrate an understanding of the resources available to support learners of all abilities and ages.

B. To demonstrate competence in community capital by, a director of community education must:

- (1) ~~demonstrating~~ demonstrate a knowledge of the advisory councils, including their role, organization, functions, and development of advisory councils;
- (2) ~~demonstrating~~ demonstrate the ability to involve advisory councils in addressing community and school issues;
- (3) ~~demonstrating~~ demonstrate the ability to build collaborative partnerships in the community;
- (4) ~~demonstrating~~ demonstrate the ability to effectively identify ~~the~~ formal and informal community political structures, ~~both formal and informal;~~
- (5) ~~demonstrating~~ demonstrate the ability to identify and effectively use local, civic, and business resources to enhance ~~the~~ lifelong learning opportunities within the community;
- (6) ~~demonstrating~~ demonstrate knowledge of the techniques used for developing leadership among community members;
- (7) ~~demonstrating~~ demonstrate knowledge about sustaining community involvement in the community education process; and
- (8) ~~demonstrating~~ demonstrate knowledge of factors that affect school finance, including sources of revenue; expenditure classifications; generally acceptable accounting principles; and local, state, and federal finance calculations.

The majority of these amendments change verbiage to reflect active voice. In addition, the University Work Group recommended deleting superfluous language in A(3) and A(5) and adding language to require candidates to demonstrate competencies in determining educational objectives and learning experiences. It is reasonable to accept the recommendations from the University Work Group.

### **3512.0700 ADMINISTRATIVE LICENSURE WITHOUT TEACHING EXPERIENCE FOR SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF SPECIAL EDUCATION.**

The board proposes eliminating Subp. 3a (B).

~~B. meet the examination requirement of part 8710.0510, subpart 1, items A and B, and subpart 3, items A and B.~~

This amendment deletes the option for those candidates with no teaching experience to take an examination in lieu of teaching experience. The University Work Group recommends this examination be eliminated because it is no longer an appropriate standard and is no longer used by any university. It is reasonable to accept the recommendations of the approved preparation programs.

The board proposes the following amendment to Subp. 4 (A).

Subp. 4. **Teaching internship requirement.** An applicant ~~shall~~ must have experience and knowledge in curriculum, school organization, philosophy of education, early childhood

education, and elementary, junior high or middle school, and senior high schools. The internship shall must:

- A. include one school year with a minimum hour equivalency of 1,050 hours of classroom experiences, including eight weeks of supervised teaching experience for a principal or superintendent license or 1,050 hours of special education experience for a director of special education license. A candidate may count up to 250 hours of online classroom teaching experience toward meeting the 1,050 hours of classroom experience;

Current rule requires candidates seeking an administrative license with no teaching experience to complete a 1,050 hour teaching internship. This language allows candidates with on-line teaching experience to use 150 hours of that experience to count toward meeting the internship requirement.

This amendment was recommended by the on-line teaching community to reflect a reasonable balance between on-line and traditional modalities of instruction. It is reasonable to adjust the rules to reflect modern instructional delivery.

The Work Group also recommended eliminating duplicative language requiring eight weeks of supervised teaching because it is already included in the supervised internship. It is reasonable to accept the recommendations of the approved preparation programs.

### **3512.0800 ALTERNATIVE PATHWAY LICENSURE FOR SCHOOL SUPERINTENDENTS.**

The board proposes the following amendments to Subp.1 and Subp. 2:

Subpart 1. **Intent of alternative pathway to license.** An applicant for licensure through an alternative ~~license shall~~ pathway must demonstrate skills and competencies needed to perform the functions of a superintendent. This alternative pathway is ~~intended~~ for applicants who do not meet the requirements for superintendent licensure as specified in part 3512.0200.

Subp. 2. **Procedures for licensure.** An applicant for licensure through an alternative ~~license~~ pathway must demonstrate that the applicant has substantive experience and education in areas including but not limited to administration, supervision, management, and executive leadership, ~~in either~~ education, health care, business or industry, labor, or government. A candidate also may consult with a board-approved program. An applicant for an alternative license ~~shall~~ must:

- A. complete a written application;
- B. provide a written description of the applicant's exceptional qualifications.

The amendment adds the word “pathway” to correct inaccurate language in the original rule. There is no alternative license for superintendents. There is only a separate pathway to achieve an *initial* license.

This change was recommended by legislators to correct the false impression that the state was issuing alternative licenses for superintendents. It is reasonable to correct language to reflect actual rule.

The second amendment in Subp. 2, also suggested by the legislators, simply allows candidates under this provision to consult with a board-approved program if they desire. It is reasonable to assist candidates seeking licensure.

The board proposes the following amendment to Subp. 3:

**Subp. 3. Credential review committee.** An applicant ~~shall~~ must appear before a credential review committee and present evidence ~~relating to~~ of the applicant's proposed effectiveness as a superintendent. The applicant may present data and information regarding about the applicant's leadership effectiveness shall be presented as through testimony from teachers, parents, students, site council members, community members, and other interested persons. The review committee ~~shall~~ must consist of a licensed administrator appropriate to the field, a college or university administration preparer, and a member of a local school board or person of similar background. The credential review committee ~~shall make a recommendation~~ must recommend to the executive director whether to approve or disapprove the applicant's initial application. The executive director may accept or reject the credential committee's recommendation based on board-approved criteria. If the executive director disapproves the application, the applicant may appeal the executive director's decision to the board.

This amendment ensures due process for candidates seeking a superintendent's license under this section. The amendment requires the executive director to accept or reject the recommendation of the credential review committee. The amendment allows the candidate to appeal the decision of executive director to a neutral party (the Board).

The amendment is necessary to address a weakness detected by the Attorney General's Office during their review of the proposed rules. Currently, the credential committee's recommendation goes directly to the full board for a decision. That decision can only be appealed back to the very board that just rendered the decision. This new language affords the candidate due process by changing the appeal process from appealing the decision of the board to appealing the decision of the executive director. It is reasonable to address the concerns of the Office of Attorney General.

The board proposes the following amendment to Subp. 6A:

**Subp. 6. Issuance of license.** The board must issue initial and renewal licenses shall be issued and renew licenses according to this subpart.

~~A. Based upon~~ The board must either accept or reject the executive director's licensure recommendation. If the board accepts the executive director's recommendation to approve licensure, the credential review committee recommendation, board must issue the applicant may be granted a two-year initial license. The board may also identify ~~needed~~ activities which the candidate shall individual must implement during the ~~period of the~~ initial license period to strengthen the individual's skills ~~which may lead to improved~~ and improve the

individual's results as a superintendent. ~~This~~ These activities may include a mentoring experience or improving specific skills or competencies ~~that need improvement.~~

This amendment codifies the due process outlined in Subp. 3. This amendment is necessary to align the board's licensure responsibility with the rule changes suggested in Subp. 3. It is reasonable for the alternative pathway for superintendent licensure to be aligned.

The board proposes the following amendment to Subp. 7:

Subp. 7. **Appeal.** ~~If the candidate's initial application is rejected, an appeal may be filed with~~ The applicant may appeal the executive director's decision to the board within 30 days of ~~the denial~~ receiving notice of the decision.

This amendment aligns the candidate's appeal process with the standard established in Subp. 3. The amendment also clarifies that the time limit on the appeal starts when the candidate receives the notice not when the board made the decision. It is reasonable to make all references to the appeal process consistent and to start the appeal process when the candidate actually receives the notice.

### **3512.1200 CONTINUING EDUCATION PROGRAMS FOR DIRECTORS, PRINCIPALS, AND SUPERINTENDENTS.**

The board proposes the following amendments Subp. 1a:

Subp. 1a. **Approval.** The board, executive director, or board designee must approve all continuing education programs, and the clock hours ~~which a licensee may be earned~~ earn in each program, ~~must be approved by the board.~~ If clock hours are to be earned, approval must be secured before beginning a continuing education professional development activity. ~~Admission to all approved continuing education programs shall be open to any licensed Minnesota school administrator. The board shall disseminate lists of known approved continuing education programs twice annually.~~

The first amendment in Subp. 1a allows the board to designate someone to approve continuing education programs. This amendment is necessary to align rule with current practice. Currently, BOSA's only staff person annually processes 1,600 professional development requests as they are submitted to the office. With the board meeting monthly, and committee meetings lasting only 30 minutes, logistically, it is impossible to process all the requests in time for administrators to renew their licenses. Hence, why the board has historically delegated that task to BOSA staff. Allowing staff to continue to approve continuing education activities under the guidelines contained in current rule, is good customer service and in the best interest of the public. It is reasonable to align rule with current practice.

The second part of the amendment deletes obsolete language requiring mandatory admission to approved professional development programs. This change is necessary to respect property rights of the program initiators. Many continuing education activities are conducted by private groups and the material is proprietary. Some programs have space constraints. Increasingly, some have felt uncomfortable mandating automatic admissions for license holders to every program. In working with



the professional associations, all believe this will not negatively impact access to professional development activities. It is expected that few program initiators would restrict entrance since they are in the business of selling clock hours. It is reasonable to honor property rights.

The third part of amendment deletes the requirement for a master list of approved programs. With only two BOSA staff, the fluidity of the program initiators, and staff time directed at higher priorities, board staff has never been able to accomplish this goal. Furthermore, no one has ever asked for the list. It is reasonable to delete requirements which are unattainable, undesired, and unused.

The board is proposing the following amendments to Subp. 2:

Subp. 2. **Program initiator.** The initiator of a continuing education program ~~has complete responsibility~~ is responsible for conducting ~~that the~~ program. ~~However,~~ The initiator may use resources from professional associations, governmental agencies, and the private business sector to conduct the program. The program initiator ~~is responsible for~~ must:

A. ensure prior approval for continuing education programs. Programs not receiving prior approval or a waiver from the executive director must obtain a continuing education variance from the board to be considered meeting the standards for a continuing license as defined in part 3512.0100, subpart 8;

B. collect and verify attendance;

A. C. developing develop proposals for continuing education programs in areas of study which have been identified in cooperation cooperatively with licensed directors, principals, and superintendents practicing in Minnesota school districts;

D. identify competency areas under part 3512.0510; and

~~B. E. forwarding forward~~ forward continuing education program proposals to the board for approval.~~and.~~

~~C. maintaining communication with the board concerning the status of all approved continuing education programs offered.~~

Amendment (Subp. 2(A) requires program initiators not receiving prior approval for professional development activities, or who do not receive a waiver from the executive director (which is current practice), to obtain a variance from the board to be approved for awarding clock hours toward re-licensure. This amendment is needed to motivate more program initiators into getting prior approval which allows staff to review the program before it is offered. Our board believes the legislature intended for the board, to the best of its ability, to insure the quality of the professional development.

Amendment (Subp. 2(B) requires initiators to collect and verify attendance of those seeking clock hours. Collecting and verifying attendance is necessary for the board staff to award proper certificates.

Amendment (Subp. 2(D) requires program initiators to identify competency areas in 3512.0510. This is necessary to ensure that professional activities are linked to the new competencies required for licensure.

It is reasonable for the board to exercise proper oversight of professional development activities to fulfil the board's legislatively-mandated responsibility for oversight of professional development of licensed administrators.

### **3512.1300 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.**

No substantive amendments. Proposed language simply changes verbiage from a passive voice to an active voice.

### **3512.1500 THE ISSUANCE AND RENEWAL OF LICENSES.**

No substantive amendments. Proposed language simply changes verbiage from a passive voice to an active voice

### **3512.1600 APPEALS.**

The board proposes the following amendments to Subp. 2:

Subp. 2. **Appeal request.** A person entitled to a hearing under this part ~~shall~~ must file a written request for a hearing with the executive director within 30 days ~~from the date of receiving notice~~ of the denial. Failure to file a written request for a hearing within 30 days constitutes a waiver of the person's right to a hearing.

This language requires an appeal must be made within 30 days of *receiving* notice of a denial rather than the current practice of 30 days from the actual board decision to deny. This language is necessary to clarify the timing of an appeal. It is reasonable for individuals denied a license to be given a clear and concise appeals process.

### **3512.1700 RULES REVIEW.**

No substantive amendments. Proposed language simply changes verbiage from a passive voice to an active voice.

### **3512.2000 REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSES.**

The board proposes the following amendments to Subp. 1:

Subpart 1. **In general.** An applicant must qualify separately for each licensure area for which application is made and provide evidence of satisfactory completion of a board-approved program in the licensure area. ~~that has been approved by the board.~~

Each application for the issuance or renewal of a license ~~shall~~ must be accompanied by the processing fee in part 8710.0200. The processing fee ~~shall~~ must be nonrefundable for applicants not qualifying for a license, except the fee is refundable when the applicant for a license already

holds the license for which application is made and that license does not expire in the year the application is submitted.

~~The board must issue and renew all licenses must be issued or renewed according to criteria established in board rules of the board, and the licenses are valid for the period of time specified in this part. All licenses must bear the date of issuance and expire on the specified number of years from July 1 nearest the date licensure was the board approved the license. Applications for renewal must be accepted by the Minnesota Department of Education, Division of Educator Licensing and Teaching Quality, The Professional Educator Licensing and Standards Board must accept applications to renew a license after January 1 of the year of expiration. The renewal period begins on July 1 of the year of expiration. After June 30 in the year of expiration, all licenses not renewed expire and are no longer valid.~~

This amendment deletes obsolete language referencing the Minnesota Department of Education. This language is necessary to reflect legislative action moving the licensing division from the Minnesota Department of Education to PELSB. This amendment is required to conform to current statute.

The board proposes the following amendment in Subp. 1a:

Subp. 1a. **Provisional license.** The provisional license issued in any licensure area is a two-year license. The board must issue provisional licenses to persons who meet all requirements of applicable statutes and rules.

This amendment simply re-affirms that provisional licenses are for two years. This language is necessary for consistency purposes.

The board proposes the following amendment to Subp.2:

~~Subp. 2. **Initial license.** The initial license issued in any licensure area is an entrance license, valid for two years a two-year license. The board must issue licenses valid for administration and supervision in Minnesota schools must be granted to persons who meet all requirements of applicable statutes and rules and who complete board-approved licensure programs approved by the board leading to licensure in Minnesota institutions that are approved by the board pursuant to under part 3512.2500. to prepare persons for licensure.~~

This section deletes the term “entrance” license when referring to an initial license. This language is necessary to reduce the general public’s confusion with multiple terms referring to an initial license. It is reasonable to make the terms less confusing.

The board proposes the following amendment to Subp.3:

Subp. 3. **Failure to complete school year of experience affecting entrance-initial license.** When a person does not complete one school year of administrative or supervisory experience is ~~not completed~~ before the expiration of an entrance initial license expires, the board must issue another entrance initial license in that licensure area must be issued upon application after

receiving the person's licensure renewal application. If an entrance initial license in any licensure area is allowed to lapse, it shall be renewed, upon application, lapses, the board must renew the license after receiving the person's licensure renewal application. The board must continue to renew the license until the applicant has had completes one school year of administrative or supervisory experience while holding a valid entrance initial license, after which time an applicant must qualify qualifies for a continuing license.

Deletes obsolete reference to an “entrance” license. This section was added to reduce the general public’s confusion with multiple terms referring to an initial license. It is reasonable to make the terms consistent.

The board proposes the following amendment to Subp.5:

Subp. 5. **Conduct review.** All applicants for licensure and license renewals are subject to a criminal history background check as required under Minnesota Statutes, section 122A.18, subdivision 8, and a conduct review performed by the board. The board may refuse to issue a license or deny a license renewal based on the results of the background check or conduct review. An applicant who is denied a license or license renewal as a result of the background check or conduct review may appeal the board's decision pursuant to part 3512.1600.

Currently, BOSA procedure requires all candidates for licensure or re-licensure to submit to a Conduct Review which is a series of questions about the candidate’s background. This amendment codifies this procedure in rule. This amendment is necessary to strengthen BOSA’s commitment to high ethical standards by elevating existing procedure into rule.

### **3512.2050 PROVISIONAL LICENSE.**

The board proposes the following new section of rule:

A. The board may issue a two-year nonrenewable license to an applicant who has not met all Minnesota preparation program requirements. The applicant must enroll and make progress in a board-approved program leading to licensure as a superintendent, a director of special education, or a kindergarten through grade 12 principal at a regionally accredited college or university during the applicant's two-year provisional status. The applicant must:

(1) have completed an applicable preparation program in another state; or

(2) hold an appropriate administrative license.

B. The board may extend a provisional license issued under this part for one additional school year if the board determines an extension is warranted based on board-adopted criteria.

C. A candidate for a provisional license under this part may substitute one year of full-time experience as a superintendent, assistant superintendent, principal, assistant principal, or director

of special education in another state for the field experience required in part 3512.0400, subpart 1.

Amendment (A) authorizes provisional licenses for superintendents and directors of special education. Currently, provisional licenses are only allowed for principals. This language is necessary to address Minnesota's shortages of licensed directors of special education and superintendents, especially candidates of color. After processing frequent variances from school districts, the board concluded it is in the state's interest to make it easier to license out-of-state candidates since many of the variance requests were for candidates of color. It is reasonable to assist districts seeking to diversify educational leadership by broadening provisional licenses to include directors of special education and superintendents.

Amendment (B) seeks to align current practice with new rule. Currently, the executive director has been extending provisional licenses in emergency situations. This provision allows the board to extend a provisional license for one year using board-approved criteria. The board concluded this change is necessary to allow the board to address unplanned, emergency situations which prevent provisional license holders from completing the coursework required for a professional license. It is reasonable to provide individuals, and the school districts they work for, additional flexibility in emergency situations. It is reasonable to align current practice with rule for the benefit of the license holder.

Amendment (C) allows directors of special education and superintendents to count one year of full-time experience toward field experience requirements. This is the existing rule for principals with a provisional license. This change is necessary to make field experience standards consistent for all provisional licenses. It is reasonable to have consistent standards.

### **3512.2100 INITIAL LICENSE.**

The board proposes the following amendments to (A)2:

A. Licensure applicants must meet the requirements ~~must be met~~ for each administrative area where the applicant seeks licensure is sought. ~~The board must issue an initial license shall be issued~~ to an applicant who ~~has met~~ meets all of the following requirements. An applicant must:

A.(1) fulfill the requirements of ~~parts~~ part 3512.2000, subparts 1 and 2, ~~and 3512.2700;~~ ~~and~~

B.(2) be recommended for licensure by a ~~Minnesota Board of School Administrators approved~~ board-approved Minnesota college or university which, in making such a recommendation, attests to ~~satisfactory completion of the applicant satisfactorily completing~~ the approved program ~~by the applicant.~~ An applicant ~~coming to Minnesota from another state must present to the Minnesota Department of Education, Division of Educator Licensing and Teacher Quality,~~ Professional Educator Licensing and Standards Board application intake staff a college or university transcript of college or university work to be analyzed in order to determine program comparability of program.

This language reflects legislative changes which moved the licensing division out of the Minnesota Department of Education to PELSB.

The board proposes adding amendment B:

- B. A candidate who does not qualify for a continuing license issued under part 3512.2300 may apply to renew an initial license every two years and is not required to complete any clock hours of continuing education in order to renew an initial license.

This language reiterates the existing practice of allowing initial license holders who do not obtain one year of experience in the field, to be re-issued an initial license without having to obtain any clock hours of professional development. The language is necessary to clarify existing practice. It is reasonable to allow administrators who were not hired during the first two years of their license, to continue in the profession.

### **3512.2300 CONTINUING LICENSE.**

The board proposes the following amendments to Subp. 1:

Subpart 1. Continuing license for those holding ~~entrance~~ **initial** license. The board must issue a five-year continuing license to an applicant who completes at least one school year of administrative or supervisory experience in a licensure area while holding an ~~entrance~~ initial license ~~shall be issued a continuing license, valid for five years.~~ Supervisory experience includes the tasks listed in Minnesota Statutes, section 179A.03, subdivision 17. When an applicant adds a licensure area ~~is added~~ to a continuing license already in ~~force~~ effect, the board must issue a continuing license ~~is issued, and with the same~~ with the same expiration date ~~becomes that already~~ established for the continuing license ~~already in force~~ effect.

Current rule requires administrators seeking a five-year license demonstrate they have “one school year of administrative or supervisory experience in a licensure area” in order to receive the license. This language makes this section consistent with the amendments proposed in 3512.0300, Subp. 1, which defines “supervisory experience” as those duties listed in *Minnesota Statutes* 179A.03, sub. 17. This language is necessary to clarify for PELSB and BOSA staff what is appropriate “supervisory experience.” Currently, there are a number of school districts with various administrative positions such as dean of students, whose job duties may or may not meet the standard required for a five-year license. As agencies review these requests on a case-by-case basis, it is reasonable to establish consistent standards defined in a clear and concise way.

The board proposes the following amendments to Subp. 3:

Subp. 3. Renewal of continuing licenses. The ~~renewal of~~ board must renew the continuing licenses ~~must be issued to~~ license of an applicant who provides evidence of ~~completion of~~ completing 125 clock hours of approved administrative and supervisory continuing education earned according to part 3512.1200 during the five-year period immediately before ~~renewal of~~ renewing the continuing license. ~~Approval of~~ The board must approve continuing education

programs, and the clock hours ~~that may be earned~~ an applicant may earn in each program, ~~must be~~ according to part 3512.1200. ~~An applicant may apply~~ relevant courses completed at accredited colleges and universities ~~may be used~~ toward the clock-hour requirement. One quarter college credit equals 15 clock hours; and one semester college credit equals 20 clock hours. An applicant must meet the renewal requirements ~~must be met~~ during the five-year period of each continuing license, and no clock hours shall carry forward into any subsequent five-year licensure period. The applicant may appeal to the board for a continuing education variance to allow credits the applicant earned outside the five-year period to count toward the 125-clock-hour requirement

For administrators seeking re-licensure, current rule limits administrators to counting clock hours “during the five-year period immediately before renewal of the continuing license.” This amendment allows administrators to ask the board for a variance to count clock hours earned outside the five-year period. This language is necessary to address unforeseen circumstances such as administrators being deployed overseas, a health crisis, or someone going through family issues such as divorce which may have prevented the administrator from meeting this standard. Traditionally, the board has used its general variance authority in 3512.5300 to address such issues. However, the board has concluded that listing this option separately in rule makes this more visible to administrators. It is reasonable to write rules which seek to make license holders more fully aware of appropriate remedies.

The board proposes the following amendments to Subp. 4:

Subp. 4. **Lapsed license.** ~~If an applicant allows a continuing license has been allowed to lapse for more than 60 days and the applicant has not been is currently employed as an administrator or supervisor during the year immediately before the application for renewal, the applicant must provide evidence that,~~ the applicant must obtain a variance from the board while the board renews the license. If the applicant was not employed as an administrator or supervisor during the year immediately before applying to renew the license, the applicant must demonstrate to the board that the applicant:

*Minnesota Rule 3512.0200* requires persons “working as a superintendent, assistant superintendent, principal, assistant principal, special education director, or assistant special education director must hold the appropriate license.” There have been occasions in which administrators have forgotten to renew their license. Currently, there is no penalty for administrators not renewing their licenses on time. This language requires administrators who have gone more than 60 days past their renewal date, to obtain a variance from *Rule 3512.0200* in order to renew their license.

The board believes very strongly that administrators, like the teachers they supervise, ought to renew their licenses on time. The Board worked with the Minnesota Association of Secondary School Principals (MASSP) & the Minnesota Elementary School Principals’ Association (MESPA), to find enforcement language that strikes the appropriate balance between punishment and language that would sufficiently motivates all administrators to renew on time. Renewal is important because it ensures that administrators have earned the appropriate level of professional development to remain current in their

profession. The board, in consultation with the professional associations, believes the possibility of facing the scrutiny of their peers in a variance process will sufficiently inspire administrators to renew on time. It is reasonable to implement strategies that hold administrators accountable to existing rule requirements which protects the public and ensures the highest quality.

### **3512.2400 SUSPENSION AND REVOCATION OF LICENSES.**

No substantive amendments. Proposed language simply changes verbiage from a passive voice to an active voice.

### **3512.2500 PROCEDURES FOR APPROVAL OF LICENSURE PROGRAMS.**

The board proposes to delete Subp. 2(D):

~~D. an enumeration of the specific knowledge, skills, and dispositions to be achieved by persons completing the licensure program;~~

Language is duplicate.

The board proposes adding new language in the following amendment Subp. 2(K):

K. include program review data as mandated by the legislature and the board and describe how that data are utilized.

Adds a requirement that the program must include program review data required by the legislature or the board as a part of the approval process. This section is necessary to comply with legislative requirements contained in *Minnesota Statutes* 122A.14, Subd. 8 to “develop accountability measures for programs preparing students for licensure and report the progress of the programs to the legislature by January 15 of every other year beginning with the 2013 legislature.” During the 2017 legislative session, the legislature further defined this requirement to include:

- 1) Summary data on faculty qualifications, including at least the content areas of faculty undergraduate and graduate degrees and the years of experience, either as a kindergarten through grade 12 classroom teacher or school administrator.
- 2) The average time program graduates in the preceding year needed to complete the program.
- 3) The current number and percentage of students who graduated, received a standard Minnesota administrator license, and were employed as an administrator in a Minnesota school district or school in the preceding year disaggregated by race, except when this disaggregation does not yield statistically reliable results or would reveal personally identifiable information about an individual.
- 4) The number of credits by graduate program that students in the preceding school year needed to complete to graduate.



5) Survey results measuring student, graduate, and employer satisfaction with the program in the preceding school year disaggregated by race, except when disaggregation would not yield statistically reliable results or would reveal personally identifiable information about an individual.

6) Information under subdivision 3, paragraphs (c) and (d). Program reporting must be consistent with section 122A.14, subdivision 10.

It is reasonable to require university preparation programs to report mandated legislative and board data as a part of the approval process.

### **3512.2600 LICENSURE FOR PERSONS PREPARED IN STATES OTHER THAN MINNESOTA.**

The board proposes the following amendments to Subp. 1:

#### **Subpart 1. Criteria.**

~~A. The board must issue Minnesota licenses shall be granted to persons who otherwise meet applicable statutory requirements and who complete programs leading to licensure in colleges and universities located outside Minnesota and the requirements of this part. The board must issue licenses shall be granted only in licensure fields for which the board has established rules governing licensure programs leading to licensure. Persons prepared in other states other than Minnesota shall must present their credentials to the board for approval. The board has jurisdiction on all matters concerning administrative licensure. The licenses shall be issued according to either item A or B as follows:~~

~~A. Persons who complete approved programs in colleges and universities leading to licensure within states which have signed contracts with Minnesota according to the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota initial license. No licenses shall be issued on the basis of teaching experience only.~~

B. The board must issue an initial professional license to persons who complete administrative preparation programs leading to licensure in colleges and universities within states outside Minnesota which have not signed contracts with Minnesota shall be granted a Minnesota initial license when all of the following criteria are met:

(1) the college or university is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools;

(2) the program ~~leading to licensure has been~~ the applicant completed is recognized by the state as qualifying the applicant completing the program for such employment as an administrator or licensure within that state;

(3) ~~the program leading to licensure the applicant completed by the applicant~~ is essentially equivalent in content to approved programs offered by Minnesota colleges and universities under the board rules of the Board of School Administrators governing the licensure field. A person licensed under this part must achieve educational equivalency with persons licensed in Minnesota by the time the person's initial professional license expires. Educational equivalency includes 30 semester credits beyond a master's degree or 60 semester credits beyond a bachelor's degree, including a master's, specialist, or doctoral degree; and

(4) the college or university ~~which offers~~ offering the program leading to licensure verifies ~~that~~ the applicant has completed an approved licensure administrative preparation program at that institution and recommends the applicant for a license ~~in a licensure field at a licensure level~~ if licensure is required by that state.

~~Notwithstanding part 3510.4000 governing human relations, persons who have been prepared for licensure in states other than Minnesota shall be granted a Minnesota initial license based upon the provisions of this part.~~

The amendment to Subp. 1(A) deletes obsolete language. This deletion reflects that the Interstate Agreement on Qualification of Educational Personnel no longer exists.

The amendment to Subp. 1(B)2 allows those applicants completing a preparation program in a state that *does not require licensure* to qualify for a Minnesota license provided their preparation program qualifies the applicant to be hired as an administrator in that state. The language is needed to level the playing field when administrators come to Minnesota to work but are from states that do not require administrative licensure. Currently, those candidates are not eligible for licensure. It is reasonable to assume that practicing, out-of-state administrators who have completed an administrative preparation program which qualifies them for employment in that state, will be qualified to be an administrator in Minnesota.

The amendment to Subp. 1(B)3 is existing language moved from 3512.0300, Subp.5. This language has been moved to keep all the provisions related to candidates prepared out-of-state in the same section of rule.

The board proposes deleting Subp.2.

Subp. 2. [See repealer.]

The University Work Group recommended deleting the Human Relations requirement because the components of the course are imbedded into the new licensure competencies. It is reasonable to accept the recommendations of the University Work group representing all of the university preparation programs.

The board proposes amendment Subp. 3:

Subp. 3. Field experience equivalency. A licensure candidate may substitute one year of full-time experience as a superintendent, assistant superintendent, principal, assistant principal, or director of special education in another state for the field experience required by part 3512.0400, subpart 1.

This amendment moves existing language from 3512.0300, Subp. 5, to this section. This language is needed to put all sections dealing with applicants prepared out-of-state in one section. It is reasonable to reduce confusion among applicants.

### **3512.2700 HUMAN RELATIONS REQUIREMENT**

The board proposes repealing this section. The Human Relation components are imbedded in the new competencies in 3512.0510 rendering this section obsolete.

### **3512.5200 CODE OF ETHICS FOR SCHOOL ADMINISTRATORS.**

The board proposes the following amendment to Subp. 1(D):

D. A school administrator shall must not ~~misuse~~ use professional relationships with students, parents and caregivers, staff, or colleagues to private advantage.

This language is needed to address a concern expressed by legislative leaders to make this section of the Code of Ethics for administrators consistent with the Code of Ethics for teachers. This language makes the provisions identical. It is reasonable to respond to legislative concerns to hold administrators and teachers to the same ethical standard.

The board proposes the following amendment to Subp. 4:

~~Subp. 4. **Complaints handled by board.** When oral complaints alleging violations of the code of ethics for school administrators are received, the board shall request the complaining party to submit a written complaint. Upon receipt of a written complaint, the administrator named in the complaint shall be notified in writing of the complaint.~~

A. When the board receives complaints alleging violations of the code of ethics for school administrators, the board must require the complaining party to submit:

(1) a signed, written complaint specifying the nature and character of the allegations; and

(2) a consent form provided by the board.

B. The board must consider only those complaints that comply with this subpart. The administrator ~~shall be~~ is entitled to be represented by the administrator's own counsel or representative at each stage of the investigation and hearing.

This amendment clarifies the complaint process by requiring a complainant to submit a signed, written complaint and consent form when filing an ethics complaint. The amendment clarifies that the board

will only consider complaints that comply with this subpart. The board has simplified this process by imbedding consent form within the complaint form itself.

Currently, the board processes over 120 ethical inquiries each year. In some instances, these complaints are made over the phone making it nearly impossible for the executive director to accurately relay the complaint to the board's Ethics Committee for proper examination. (For those physically incapable of filing complaints, we work with those individuals to complete their claim). In other instances, complainants simply request that the board fire the administrator which is outside our legislative authority. The board believes this language requiring complaints in writing represents best practice and is necessary to ensure proper redress of claims and reduce frivolous requests.

It is reasonable to ensure that all complaints be in writing in order for proper review by the Ethics Committee. It is reasonable to simplify the complaint process for the public.

The board proposes deleting the last sentence in Subp. 5:

**Subp. 5. Enforcement procedures.** The board may impose one or more of the following penalties when it ~~has found~~ finds a violation of a standard under subpart 2. ~~These actions shall be taken only after previous efforts at remediation have been exhausted.~~

This deletion eliminates the requirement that the board attempt to remediate before disciplinary action. This deletion is necessary because the inflexibility of the current requirement is not in the public interest. Certainly, the board wants the option to help remediate an administrator. However, in some instances, certain first-time infractions can be so serious that the board moves directly to discipline. It is reasonable to delete inflexible language that may delay action needed to protect the public.

### **3512.5300 VARIANCE.**

The board proposes the following amendment to Subp. 3(A):

- A. ~~whether application of the rule to the individual circumstances of the applicant would serve the purpose of the rule~~ variance from the rule would serve a compelling public purpose;

This amendment adds a "compelling public purpose," to the criteria when deciding a variance request. Licensure is an important aspect of ensuring the quality of administrators in Minnesota's school districts. The board seeks to honor the integrity of licensure and also respect the unique needs of school districts. Having a "compelling public purpose" is a reasonable standard which balances the public interest and the need for licensed administrators in schools with the rare conditions that confront school districts when hiring certain administrative positions. It is reasonable to establish require a compelling public purpose when waiving licensure.

The board proposes the following amendment to Subp. 5:

Subp. 5. [See repealer.]

This repealer eliminates the burdensome regulations on school districts when seeking a variance. Current rule requires districts send written notice “to any individual or entity that may be affected by the variance.” Districts are also required to submit to the board a list of names and addresses of the impacted parties who were notified of the variance request. School districts have been unable to discern what “any individual” means and have long disregarded these requirements because of the logistical hardship it places on districts to “notify any individual or entity that may be affected.” The board has not enforced this provision for over a decade. The board discussed this provision with the professional associations including the Minnesota Community Education Association and all agreed this subdivision is no longer needed. The school district is still required to document their inability to hire a fully licensed director and to show that the recommended candidate is in an approved preparation program. The board has concluded this is an onerous regulation with little compliance and it is reasonable to eliminate it.

The board proposes the following amendments to Subp. 8:

~~Subp. 8. Fees. The application must include a nonrefundable processing fee of \$25. An application is not complete until the board receives the processing fee. The applicant may be charged additional fees if the cost for the board to process the variance application exceeds \$25. The fee for the variance application must be charged consistent with Minnesota Statutes, section 14.056.~~

Current rule prescribes a \$25 fee to process variance requests from school districts. This amendment clarifies that fees charged are to be consistent with *Minnesota Statutes* 14.056 which requires that fees be based on actual costs associated with administrating the variance. This amendment was added at the request of the legislative leaders to ensure consistency with Minnesota law. It is reasonable to be consistent with Minnesota law.

The board proposes the following amendments to Subp. 11:

Subp. 11. Variance for director of community education. Subject to the conditions in this subpart, the board must annually issue an administrative variance to a school district to allow the district to use an individual who is not fully licensed as the community education director if the school district is unable to employ a fully licensed director of community education.

A. The board must issue an administrative variance to school districts only if the individual is enrolled in a board-approved program leading to licensure as a director of community education and can show evidence the individual will complete the program within three school years.

B. A school district must apply annually for an administrative variance and must not exceed the three years stated in item A for any one individual.

C. The school superintendent must verify in writing the district's inability to contract with a fully licensed director of community education for a position. The superintendent must verify how the district advertised the director of community education position and that the district did not place

a licensed director of community education interested in the position on unrequested leave of absence.

Current *Minnesota Rule* 3512.0505, Subd. 9, allows a school district to receive a “letter of approval for an exception” from the board allowing them to employ a non-licensed director of community education, provided they meet criteria listed in Subdivision 9. This amendment replaces the letter of approval with the variance process similar to those used for other administrators. To obtain a variance, the district would have to show that the person is in a preparation program and will finish within three years, and the school district was unable to contract with a fully licensed director of community education for a position. The superintendent must verify how the district advertised the director of community education position and that the district did not place a licensed director of community education interested in the position on unrequested leave of absence.

This amendment was suggested by the Minnesota Community Education Association to bring the exceptions to the rules process for directors of community education in line with the variance process used for principals, superintendents and directors of special education. It is reasonable to revise rules to be consistent and reduce the confusion of school districts and the general public.

**CONCLUSION**

Based on the foregoing, the proposed rules are both needed and reasonable.

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**Date**

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**Name and Title**

# Minnesota State Board of School Administrators

## REVISED NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

### Proposed Revisions to Rules Governing School Administrators, *Minnesota Rules*, 3512: Revisor's ID Number RD 4546

**Introduction.** Due to technical and logistic errors in implementing the original Additional Notice Plan, the Board of School Administrators is publishing a revised notice of intent to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. A copy of the proposed rules was published in the *State Register* on June 24, 2019. You may submit additional written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until **November 15, 2019**.

**Agency Contact Person.** You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. Written comments and requests for hearing may be served upon the agency contact person by courier, personal service, U.S. Mail, facsimile, or electronic mail at the contact numbers and addresses provided herein. The agency contact person is Dr. Anthony Kinkel at Minnesota Board of School Administrators, 1500 Highway 36 West, Roseville, Minnesota, 55113, 651-582-8236 (office), 651-797-1608 (fax). [Anthony.Kinkel@state.mn.us](mailto:Anthony.Kinkel@state.mn.us)

**Subject of Rules and Statutory Authority.** The statutory authority to adopt the rules is *Minnesota Statutes* 122A.14. The amendments change the language of the rule from a passive voice to an active voice, allow additional flexibility in licensure, strengthen oversight of professional development activities, streamline regulations which impede the board's ability to respond to the needs of the public, and upgrade decades-old administrator competencies required in university preparation programs. The proposed rules may be viewed at the Board of School Administrators website at <https://bosa.mn.gov> A free copy of the rules is available upon request from the agency contact person listed above.

**Comments.** You have until **4:30 p.m. on Wednesday, November 15, 2019**, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Board encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Board hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by **4:30 p.m. on Wednesday, November 15, 2019**. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the Board will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. If a hearing is required, a Notice of Hearing will be published and served advising interested parties of the date and time of the hearing, as well as the hearing process and procedures.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The Board may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under Minnesota Rules, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

**Statement of Need and Reasonableness.** The revised statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person and can be found at the agency's website at <https://bosa.gov>. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

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

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Date

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Dr. Anthony G. (Tony) Kinkel  
Executive Director



1.1 **Board of School Administrators**

1.2 **Proposed Permanent Rules Relating to Administrative Licensure, including**  
1.3 **Administrator Preparation and Issuance and Renewal of Licenses; Enforcement of**  
1.4 **the Code of Ethics for School Administrators; and Modernization and Technical**  
1.5 **Changes to Administrative Licenses**

1.6 **3512.0100 DEFINITIONS.**

1.7 Subpart 1. **Scope.** As used in ~~parts 3512.0100 to 3512.1700~~ this chapter, the terms  
1.8 defined in this part have the meanings given them.

1.9 Subp. 2. **Administrative licensure areas.** "Administrative licensure areas" means  
1.10 the licensure areas of directors, ~~superintendent~~ superintendents of schools, and school  
1.11 ~~principal~~ principals.

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

1.13 Subp. 3. **Commissioner.** "Commissioner" means the commissioner of ~~the Department~~  
1.14 ~~of~~ education.

1.15 *[For text of subp 4, see M.R.]*

1.16 Subp. 5. **Director.** "Director" means the director and the assistant director of special  
1.17 education, or the director and assistant director of community education who perform ~~duties~~  
1.18 ~~consisting of~~ 50 percent or more in of their duties in the areas of administration, personnel,  
1.19 supervision, evaluation, and curriculum.

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

1.21 Subp. 6. **Principal.** "Principal" means elementary, secondary, and kindergarten through  
1.22 grade 12 school principals and assistant principals who perform ~~duties consisting of~~ 50  
1.23 percent or more in of their duties in the areas of administration, personnel, supervision,  
1.24 evaluation, and curriculum.

2.1 Subp. 7. **Superintendent.** "Superintendent" means superintendents and assistant  
2.2 superintendents who perform ~~duties consisting of~~ 50 percent or more in of their duties in  
2.3 the areas of administration, personnel, supervision, evaluation, and curriculum.

2.4 Subp. 8. **License definitions.**

2.5 A. "Professional license" means a two-year initial license or a five-year continuing  
2.6 license issued by the board to a qualified applicant who meets the program requirements  
2.7 and applicable administrative experience requirements for each administrative area in which  
2.8 the applicant seeks licensure.

2.9 B. "Initial license" means a two-year professional license issued by the board to  
2.10 a qualified applicant pursuant to part 3512.2100.

2.11 C. "Continuing license" means a five-year professional license issued by the board  
2.12 to a qualified applicant pursuant to part 3512.2300.

2.13 D. "Provisional license" means a two-year nonrenewable license issued by the  
2.14 board pursuant to part 3512.2050.

2.15 **3512.0200 EDUCATION AND EXPERIENCE REQUIREMENTS FOR**  
2.16 **SUPERINTENDENT, PRINCIPAL, AND DIRECTOR OF SPECIAL EDUCATION.**

2.17 Subpart 1. **Scope.** A person ~~holding a position~~ working as a superintendent, assistant  
2.18 superintendent, principal, assistant principal, special education director, or assistant special  
2.19 education director must hold the appropriate license ~~as a superintendent, principal, or special~~  
2.20 ~~education director.~~

2.21 Subp. 2. **Teaching experience.**

2.22 A. An applicant for licensure as a superintendent, or principal, ~~or~~ must have three  
2.23 years of combined experience as any of the following:

3.1 (1) a public school classroom teacher (i) teaching in a position that required  
3.2 a state-issued license, and (ii) holding the state-issued license for the position or permission  
3.3 from the licensing agency while holding an educator license;

3.4 (2) a nonpublic school teacher teaching in a school that (i) is accredited by  
3.5 an accrediting agency recognized by the state in which the school is operated, (ii) is directly  
3.6 recognized as a school by the state, or (iii) is a Bureau of Indian Education school; or

3.7 (3) a school psychologist, school social worker, speech-language pathologist,  
3.8 or school counselor working in a school if the person held the appropriate state-issued  
3.9 license at the time of the experience.

3.10 B. An applicant for licensure as a director of special education ~~director shall~~ must  
3.11 have three years of ~~successful classroom teaching~~ combined special education experience  
3.12 while holding a classroom teaching license valid for the position or positions in which the  
3.13 experience was gained. For purposes of this subpart, "classroom teaching license" means a  
3.14 license valid to teach granted by the Professional Educator Licensing and Standards Board.  
3.15 as any of the following:

3.16 (1) a public school special education classroom teacher (i) teaching in a  
3.17 position that required a state-issued license, and (ii) holding the state-issued license for the  
3.18 position or permission from the licensing agency while holding an educator license;

3.19 (2) a nonpublic school special education teacher teaching in a school that (i)  
3.20 is accredited by an accrediting agency recognized by the state in which the school is operated,  
3.21 (ii) is directly recognized as a school by the state, or (iii) is a Bureau of Indian Education  
3.22 school; or

3.23 (3) a school psychologist, school social worker, or speech-language pathologist  
3.24 working in a school if the person held the appropriate state-issued license at the time of the  
3.25 experience.

4.1 C. For purposes of this subpart, teaching may be in an in-person classroom, hybrid  
4.2 classroom, or online classroom.

4.3 Subp. 3. ~~K-12~~ **Kindergarten through grade 12 superintendents, principals, and**  
4.4 **directors of special education.**

4.5 A. An applicant for licensure as a superintendent, principal, or director of special  
4.6 education must complete: at a regionally accredited Minnesota graduate school

4.7 ~~(1) a specialist or doctoral program of a minimum of 60 semester credits or~~  
4.8 ~~a program consisting of 60 semester credits beyond the a bachelor's degree that includes a~~  
4.9 ~~terminating graduate master's degree and topics preparatory for educational administration~~  
4.10 ~~and the Minnesota competencies identified in preparation for completing the program~~  
4.11 ~~requirements under part 3512.0510 leading to a professional license. Each program must~~  
4.12 ~~be approved by the Board of School Administrators. The board must approve each licensure~~  
4.13 ~~program pursuant to part 3512.2500, and be offered at a regionally accredited Minnesota~~  
4.14 ~~graduate school; and~~

4.15 ~~(2) item B for an applicant for superintendent or principal or item C for an~~  
4.16 ~~applicant for director of special education.~~

4.17 B. An applicant for licensure as a superintendent or principal must ~~have field~~  
4.18 ~~experience of~~ complete within 12 continuous months at least 320 hours ~~or 40 eight-hour~~  
4.19 ~~days to be completed within 12 continuous months in elementary, middle or junior high,~~  
4.20 ~~and high schools as an administrative aide to a licensed and practicing school principal for~~  
4.21 ~~principal licensure or a licensed and practicing superintendent for superintendent licensure~~  
4.22 of field experience in elementary, middle or junior high, and high schools as an administrative  
4.23 intern to a licensed and practicing school principal for principal licensure or a licensed and  
4.24 practicing superintendent for superintendent licensure. The ~~field experience~~ applicant must  
4.25 ~~include~~ complete at least 40 hours ~~or one week~~ of field experience at each school level not  
4.26 represented by the applicant's primary teaching experience.

5.1 C. An applicant for licensure as a director of special education must ~~have~~ complete  
 5.2 a practicum or field experience within 12 continuous months, ~~that~~ which must include a  
 5.3 minimum of 320 hours in an administrative position under the immediate supervision of a  
 5.4 licensed and practicing director of special education. The field experience ~~will~~ must include  
 5.5 at least 40 hours ~~or one week~~ at a special education administrative unit ~~other than the~~ not  
 5.6 represented by the applicant's primary special education experience of the applicant.

5.7 Subp. 4. **Licensed elementary and secondary school principals.** To qualify for a  
 5.8 kindergarten through grade 12 principal license, a person licensed ~~under this part~~ as an  
 5.9 elementary school principal must complete a field experience of at least ~~200~~ 120 hours in  
 5.10 secondary administration ~~to qualify for licensure as a K-12 principal.~~, and a person licensed  
 5.11 ~~under this part~~ as a secondary school principal must complete a field experience of at least  
 5.12 ~~200~~ 120 hours in elementary administration ~~to qualify for licensure as a K-12 principal.~~ In  
 5.13 addition to the field experience required in this subpart, an elementary or secondary school  
 5.14 principal must meet the requirements in part 3512.0400, ~~subparts 2 and~~ subpart 3.

5.15 Subp. 5. [See repealer.]

5.16 Subp. 6. **Corrections.** A license issued in error is not valid. To correct a license issued  
 5.17 in error, the board must expunge the license issued in error to the unqualified applicant or  
 5.18 correct at no charge the incorrect license issued to the qualified applicant. A person denied  
 5.19 an administrative license may appeal the denial under part 3512.1600.

5.20 **3512.0300 SCHOOL SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF**  
 5.21 **SPECIAL EDUCATION.**

5.22 Subpart 1. **License required.** A person who serves as or performs the duties of a  
 5.23 superintendent, principal, or director of special education ~~shall~~ must hold a license appropriate  
 5.24 to ~~the~~ that position of school superintendent, principal, or director of special education.  
 5.25 ~~Performance of~~ A person must hold the appropriate professional license if 50 percent or  
 5.26 more of the person's duties includes duties that provide assistance to involve assisting the

6.1 superintendent, principal, or director of special education ~~consisting of 50 percent or more~~  
 6.2 ~~in~~ with administration, of personnel, employee supervision, employee evaluation, and  
 6.3 curriculum implementation, or notwithstanding Minnesota Statutes, section 122A.40,  
 6.4 subdivision 8, any of the person's duties including the duties listed in Minnesota Statutes,  
 6.5 section 179A.03, subdivision 17.

6.6 The board may issue an initial ~~licenses may be issued~~ professional license for each  
 6.7 administrative licensure area for which the applicant seeks licensure is sought. An provided  
 6.8 the applicant ~~must meet~~ meets requirements for licensure as a superintendent of schools, as  
 6.9 a school principal, or as a director of special education.

6.10 Subp. 2. **Institutional requirement.** An institution applying to the board for approval  
 6.11 of a preparation program leading to licensure as superintendent, principal, or director of  
 6.12 special education ~~shall~~ must comply with part 3512.2500. An approved institution with a  
 6.13 board-approved program must include a description of ~~describe~~ how the institution evaluates  
 6.14 the experience and preparation of licensure applicants for licensure may have their experience  
 6.15 and preparation in those ~~the~~ areas listed in subpart 3 or 4 ~~evaluated by an institution with~~  
 6.16 ~~an approved program. The evaluation must include representation.~~ Representatives from  
 6.17 college departments involved with the licensure program and licensed practicing  
 6.18 superintendents, principals, and directors of special education must participate in the  
 6.19 evaluation. This evaluation must result in a plan for the applicant to complete the knowledge,  
 6.20 skills, and dispositions listed in part 3512.0510.

6.21 The competency and situational observation components of an approved program for  
 6.22 ~~the competency and situational observation component~~ must include an exit evaluation that  
 6.23 ~~requires~~ require a licensure candidate to demonstrate mastery of ~~aptitude with the~~ knowledge,  
 6.24 skills, and dispositions in the competencies under part 3512.0510 as part of the exit  
 6.25 evaluation.

7.1 Subp. 3. **Continuing licensure.** The board must issue or renew a continuing license  
 7.2 ~~shall be issued and renewed~~ according to part 3512.2300 governing continuing licenses.

7.3 *[For text of subp 4, see M.R.]*

7.4 Subp. 5. [See repealer.]

7.5 Subp. 6. [Repealed, 33 SR 658]

7.6 **3512.0400 PROGRAM REQUIREMENTS.**

7.7 Subpart 1. **Field experience.** ~~An approved~~ A board-approved school licensure program  
 7.8 must include a 320-hour field experience. A person ~~taking part~~ participating in field  
 7.9 experiences ~~shall~~ must not replace ~~required~~ superintendents, principals, or directors of  
 7.10 special education employed at the participating school or district. Field experience must be  
 7.11 under the direction of a board-approved program and outcomes must focus on the knowledge,  
 7.12 skills, and dispositions ~~evident~~ in the competencies ~~for school administrators~~ under part  
 7.13 3512.0510.

7.14 Subp. 2. [Repealed, 33 SR 658]

7.15 Subp. 3. **Situational observation component.** ~~An approved~~ A board-approved  
 7.16 licensure program for superintendents, principals, or directors of special education must  
 7.17 ~~include a component that requires~~ require a person to demonstrate mastery of the program  
 7.18 knowledge, skills, and dispositions in part 3512.0510. The exit evaluation should focus on  
 7.19 knowledge, skills, and dispositions ~~evident~~ in the competencies ~~for school administrators~~  
 7.20 under part 3512.0510 and may ~~contain a combination of~~ include objective examinations,  
 7.21 portfolio reviews, and observations.

7.22 **3512.0505 DIRECTORS OF COMMUNITY EDUCATION.**

7.23 Subpart 1. **Scope.** A person who serves as a district director or assistant director of  
 7.24 community education ~~or assistant director of community education shall~~ must hold a license  
 7.25 as a director of community education.

8.1 Subp. 2. **License requirement.** An applicant recommended for licensure as a director  
8.2 of community education ~~shall~~ must:

8.3 A. hold a baccalaureate degree from a regionally accredited college or university;  
8.4 and

8.5 B. satisfactorily complete a board-approved preparation program ~~listed in~~ under  
8.6 subpart 3, ~~approved by the board~~ leading to licensure of directors of community education.

8.7 Subp. 3. **Program requirement.** A licensure program ~~leading to the licensure of~~ for  
8.8 directors of community education must consist of a minimum of 20 semester hours, or the  
8.9 equivalent, and must provide a licensure candidate ~~recommended for licensure~~ with the  
8.10 knowledge, skills, and dispositions in ~~all of~~ the subjects listed in part 3512.0510, subparts  
8.11 1 and 5.

8.12 The ~~person~~ candidate must complete a practicum, which is a field experience, ~~that~~  
8.13 ~~includes~~ including at least 320 clock hours in an administrative position ~~under the supervision~~  
8.14 ~~of~~ supervised by a licensed director of community education. During the field experience,  
8.15 the candidate ~~shall demonstrate the ability to~~ must apply the knowledge and skills ~~listed in~~  
8.16 under part 3512.0510, subparts 1 and 5. A person prepared in another state as director of  
8.17 community education may substitute one year of experience as a ~~district-wide~~ districtwide  
8.18 director of community education in another state for the field experience.

8.19 Subp. 4. **Institutional requirement.** An institution applying to the board for approval  
8.20 of a licensure program ~~leading to licensure as~~ for directors of community education ~~shall~~  
8.21 must comply with part 3512.2500. An ~~approved~~ institution with a board-approved program  
8.22 ~~must include a description of~~ describe how the institution evaluates the experience and  
8.23 preparation of licensure applicants for licensure ~~may have their experience and preparation~~  
8.24 ~~in those~~ the areas listed in subpart 3 ~~evaluated by an institution with an approved program.~~  
8.25 ~~The evaluation must include representation.~~ Representatives from college departments  
8.26 involved with the licensure program and licensed practicing directors of community education



9.1 ~~must participate in the evaluation.~~ This The evaluation must result in a plan for the applicant  
9.2 to complete the knowledge, skills, and dispositions listed in subpart 3 and may ~~include a~~  
9.3 ~~reduction of~~ reduce the required college credits ~~necessary for~~ an applicant needs to be  
9.4 recommended for licensure.

9.5 Subp. 5. **Situational observation component.** ~~An approved~~ A board-approved  
9.6 licensure program for superintendents, principals, or directors of special education must  
9.7 ~~include a component that requires~~ require a licensure candidate person to demonstrate  
9.8 mastery of the ~~requirements in subpart 3~~ program knowledge, skills, and dispositions in  
9.9 part 3512.0510 as part of the exit evaluation. ~~The extent of mastery must be evaluated by~~  
9.10 ~~placing the candidate in a series of realistic hypothetical problem-solving situations while~~  
9.11 ~~being observed by a team of at least four persons competent to evaluate the extent of mastery~~  
9.12 ~~of the requirements in subpart 3.~~ ~~This component must allow the candidate to demonstrate~~  
9.13 ~~mastery of all the requirements in subpart 3 during a single period of observation.~~ The exit  
9.14 evaluation must focus on knowledge, skills, and dispositions in the competencies for school  
9.15 administrators under part 3512.0510 and may include objective examinations, portfolio  
9.16 reviews, and observations.

9.17 ~~A written test to evaluate the extent of mastery must not count for more than 50 percent~~  
9.18 ~~of the score evaluating mastery of all the requirements in subpart 3.~~

9.19 Subp. 6. **Issuance and renewal of licenses.** The board must issue a license ~~must be~~  
9.20 ~~issued~~ according to part 3512.2000. The board must renew a continuing ~~licenses must be~~  
9.21 ~~renewed~~ license according to part 3512.2300.

9.22 Subp. 7. [See repealer.]

9.23 Subp. 8. **Continuing license.** The board must issue a continuing license to a person  
9.24 ~~who has been~~ was issued an ~~entrance~~ initial license between July 1, 1984, and July 1, 1990,  
9.25 ~~based upon one year of experience between July 1, 1984, and July 1, 1990, shall be granted~~  
9.26 ~~the first five-year continuing license after completing the human relations requirement in~~

10.1 ~~part 3512.2700~~ and who continues to hold an initial license if the person completes one year  
 10.2 of experience as either a part-time or full-time director of community education while  
 10.3 ~~holding the entrance license~~ as verified by the employing superintendent of schools. ~~Later~~  
 10.4 The person must renew subsequent continuing licenses ~~must be renewed~~ according to part  
 10.5 3512.2300.

10.6 Subp. 9. [See repealer.]

10.7 **3512.0510 PROGRAM REQUIREMENTS FOR ALL ADMINISTRATIVE**  
 10.8 **LICENSES.**

10.9 Subpart 1. **Core leadership competencies for Minnesota administrative licenses.** A  
 10.10 person who serves as a superintendent, principal, director of special education, or director  
 10.11 of community education ~~shall~~ must demonstrate competence in the ~~following~~ core areas:  
 10.12 under this subpart.

10.13 A. ~~Leadership by~~ To demonstrate competence in leadership, a superintendent,  
 10.14 principal, director of special education, or director of community education must:

10.15 (1) demonstrate leadership by collaboratively assessing and improving culture  
 10.16 ~~and climate~~ a professional culture of engagement, ethical and equitable practice, and systems  
 10.17 perspective;

10.18 (2) ~~providing~~ demonstrate leadership by the development of an educational  
 10.19 mission for the school or district, which provides purpose and direction for individuals and  
 10.20 groups;

10.21 (3) ~~modeling~~ demonstrate shared leadership and decision-making strategies  
 10.22 and empower and entrust teachers and staff with collective responsibility for meeting the  
 10.23 academic, social, behavioral, emotional, and physical needs of each student pursuant to the  
 10.24 mission, vision, and core values of the school;

11.1 (4) ~~demonstrating an understanding of issues affecting education~~ understand  
 11.2 how education is impacted by historical, local, state, national, and international events and  
 11.3 issues;

11.4 (5) through a visioning process, ~~formulating~~ formulate strategic plans and  
 11.5 goals with staff and community to promote the academic success and well-being of each  
 11.6 student;

11.7 (6) demonstrate setting priorities in the context of stakeholder needs;

11.8 (7) ~~servicing~~ demonstrate an ability to serve as a spokesperson for the welfare  
 11.9 of all learners ~~in a multicultural context~~ to ensure high expectations; and

11.10 (8) ~~understanding how education is impacted by local, state, national, and~~  
 11.11 ~~international events;~~ understand the dynamics of change and demonstrate the ability to  
 11.12 implement change and educational reform.

11.13 ~~(9) demonstrating the ability to facilitate and motivate others; and~~

11.14 ~~(10) demonstrating the ability to implement change or educational reform;~~

11.15 B. To demonstrate competence in organizational management by, a superintendent,  
 11.16 principal, director of special education, or director of community education must:

11.17 (1) ~~demonstrating~~ demonstrate an understanding of organizational systems,  
 11.18 including structural and cultural dynamics;

11.19 (2) ~~defining and using~~ define and use processes for gathering, analyzing,  
 11.20 managing, and using data to plan and make decisions for program evaluation;

11.21 (3) ~~planning and scheduling~~ plan and schedule personal and organizational  
 11.22 work, ~~establishing~~ establish procedures to regulate activities and projects, and ~~delegating~~  
 11.23 ~~and empowering~~ delegate and empower others at appropriate levels;

12.1 (4) ~~demonstrating~~ demonstrate the ability to analyze need and allocate  
 12.2 personnel and material resources;

12.3 (5) ~~developing and managing~~ develop and manage budgets and ~~maintaining~~  
 12.4 maintain accurate fiscal records;

12.5 (6) ~~demonstrating~~ demonstrate an understanding of facilities development,  
 12.6 planning, and management; and

12.7 (7) ~~understanding and using~~ understand and use technology as a management  
 12.8 tool;

12.9 C. Diversity To demonstrate competence in equity and culturally responsive  
 12.10 leadership by, a superintendent, principal, director of special education, or director of  
 12.11 community education must demonstrate knowledge and skills to:

12.12 (1) ~~demonstrating an understanding and recognition of the significance of~~  
 12.13 ~~diversity, and responding to the needs of diverse learners;~~

12.14 (2) ~~creating and monitoring a positive learning environment for all students;~~

12.15 (3) ~~creating and monitoring a positive working environment for all staff;~~

12.16 (4) ~~promoting sensitivity about diversity throughout the school community;~~

12.17 and

12.18 (5) ~~demonstrating the ability to adapt educational programming to the needs~~  
 12.19 ~~of diverse constituencies;~~

12.20 (1) ensure that each student is treated fairly, respectfully, and with an  
 12.21 understanding of each student's culture and context;

12.22 (2) recognize, respect, and employ each student's strengths, diversity, and  
 12.23 culture as assets for teaching and learning;

13.1 (3) ensure that each student has equitable access to effective teachers, learning  
 13.2 opportunities, academic and social support, and other resources necessary for success;

13.3 (4) ensure policies and practices are in place that prevent problem behavior,  
 13.4 encourage positive behavior, and respond to student behavior not aligned with expectations  
 13.5 in a positive, fair, and unbiased manner;

13.6 (5) recognize, identify, and address individual and institutional biases;

13.7 (6) promote the preparation of students to live productively in and contribute  
 13.8 to a diverse and global society;

13.9 (7) address matters of equity and cultural responsiveness in all aspects of  
 13.10 leadership; and

13.11 (8) ensure policies and practices are in place that address student and staff  
 13.12 mental and physical health and trauma.

13.13 D. To demonstrate competence in policy and law by, a superintendent, principal,  
 13.14 director of special education, or director of community education must:

13.15 ~~(1) developing, adjusting, and implementing~~ understand and implement policy  
 13.16 to meet local, state, and federal requirements and constitutional provisions, standards, and  
 13.17 regulatory applications to promote student success;

13.18 ~~(2) recognizing and applying~~ recognize and apply standards of care involving  
 13.19 civil and criminal liability for negligence, harassment, and intentional torts; and

13.20 ~~(3) demonstrating~~ demonstrate an understanding of state, federal, and case  
 13.21 law, and rules and regulations governing general education, special education, and community  
 13.22 education;

14.1 E. To demonstrate competence in political influence and governance by, a  
 14.2 superintendent, principal, director of special education, or director of community education  
 14.3 must:

14.4 (1) ~~exhibiting exhibit~~ an understanding of school districts as a political system  
 14.5 systems, including governance models;

14.6 (2) ~~demonstrating the ability to involve~~ demonstrate an understanding of  
 14.7 involving stakeholders in the development of educational policy;

14.8 (3) ~~understanding understand~~ the role and coordination of social agencies  
 14.9 and human services to develop productive relationships and engage resources for the school  
 14.10 community; and

14.11 (4) ~~demonstrating the ability~~ demonstrate an understanding of processes to  
 14.12 align constituencies in support of school and district priorities and build coalitions for  
 14.13 programmatic and financial support;

14.14 F. To demonstrate competence in communication by, a superintendent, principal,  
 14.15 director of special education, or director of community education must:

14.16 (1) ~~formulating and carrying out plans for internal and external~~  
 14.17 ~~communications~~ understand the need to develop shared understanding of and commitment  
 14.18 to mission, vision, and core values within the school and the community;

14.19 (2) ~~demonstrating~~ demonstrate individual and team facilitation skills;

14.20 (3) ~~recognizing and applying~~ recognize and apply an understanding of  
 14.21 individual and group behavior in ~~normal and stressful~~ all situations;

14.22 (4) ~~facilitating teamwork~~;

14.23 (5) (4) ~~demonstrating~~ demonstrate an understanding of conflict resolution  
 14.24 and problem-solving strategies relative to communication;

15.1 ~~(6) (5) making~~ make presentations that are clear and easy to understand;

15.2 ~~(7) (6) responding, reviewing, and summarizing~~ respond to, review, and  
 15.3 summarize information for groups;

15.4 ~~(8) (7) communicating~~ communicate appropriately, through speaking,  
 15.5 listening, and writing, for different audiences ~~such as,~~ including students, teachers, parents,  
 15.6 the community, and other stakeholders; and

15.7 ~~(9) (8) understanding and utilizing~~ understand and utilize appropriate  
 15.8 communication technology;

15.9 G. To demonstrate competence in community relations by, a superintendent,  
 15.10 principal, director of special education, or director of community education must:

15.11 (1) ~~articulating~~ articulate organizational purpose and advocate publicly for  
 15.12 the needs and priorities to the community and media of students, families, and the community;

15.13 (2) ~~requesting and responding to community feedback~~ demonstrate the ability  
 15.14 to engage the extended community;

15.15 (3) ~~demonstrating the ability to build community consensus~~ effectively  
 15.16 generate and respond to various forms of communication through media;

15.17 (4) ~~relating political initiatives to stakeholders, including parental involvement~~  
 15.18 programs;

15.19 (5) ~~identifying and interacting with internal and external publics;~~

15.20 (6) ~~understanding and responding to the news media;~~

15.21 (7) (4) ~~promoting~~ promote a positive image of schools and the school district;

15.22 (8) (5) ~~monitoring and addressing~~ monitor and address perceptions about  
 15.23 school-community issues; and

16.1 ~~(9) (6) demonstrating demonstrate~~ the ability to identify and articulate critical  
 16.2 community issues that may impact local education;

16.3 H. To demonstrate competence in curriculum planning and development,  
 16.4 instruction, and assessment for the success of all learners by, a superintendent, principal,  
 16.5 director of special education, or director of community education must:

16.6 ~~(1) demonstrating the ability to enhance teaching and learning through~~  
 16.7 ~~curriculum assessment and strategic planning for all learners, including early childhood,~~  
 16.8 ~~elementary, middle and junior high school, high school, special education, gifted and talented,~~  
 16.9 ~~and adult levels;~~

16.10 ~~(2) demonstrating the ability to provide planning and methods to anticipate~~  
 16.11 ~~trends and educational implications;~~

16.12 ~~(3) demonstrating the ability to develop, implement, and monitor procedures~~  
 16.13 ~~to align, sequence, and articulate curriculum and validate curricular procedures;~~

16.14 ~~(4) demonstrating the ability to identify instructional objectives and use valid~~  
 16.15 ~~and reliable performance indicators and evaluative procedures to measure performance~~  
 16.16 ~~outcomes;~~

16.17 ~~(5) appropriately using learning technologies;~~

16.18 ~~(6) demonstrating an understanding of alternative instructional designs,~~  
 16.19 ~~curriculum, behavior management, and assessment accommodations and modifications;~~  
 16.20 ~~and~~

16.21 ~~(7) demonstrating an understanding of the urgency of global competitiveness;~~

16.22 (1) implement state academic standards, a coherent system of culturally  
 16.23 responsive curriculum, instruction, and assessment that promotes the mission, vision, and  
 16.24 core values of the district to embody high expectations for student learning;



17.1                   (2) develop, assess, and support teachers' and staff members' professional  
17.2 knowledge, skills, and practice through differentiated opportunities and emerging trends  
17.3 for learning and growth, guided by understanding professional and adult learning and  
17.4 development;

17.5                   (3) apply research and best practices on integrating curriculum, technology,  
17.6 and relevant resources to help all learners achieve at high levels;

17.7                   (4) understand and assess the implementation of alternative instructional  
17.8 designs, curriculum, positive approaches to behavior management, and assessment  
17.9 accommodations and modifications as appropriate in all programs;

17.10                  (5) demonstrate the ability to use data from valid assessments that are  
17.11 consistent with knowledge of child learning and development and technical standards of  
17.12 measurement to monitor student progress;

17.13                  (6) lead and assess instructional practice that is consistent with knowledge  
17.14 of child learning and development, effective pedagogy, and the needs of each student; and

17.15                  (7) promote instructional practice that is consistent with knowledge of child  
17.16 learning and development, intellectually challenging, authentic to student experiences,  
17.17 recognizes student strengths, and differentiated and personalized.

17.18                  ~~I. Instructional management for the success of all learners by:~~

17.19                  ~~(1) demonstrating an understanding of research of learning and instructional~~  
17.20 ~~strategies;~~

17.21                  ~~(2) describing and applying research and best practices on integrating~~  
17.22 ~~curriculum and resources to help all learners achieve at high levels;~~

17.23                  ~~(3) demonstrating the ability to utilize data for instructional decision making;~~

18.1 ~~(4) demonstrating the ability to design appropriate assessment strategies for~~  
18.2 ~~measuring learner outcomes;~~

18.3 ~~(5) demonstrating the ability to implement alternative instructional designs,~~  
18.4 ~~curriculum, behavior management, and assessment accommodations and modifications;~~  
18.5 ~~and~~

18.6 ~~(6) demonstrating the ability to appropriately use technology to support~~  
18.7 ~~instruction;~~

18.8 J. I. To demonstrate competence in human resource management by, a  
18.9 superintendent, principal, director of special education, or director of community education  
18.10 must:

18.11 (1) ~~demonstrating~~ demonstrate knowledge of effective personnel recruitment,  
18.12 selection, and retention;

18.13 (2) ~~demonstrating~~ demonstrate an understanding of staff development to  
18.14 improve the performance of all staff members;

18.15 (3) ~~demonstrating~~ demonstrate the ability to select and apply appropriate  
18.16 models for supervision and evaluation;

18.17 (4) ~~describing and demonstrating~~ describe and demonstrate the ability to  
18.18 apply the legal requirements for personnel selection, development, retention, and dismissal;

18.19 (5) ~~demonstrating~~ demonstrate an understanding of management  
18.20 responsibilities to act in accordance with federal and state constitutional provisions, statutory  
18.21 and case law, regulatory applications toward education, local rules, procedures, and directives  
18.22 governing human resource management;

18.23 (6) ~~demonstrating~~ demonstrate an understanding of labor relations and  
18.24 collective bargaining; and

19.1 (7) ~~demonstrating~~ demonstrate an understanding of the administration of  
 19.2 employee contracts, benefits, and financial accounts;

19.3 ~~K. J. To demonstrate competence in~~ values and ethics of leadership ~~by, a~~  
 19.4 superintendent, principal, director of special education, or director of community education  
 19.5 must:

19.6 (1) ~~demonstrating~~ demonstrate an understanding of the role of education in  
 19.7 a democratic society;

19.8 (2) ~~demonstrating~~ demonstrate an understanding of and model democratic  
 19.9 value systems, ethics, and moral leadership;

19.10 (3) ~~demonstrating~~ demonstrate the ability to balance complex community  
 19.11 demands in the best interest of learners;

19.12 (4) ~~helping~~ help learners grow and develop as caring, informed citizens; and

19.13 (5) ~~demonstrating~~ demonstrate an understanding and application of the code  
 19.14 of ethics for school administrators under part 3512.5200;

19.15 ~~L. K. To demonstrate competence in~~ judgment and problem analysis ~~by, a~~  
 19.16 superintendent, principal, director of special education, or director of community education  
 19.17 must:

19.18 (1) ~~identifying~~ identify the elements of a problem situation by analyzing  
 19.19 relevant information, framing issues, identifying possible causes, and reframing possible  
 19.20 solutions;

19.21 (2) ~~demonstrating~~ demonstrate adaptability and conceptual flexibility;

19.22 ~~(3) assisting others in forming opinions about problems and issues;~~

19.23 ~~(4)~~ (3) ~~reaching~~ reach logical conclusions by making quality, timely decisions  
 19.24 based on available information;

20.1 ~~(5) (4) identifying and giving~~ identify and give priority to significant issues;

20.2 ~~(6) (5) demonstrating~~ demonstrate an understanding of and utilize appropriate  
20.3 technology in problem analysis; and

20.4 ~~(7) (6) demonstrating~~ demonstrate an understanding of different leadership  
20.5 and decision-making strategies, including but not limited to collaborative models and model  
20.6 appropriately their implementation; ~~and.~~

20.7 M. L. To demonstrate competence in safety and security by, a superintendent,  
20.8 principal, director of special education, or director of community education must:

20.9 (1) ~~demonstrating~~ demonstrate the ability to develop and implement policies  
20.10 and procedures for safe and secure educational environments; and

20.11 (2) demonstrate the means to address emergency and crisis situations.

20.12 ~~(2) demonstrating the ability to formulate safety and security plans to~~  
20.13 ~~implement security procedures including an articulated emergency chain of command,~~  
20.14 ~~safety procedures required by law, law enforcement assistance, communication with the~~  
20.15 ~~public, and evacuation procedures;~~

20.16 ~~(3) demonstrating the ability to identify areas of vulnerability associated with~~  
20.17 ~~school buses, buildings, and grounds and formulate a plan to take corrective action;~~

20.18 ~~(4) demonstrating an understanding of procedural predictabilities and plan~~  
20.19 ~~variations where possible; and~~

20.20 ~~(5) demonstrating the ability to develop plans that connect every student with~~  
20.21 ~~a school adult, eliminate bullying and profiling, and implement recommended threat~~  
20.22 ~~assessment procedures.~~

21.1 Subp. 2. **Superintendent competencies.** A person who serves as a superintendent  
21.2 ~~shall~~ must demonstrate all core competencies described in subpart 1 and competence in the  
21.3 ~~following~~ specific areas: under this subpart.

21.4 A. To demonstrate competence in policy and law ~~by,~~ a superintendent must:

21.5 (1) ~~demonstrating~~ demonstrate an understanding of the role policy plays in  
21.6 school district governance and administration;

21.7 (2) ~~demonstrating knowledge of~~ know and apply statutory regulations affecting  
21.8 school board meetings, communications, procedures, and practices; and

21.9 (3) ~~demonstrating~~ demonstrate an understanding of the distinct roles and  
21.10 responsibilities of the school board; and superintendent.

21.11 B. To demonstrate competence in political influence and governance ~~by,~~ a  
21.12 superintendent must:

21.13 (1) ~~demonstrating~~ demonstrate an understanding of the role the political  
21.14 process plays in public education and the connection between them;

21.15 (2) ~~demonstrating~~ demonstrate an understanding of how to interact with local,  
21.16 ~~and state,~~ and federal governments; and

21.17 (3) ~~demonstrating~~ demonstrate an understanding of the roles played by other  
21.18 community leaders in the school district; ;

21.19 C. To demonstrate competence in communication ~~by,~~ a superintendent must:

21.20 (1) ~~demonstrating~~ demonstrate knowledge of cultivating positive relationships  
21.21 between and with school board members; and

21.22 (2) ~~demonstrating an understanding of the importance of communication~~  
21.23 ~~leadership between school district and its community;~~ demonstrate effective skills in

22.1 communication leadership between the school district and the community, including internal  
 22.2 and external constituencies.

22.3 D. ~~Organization~~ To demonstrate competence in fiscal management by  
 22.4 ~~demonstrating,~~ a superintendent must demonstrate knowledge of factors that affect school  
 22.5 finance, including sources of revenue; expenditure classifications; generally acceptable  
 22.6 accounting principles; and local, state, and federal finance calculations; ~~and.~~

22.7 E. To demonstrate competence in judgment and problem analysis by demonstrating  
 22.8 ~~knowledge of how to,~~ a superintendent must effectively balance varied and competing  
 22.9 interests to ensure the mission and vision of the school district is carried forward.

22.10 Subp. 3. **Principal competencies.** A person who serves as a principal shall must  
 22.11 demonstrate all core competencies described in subpart 1 and competence in the ~~following~~  
 22.12 specific areas: under this subpart.

22.13 A. To demonstrate competence in instructional leadership by, a principal must:

22.14 (1) ~~demonstrating the ability to understand and apply schoolwide literacy~~  
 22.15 ~~and numeracy systems; and~~ support teachers and staff in the implementation of state academic  
 22.16 standards, coherent systems of culturally responsive curriculum, instruction, and assessment  
 22.17 that promote the mission, vision, and core values of the school district to embody high  
 22.18 expectations for student learning; and

22.19 (2) ~~demonstrating~~ demonstrate the ability to understand and apply districtwide  
 22.20 literacy and ~~numeracy systems;~~ lead schoolwide literacy efforts in all content areas including  
 22.21 numeracy.

22.22 B. ~~Monitor~~ To demonstrate competence in monitoring student learning by, a  
 22.23 principal must:

22.24 (1) ~~demonstrating~~ demonstrate the ability to create a culture that fosters a  
 22.25 community of learners;

23.1 (2) ~~demonstrating~~ demonstrate an understanding of student ~~guidance~~ support  
23.2 systems and ~~auxiliary~~ services;

23.3 (3) ~~demonstrating~~ demonstrate the ability to implement a ~~positive and effective~~  
23.4 and monitor student management ~~system~~ data systems;

23.5 (4) ~~demonstrating the ability to develop and implement effective student~~  
23.6 ~~discipline plans~~ implement schoolwide policies and practices that encourage positive  
23.7 behavior, and respond to student misconduct in a positive, fair, and unbiased manner;

23.8 (5) ~~demonstrating~~ demonstrate the ability to develop a master instructional  
23.9 schedule;

23.10 (6) ~~demonstrating~~ demonstrate the ability to meet the ~~enrichment, remediation,~~  
23.11 ~~and special education~~ diverse learning needs of all students; and

23.12 (7) ~~demonstrating~~ demonstrate the ability to understand and support a  
23.13 comprehensive program of student activities; ~~and~~.

23.14 C. ~~Early childhood~~ To demonstrate competence in prekindergarten through grade  
23.15 12 leadership ~~by~~, a principal must:

23.16 (1) ~~demonstrating~~ demonstrate an understanding of the articulation and  
23.17 alignment of curriculum from ~~preschool~~ prekindergarten through grade 12;

23.18 (2) ~~demonstrating~~ demonstrate an understanding of different organizational  
23.19 systems and structures at ~~early childhood~~ prekindergarten, elementary, middle or junior  
23.20 high, and high school levels;

23.21 (3) ~~demonstrating~~ demonstrate the ability to work with children of all ages;

23.22 (4) ~~demonstrating~~ demonstrate the ability to work with parents, teachers, and  
23.23 other staff in all levels of schooling;

24.1 (5) ~~demonstrating~~ demonstrate an understanding of the characteristics of  
 24.2 effective transitions from one level of schooling to the next; and

24.3 (6) ~~demonstrating~~ demonstrate an understanding of the developmental needs  
 24.4 of children of all ages.

24.5 Subp. 4. **Director of special education competencies.** A person who serves as a  
 24.6 director of special education ~~shall~~ must demonstrate the core competencies described in  
 24.7 subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

24.8 A. To demonstrate competence in policy and law by, a director of special education  
 24.9 must:

24.10 (1) ~~demonstrating~~ demonstrate an understanding of state and federal laws,  
 24.11 rules, and procedures governing special education finance, budgeting, and accounting; and

24.12 (2) ~~demonstrating~~ demonstrate an understanding of state and federal  
 24.13 regulations governing the monitoring of special education ~~programs~~ services.

24.14 B. To demonstrate competence in organizational management by, a director of  
 24.15 special education must:

24.16 (1) ~~demonstrating an understanding of the role policy and procedure play in~~  
 24.17 ~~school district governance and administration;~~

24.18 (2) (1) ~~demonstrating~~ demonstrate knowledge of statutory regulations relative  
 24.19 to school districts affecting board meetings, policies, communications, procedures, and  
 24.20 practices that affect special education governance; and

24.21 (3) (2) ~~demonstrating~~ demonstrate an understanding of special education  
 24.22 administrative models used in Minnesota.

24.23 C. To demonstrate competence in resource allocation by and fiscal management,  
 24.24 a director of special education must:



25.1 (1) demonstrate an ability to apply state and federal laws, rules, and procedures  
 25.2 governing special education finance, budgeting, and accounting to school district funding  
 25.3 structures;

25.4 ~~(1)~~ (2) demonstrating demonstrate an understanding of special education  
 25.5 program development including needs assessment, design, implementation, and evaluation;  
 25.6 and

25.7 ~~(2)~~ (3) demonstrating demonstrate an understanding of the resources available,  
 25.8 along with the agencies and organizations that serve students with a disability and their  
 25.9 families.

25.10 Subp. 5. **Director of community education competencies.** A person who serves as  
 25.11 a director of community education ~~shall~~ must demonstrate the core competencies described  
 25.12 in subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

25.13 A. To demonstrate competence in community education concepts by, a director  
 25.14 of community education must:

25.15 (1) ~~understanding and describing~~ understand and describe the history and  
 25.16 philosophy of community education;

25.17 (2) ~~demonstrating~~ demonstrate a knowledge and application of the principles  
 25.18 of community education;

25.19 (3) ~~demonstrating~~ demonstrate a knowledge of the role of the local school  
 25.20 district's administrative team ~~and the community education director's place within it;~~

25.21 (4) ~~demonstrating, facilitating, and leading~~ demonstrate, facilitate, and lead  
 25.22 the integration of community education into the ~~early childhood~~ prekindergarten through  
 25.23 grade 12 system;

26.1 (5) ~~demonstrating~~ demonstrate the skills necessary to conduct community  
26.2 needs assessments, ~~determine educational objectives, select learning experiences, schedule~~  
26.3 ~~and promote programs, and establish and implement registration procedures~~ as required by  
26.4 statute and district policy;

26.5 (6) ~~demonstrating~~ demonstrate knowledge of the various assessment tools  
26.6 used to effectively evaluate community education programs and determine educational  
26.7 objectives and learning experiences; and

26.8 (7) ~~demonstrating~~ demonstrate an understanding of the resources available  
26.9 to support learners of all abilities and ages.

26.10 B. To demonstrate competence in community capital by, a director of community  
26.11 education must:

26.12 (1) ~~demonstrating~~ demonstrate a knowledge of the advisory councils, including  
26.13 their role, organization, functions, and development of advisory councils;

26.14 (2) ~~demonstrating~~ demonstrate the ability to involve advisory councils in  
26.15 addressing community and school issues;

26.16 (3) ~~demonstrating~~ demonstrate the ability to build collaborative partnerships  
26.17 in the community;

26.18 (4) ~~demonstrating~~ demonstrate the ability to effectively identify the formal  
26.19 and informal community political structures, ~~both formal and informal;~~

26.20 (5) ~~demonstrating~~ demonstrate the ability to identify and effectively use local,  
26.21 civic, and business resources to enhance ~~the~~ lifelong learning opportunities within the  
26.22 community;

26.23 (6) ~~demonstrating the~~ demonstrate knowledge of the techniques used for  
26.24 developing leadership among community members;

27.1 (7) ~~demonstrating~~ demonstrate knowledge about sustaining community  
27.2 involvement in the community education process; and

27.3 (8) ~~demonstrating~~ demonstrate knowledge of factors that affect school finance,  
27.4 including sources of revenue; expenditure classifications; generally acceptable accounting  
27.5 principles; and local, state, and federal finance calculations.

27.6 **3512.0700 ADMINISTRATIVE LICENSURE WITHOUT TEACHING**  
27.7 **EXPERIENCE FOR SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF**  
27.8 **SPECIAL EDUCATION.**

27.9 Subpart 1. **Scope.** This part is ~~intended for an applicant for licensure~~ applies to  
27.10 applicants for K-12 kindergarten through grade 12 principal, superintendent, and or director  
27.11 of special education completing an approved licensure who complete a board-approved  
27.12 licensure program; but lacking ~~lack~~ the teaching experience ~~requirement~~ required in part  
27.13 3512.0200, subpart 2.

27.14 Subp. 2. **Degree requirement.** An applicant ~~shall~~ must meet the degree requirement  
27.15 in part 3512.0200, subpart 3.

27.16 Subp. 3. **Field experience.** An applicant ~~shall have~~ must satisfactorily ~~completed~~  
27.17 complete a field experience in school administration as an intern in the license area sought.  
27.18 The applicant must attain the field experience shall be in a school district setting appropriate  
27.19 for the license ~~under the supervision of~~ while supervised by both educators from ~~an approved~~  
27.20 a board-approved college or university school administration program and a licensed  
27.21 practicing school administrator working in the area of the intern's field experience. The field  
27.22 experience must consist of at least 320 hours, ~~of which~~ with at least 40 ~~must be~~ hours in  
27.23 each school level; including elementary, middle grades or junior high, and high school,  
27.24 and is in addition to the teaching experience ~~described~~ in subpart 4.

27.25 Subp. 3a. **Teaching knowledge and skills.** An applicant ~~shall~~ must demonstrate basic  
27.26 teaching knowledge and skills as required by part 8710.2000. The applicant ~~shall:~~ must

28.1 ~~A. present a portfolio or other appropriate presentation, as determined by the~~  
 28.2 ~~approved board-approved school administration program demonstrating, to demonstrate~~  
 28.3 ~~the applicant's appropriate teaching knowledge and skills; or.~~

28.4 ~~B. meet the examination requirement of part 8710.0510, subpart 1, items A and~~  
 28.5 ~~B, and subpart 3, items A and B.~~

28.6 Subp. 4. **Teaching internship requirement.** An applicant ~~shall~~ must have experience  
 28.7 and knowledge in curriculum, school organization, philosophy of education, early childhood  
 28.8 education, and elementary, junior high, or middle school, and senior high schools. The  
 28.9 internship ~~shall~~ must:

28.10 A. include one school year with a minimum hour equivalency of 1,050 hours of  
 28.11 classroom experiences, including eight weeks of supervised teaching experience for a  
 28.12 principal or superintendent license or 1,050 hours of special education experience for a  
 28.13 director of special education license. A candidate may count up to 250 hours of online  
 28.14 classroom teaching experience toward meeting the 1,050 hours of classroom experience;

28.15 B. be ~~under the supervision of~~ supervised by a licensed practicing school  
 28.16 administrator;

28.17 C. include supervision ~~provided by~~ educators from an ~~approved~~ board-approved  
 28.18 school administration program; and

28.19 D. be ~~based on~~ subject to a written agreement between the intern, the ~~approved~~  
 28.20 board-approved school administration preparation institution, and the school district ~~in~~  
 28.21 ~~which~~ where the internship is completed.

28.22 **3512.0800 ALTERNATIVE PATHWAY LICENSURE FOR SCHOOL**  
 28.23 **SUPERINTENDENTS.**

28.24 Subpart 1. **Intent of alternative pathway to license.** An applicant for licensure  
 28.25 through an alternative license shall pathway must demonstrate skills and competencies

29.1 needed to perform the functions of a superintendent. This alternative pathway is ~~intended~~  
29.2 for applicants who do not meet the requirements for superintendent licensure ~~as specified~~  
29.3 in part 3512.0200.

29.4 Subp. 2. **Procedures for licensure.** An applicant for licensure through an alternative  
29.5 ~~license~~ pathway must demonstrate ~~that~~ the applicant has substantive experience and education  
29.6 in areas including but not limited to administration, supervision, management, and executive  
29.7 leadership; in ~~either~~ education, health care, business or industry, labor, or government. A  
29.8 candidate also may consult with a board-approved program. An applicant for an alternative  
29.9 license ~~shall~~ must:

29.10 A. complete a written application;

29.11 B. provide a written description of the applicant's exceptional qualifications;

29.12 *[For text of items C to F, see M.R.]*

29.13 Subp. 3. **Credential review committee.** An applicant ~~shall~~ must appear before a  
29.14 credential review committee and present evidence ~~relating to~~ of the applicant's proposed  
29.15 effectiveness as a superintendent. The applicant may present data and information regarding  
29.16 about the applicant's leadership effectiveness shall be presented as through testimony from  
29.17 teachers, parents, students, site council members, community members, and other interested  
29.18 persons. The review committee ~~shall~~ must consist of a licensed administrator appropriate  
29.19 to the field, a college or university administration preparer, and a member of a local school  
29.20 board or person of similar background. The credential review committee ~~shall make a~~  
29.21 ~~recommendation~~ must recommend to the executive director whether to approve or disapprove  
29.22 the applicant's initial application. The executive director may accept or reject the credential  
29.23 committee's recommendation based on board-approved criteria. If the executive director  
29.24 disapproves the application, the applicant may appeal the executive director's decision to  
29.25 the board.

30.1 Subp. 4. **Leadership experience.** The applicant ~~shall~~ must demonstrate a level of  
30.2 responsibility comparable to the position for which the applicant seeks a license ~~is sought~~  
30.3 and must present a record of successful and effective administrative behavior. The ~~level of~~  
30.4 ~~responsibility shall~~ applicant must include in the record any administrative, managerial, or  
30.5 supervisory positions the applicant held.

30.6 Subp. 5. **Education.** The candidate ~~shall~~ must have an undergraduate degree from a  
30.7 regionally accredited institution and broad formal preparation at the post-baccalaureate level  
30.8 including a master's degree or equivalent in areas such as those listed in subpart 2.

30.9 Subp. 6. **Issuance of license.** The board must issue initial and renewal licenses shall  
30.10 ~~be issued~~ and renew licenses according to this subpart.

30.11 A. ~~Based upon~~ The board must either accept or reject the executive director's  
30.12 licensure recommendation. If the board accepts the executive director's recommendation to  
30.13 approve licensure, the credential review committee recommendation, board must issue the  
30.14 applicant ~~may be granted~~ a two-year initial license. The board may also identify ~~needed~~  
30.15 activities ~~which the candidate shall~~ individual must implement during the ~~period of the~~  
30.16 initial license period to strengthen the individual's skills ~~which may lead to improved and~~  
30.17 improve the individual's results as a superintendent. This These activities may include a  
30.18 mentoring experience or improving specific skills or competencies ~~that need improvement~~.

30.19 B. The ~~two-year initial license may be renewed for~~ board must issue a five-year  
30.20 continuing license to an individual holding an initial license under this part after verification  
30.21 of verifying the individual completed one year of successful administrative experience.  
30.22 ~~Subsequent five-year renewals shall be granted~~ The board must consider any subsequent  
30.23 renewals of the individual's continuing license based upon continuing education requirements  
30.24 in part ~~3510.2700, subpart 4~~ 3512.1200.

31.1 Subp. 7. **Appeal.** ~~If the candidate's initial application is rejected, an appeal may be~~  
31.2 ~~filed with~~ The applicant may appeal the executive director's decision to the board within  
31.3 30 days of the denial receiving notice of the decision.

31.4 [For text of subp 8, see M.R.]

31.5 **3512.1200 CONTINUING EDUCATION PROGRAMS FOR DIRECTORS,**  
31.6 **PRINCIPALS, AND SUPERINTENDENTS.**

31.7 [For text of subp 1, see M.R.]

31.8 Subp. 1a. **Approval.** The board, executive director, or board designee must approve  
31.9 all continuing education programs; and the clock hours which a licensee may be earned  
31.10 earn in each program, must be approved by the board. If clock hours are to be earned,  
31.11 approval must be secured before beginning a continuing education professional development  
31.12 activity. ~~Admission to all approved continuing education programs shall be open to any~~  
31.13 ~~licensed Minnesota school administrator. The board shall disseminate lists of known approved~~  
31.14 ~~continuing education programs twice annually.~~

31.15 Subp. 2. **Program initiator.** The initiator of a continuing education program ~~has~~  
31.16 ~~complete responsibility~~ is responsible for conducting ~~that the~~ program. ~~However,~~ The  
31.17 initiator may use resources from professional associations, governmental agencies, and the  
31.18 private business sector to conduct the program. The program initiator ~~is responsible for~~  
31.19 must:

31.20 A. ensure prior approval for continuing education programs. Programs not  
31.21 receiving prior approval or a waiver from the executive director must obtain a continuing  
31.22 education variance from the board to be considered meeting the standards for a continuing  
31.23 license as defined in part 3512.0100, subpart 8;

31.24 B. collect and verify attendance;

32.1 ~~A. C. developing~~ develop proposals for continuing education programs in areas  
 32.2 of study ~~which have been identified in cooperation~~ cooperatively with licensed directors,  
 32.3 principals, and superintendents practicing in Minnesota school districts;

32.4 D. identify competency areas under part 3512.0510; and

32.5 ~~B. E. forwarding~~ forward continuing education program proposals to the board  
 32.6 for approval; ~~and.~~

32.7 ~~C. maintaining communication with the board concerning the status of all approved~~  
 32.8 ~~continuing education programs offered.~~

32.9 Subp. 3. **Content of continuing education program.** Each continuing education  
 32.10 program ~~shall~~ must consist of at least three clock hours and each program proposal ~~shall~~  
 32.11 ~~contain~~ must:

32.12 A. ~~a description of~~ describe the planning activities, including a list of the names,  
 32.13 addresses, and positions of those involved in planning;

32.14 B. ~~a description of~~ describe the client group; or groups; for whom the program is  
 32.15 designed;

32.16 C. ~~a statement of~~ state the program goals ~~which relates goals~~ related to client  
 32.17 demands;

32.18 D. ~~a statement concerning~~ state any prerequisite education or experience required  
 32.19 for program admission ~~to the program~~;

32.20 E. ~~a description of~~ describe the proposed continuing education program ~~which~~  
 32.21 ~~includes,~~ including:

32.22 (1) ~~statements of~~ expected learning outcomes;

32.23 (2) ~~descriptions of~~ program components designed to develop specified learning  
 32.24 outcomes; and



33.1 (3) the means ~~by which achievement of~~ for achieving specified learning  
 33.2 outcomes ~~will be determined~~ for each program participant;

33.3 F. ~~statements indicating~~ state the number of clock hours requested for the proposed  
 33.4 program;

33.5 G. state the length of time for which approval is being requested;

33.6 H. state the number of times ~~that~~ the program is ~~to be~~ offered during the approval  
 33.7 period; and

33.8 I. ~~evidencee~~ show that qualified staff ~~have been~~ are assigned to the program and  
 33.9 ~~that other~~ needed resources ~~necessary~~ are allocated to the program ~~have been allocated~~.

33.10 Subp. 4. **Term of approval.** The board may approve programs ~~may be approved~~ for  
 33.11 ~~periods of time~~ up to two years. The board must approve a program ~~will be approved~~ if it  
 33.12 meets the requirements of the rules and if the board determines ~~that~~ the program is ~~adequate~~  
 33.13 ~~to fulfill the purposes of~~ fulfills continuing education requirements.

### 33.14 **3512.1300 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.**

33.15 Subpart 1. **Materials required to surrender license.** A person holding a license  
 33.16 ~~granted~~ issued by the board may voluntarily surrender the license by submitting to the  
 33.17 executive director of the board:

33.18 A. a written request to surrender ~~that specifies~~ specifying the license or licenses  
 33.19 ~~to be~~ being surrendered;

33.20 B. the ~~applicant~~ applicant's copy of the license;

33.21 C. if still employed, the school ~~district~~ district's copy of the license with a written  
 33.22 statement ~~that~~ indicating the employing school superintendent, or in the case of a  
 33.23 superintendent license, the school board chair, ~~has been~~ was notified that the school ~~district~~  
 33.24 district's copy of the license ~~has been~~ was removed from the school district files; and

34.1 D. the required processing fee under part 3512.2000.

34.2 Subp. 2. **Surrender date.** When the board receives the materials listed in subpart 1  
34.3 by January 1, the date of license surrender is July 1 of that year. If the board receives the  
34.4 ~~materials are received~~ after January 1, the date of license surrender is July 1 of the following  
34.5 calendar year. An applicant may revoke the request to surrender a license. An applicant  
34.6 must submit a written request for the revocation ~~must be made in writing~~ to the executive  
34.7 ~~director of the board~~ no later than December 31 of the year in which the board received the  
34.8 applicant's request for voluntary to voluntarily surrender is received by the board the  
34.9 applicant's license.

34.10 Subp. 3. **When surrender is prohibited.** A person may not voluntarily surrender a  
34.11 license if:

34.12 A. the school board has begun proceedings to terminate the continuing contract,  
34.13 pursuant to Minnesota Statutes, section 122A.40, subdivision 9 or 13, or 122A.41, subdivision  
34.14 6;

34.15 B. the board has begun proceedings to suspend or revoke the license pursuant to  
34.16 part 3512.5200 and Minnesota Statutes, sections 122A.20 and 214.10; or

34.17 C. any educational agency or board has begun proceedings that could result in  
34.18 ~~alteration of~~ altering the status of the license due to the person's conduct.

34.19 Subp. 4. **Initial license after surrender.** A person ~~whose~~ who voluntarily surrenders  
34.20 a Minnesota administrative or supervisory license ~~has been voluntarily surrendered~~ may  
34.21 apply for initial licensure in the field ~~for~~ in which ~~licensure was~~ the previously surrendered  
34.22 license was issued. The board must issue an initial license ~~must be granted~~ to the applicant  
34.23 if:

34.24 A. a licensure rule exists in the field ~~for~~ in which ~~licensure was~~ the previously  
34.25 surrendered license was issued;

35.1 B. the applicant meets the initial licensure standards ~~that are~~ in effect in the field  
 35.2 at the time of application and meets board procedures in ~~board~~ rules applicable to an initial  
 35.3 license; and

35.4 C. the applicant submits the required processing fee under part 3512.2000  
 35.5 ~~accompanies~~ with the application for initial licensure.

35.6 Subp. 5. **Disclaimer.** Subparts 1 to 4 do not prohibit a person from holding or applying  
 35.7 for a license in any administrative or supervisory field ~~upon surrender of~~ after surrendering  
 35.8 an administrative or supervisory license in another field.

### 35.9 **3512.1500 THE ISSUANCE AND RENEWAL OF LICENSES.**

35.10 Subpart 1. **Renewal.** A license to serve as superintendent, principal, or director ~~shall~~  
 35.11 must bear the date of issue and the expiration date ~~of expiration~~ and may be renewed on or  
 35.12 before July 1 in the year of expiration.

35.13 Subp. 2. **Expiration.** After July 1 in the year of expiration, a license to serve as  
 35.14 superintendent, principal, or director ~~shall be deemed~~ is expired and ~~no longer~~ not valid for  
 35.15 administration.

35.16 Subp. 3. **Fees.** Effective July 1, 2004, each application for ~~the issuance and/or renewal~~  
 35.17 of issuing or renewing a license to serve as superintendent, principal, or director ~~shall~~ must  
 35.18 be accompanied by a \$57 processing fee ~~in the amount of \$57 effective July 1, 2004.~~

### 35.19 **3512.1600 APPEALS.**

35.20 Subpart 1. **Licensure denials.** A person denied an administrative license may appeal  
 35.21 the denial under Minnesota Statutes, chapter 14, to ~~a final decision by the board of School~~  
 35.22 ~~Administrators.~~ The board's decision is final.

35.23 Subp. 2. **Appeal request.** A person entitled to a hearing under this part ~~shall~~ must file  
 35.24 a written request for a hearing with the executive director within 30 days ~~from the date of~~ of

36.1 receiving notice of the denial. Failure to file a written request for a hearing within 30 days  
36.2 constitutes a waiver of the person's right to a hearing.

36.3 **3512.1700 RULES REVIEW.**

36.4 The board must review licensure standards for superintendents, principals, and directors  
36.5 ~~shall be reviewed~~ every even-numbered year beginning in ~~the year~~ 2008.

36.6 **3512.2000 REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSES.**

36.7 Subpart 1. **In general.** An applicant must qualify separately for each licensure area  
36.8 for which application is made and provide evidence of satisfactory completion of a  
36.9 board-approved program in the licensure area ~~that has been approved by the board.~~

36.10 Each application for the issuance or renewal of a license ~~shall~~ must be accompanied  
36.11 by the processing fee in part 8710.0200. The processing fee ~~shall~~ must be nonrefundable  
36.12 for applicants not qualifying for a license, except the fee is refundable when the applicant  
36.13 for a license already holds the license for which application is made and that license does  
36.14 not expire in the year the application is submitted.

36.15 The board must issue and renew all licenses ~~must be issued or renewed~~ according to  
36.16 criteria established in board rules ~~of the board,~~ and the licenses are valid for the period ~~of~~  
36.17 ~~time~~ specified in this part. All licenses must bear the date of issuance and expire on the  
36.18 specified number of years from July 1 nearest the date ~~licensure was~~ the board approved  
36.19 the license. ~~Applications for renewal must be accepted by the Minnesota Department of~~  
36.20 ~~Education, Division of Educator Licensing and Teaching Quality,~~ The Professional Educator  
36.21 Licensing and Standards Board must accept applications to renew a license after January 1  
36.22 of the year of expiration. The renewal period begins on July 1 of the year of expiration.  
36.23 After June 30 in the year of expiration, all licenses not renewed expire and are no longer  
36.24 valid.

37.1 Subp. 1a. **Provisional license.** The provisional license issued in any licensure area is  
37.2 a two-year license. The board must issue provisional licenses to persons who meet all  
37.3 requirements of applicable statutes and rules.

37.4 Subp. 2. **Initial license.** The initial license issued in any licensure area is ~~an entranee~~  
37.5 ~~license, valid for two years~~ a two-year license. The board must issue licenses valid for  
37.6 administration and supervision in Minnesota schools ~~must be granted~~ to persons who meet  
37.7 all requirements of applicable statutes and rules and who complete board-approved licensure  
37.8 programs ~~approved by the board leading to licensure~~ in Minnesota institutions ~~that are~~  
37.9 ~~approved by the board pursuant to~~ under part 3512.2500 to prepare persons for licensure.

37.10 Subp. 3. **Failure to complete school year of experience affecting entranee initial**  
37.11 **license.** When a person does not complete one school year of administrative or supervisory  
37.12 experience ~~is not completed~~ before the ~~expiration of an entranee~~ initial license expires, the  
37.13 board must issue another entranee initial license in that licensure area ~~must be issued upon~~  
37.14 application after receiving the person's licensure renewal application. If an entranee initial  
37.15 license in any licensure area ~~is allowed to lapse, it shall be renewed, upon application, lapses,~~  
37.16 the board must renew the license after receiving the person's licensure renewal application.  
37.17 The board must continue to renew the license until the applicant ~~has had~~ completes one  
37.18 school year of administrative or supervisory experience while holding a valid entranee initial  
37.19 license, after which time an applicant ~~must qualify~~ qualifies for a continuing license.

37.20 Subp. 4. **Continuing license.** The board must issue and renew a continuing license,  
37.21 valid for five years, ~~must be issued and renewed upon~~ after receiving an application according  
37.22 to ~~provisions enumerated in the specific licensure board rules of the board for the issuing~~  
37.23 and renewing continuing license being issued or renewed licenses.

37.24 Subp. 5. **Conduct review.** All applicants for licensure and license renewals are subject  
37.25 to a criminal history background check as required under Minnesota Statutes, section  
37.26 122A.18, subdivision 8, and a conduct review performed by the board. The board may

38.1 refuse to issue a license or deny a license renewal based on the results of the background  
38.2 check or conduct review. An applicant who is denied a license or license renewal as a result  
38.3 of the background check or conduct review may appeal the board's decision pursuant to  
38.4 part 3512.1600.

38.5 **3512.2050 PROVISIONAL LICENSE.**

38.6 A. The board may issue a two-year nonrenewable license to an applicant who has  
38.7 not met all Minnesota preparation program requirements. The applicant must enroll and  
38.8 make progress in a board-approved program leading to licensure as a superintendent, a  
38.9 director of special education, or a kindergarten through grade 12 principal at a regionally  
38.10 accredited college or university during the applicant's two-year provisional status. The  
38.11 applicant must:

38.12 (1) have completed an applicable preparation program in another state; or

38.13 (2) hold an appropriate administrative license.

38.14 B. The board may extend a provisional license issued under this part for one  
38.15 additional school year if the board determines an extension is warranted based on  
38.16 board-adopted criteria.

38.17 C. A candidate for a provisional license under this part may substitute one year  
38.18 of full-time experience as a superintendent, assistant superintendent, principal, assistant  
38.19 principal, or director of special education in another state for the field experience required  
38.20 in part 3512.0400, subpart 1.

38.21 **3512.2100 INITIAL LICENSE.**

38.22 A. Licensure applicants must meet the requirements ~~must be met~~ for each  
38.23 administrative area where the applicant seeks licensure ~~is sought~~. The board must issue an  
38.24 initial license ~~shall be issued~~ to an applicant who ~~has met~~ meets all of the following  
38.25 requirements. An applicant must:

39.1 A. (1) fulfill the requirements of ~~parts part~~ 3512.2000, subparts 1 and 2, ~~and~~  
 39.2 ~~3512.2700~~; and

39.3 B. (2) be recommended for licensure by a ~~Minnesota Board of School~~  
 39.4 ~~Administrators approved~~ board-approved Minnesota college or university which, in making  
 39.5 such a recommendation, attests to ~~satisfactory completion of the applicant satisfactorily~~  
 39.6 completing the approved program ~~by the applicant~~. An applicant ~~coming to Minnesota~~ from  
 39.7 another state must present to the ~~Minnesota Department of Education, Division of Educator~~  
 39.8 ~~Licensing and Teacher Quality, Professional Educator Licensing and Standards Board~~  
 39.9 application intake staff a college or university transcript ~~of college or university work~~ to be  
 39.10 analyzed in order to determine program comparability ~~of program~~.

39.11 B. A candidate who does not qualify for a continuing license issued under part  
 39.12 3512.2300 may apply to renew an initial license every two years and is not required to  
 39.13 complete any clock hours of continuing education in order to renew an initial license.

39.14 **3512.2300 CONTINUING LICENSE.**

39.15 Subpart 1. **Continuing license for those holding entrance initial license.** The board  
 39.16 must issue a five-year continuing license to an applicant who completes at least one school  
 39.17 year of administrative or supervisory experience in a licensure area while holding an ~~entrance~~  
 39.18 ~~initial license shall be issued a continuing license, valid for five years.~~ Supervisory experience  
 39.19 includes the tasks listed in Minnesota Statutes, section 179A.03, subdivision 17. When an  
 39.20 applicant adds a licensure area ~~is added~~ to a continuing license already in ~~force~~ effect, the  
 39.21 board must issue a continuing license ~~is issued, and~~ with the same expiration date ~~becomes~~  
 39.22 ~~that already~~ established for the continuing license already in ~~force~~ effect.

39.23 Subp. 2. **Life license.** The board must issue a five-year continuing license to an  
 39.24 applicant who holds a life license and who subsequently completes an approved a  
 39.25 board-approved program in an additional licensure area ~~shall be issued a continuing license,~~  
 39.26 ~~valid for five years.~~ The board must issue the license for the additional licensure area.

40.1 Subp. 3. **Renewal of continuing licenses.** ~~The renewal of~~ board must renew the  
40.2 continuing licenses must be issued to license of an applicant who provides evidence of  
40.3 ~~completion of~~ completing 125 clock hours of approved administrative and supervisory  
40.4 continuing education earned according to part 3512.1200 during the five-year period  
40.5 immediately before ~~renewal of~~ renewing the continuing license. ~~Approval of~~ The board  
40.6 must approve continuing education programs; and the clock hours ~~that may be earned~~ an  
40.7 applicant may earn in each program, ~~must be~~ according to part 3512.1200. An applicant  
40.8 may apply relevant courses ~~completed~~ at accredited colleges and universities ~~may be used~~  
40.9 toward the ~~clock-hour~~ clock-hour requirement. One quarter college credit equals 15 clock  
40.10 hours; and one semester college credit equals 20 clock hours. An applicant must meet the  
40.11 renewal requirements must be met during the five-year period of each continuing license,  
40.12 and no clock hours shall carry forward into any subsequent five-year licensure period. The  
40.13 applicant may appeal to the board for a continuing education variance to allow credits the  
40.14 applicant earned outside the five-year period to count toward the 125-clock-hour requirement.

40.15 Subp. 4. **Lapsed license.** If an applicant allows a continuing license has been allowed  
40.16 to lapse for more than 60 days and the applicant has not been is currently employed as an  
40.17 administrator or supervisor during the year immediately before the application for renewal,  
40.18 ~~the applicant must provide evidence that,~~ the applicant must obtain a variance from the  
40.19 board while the board renews the license. If the applicant was not employed as an  
40.20 administrator or supervisor during the year immediately before applying to renew the license,  
40.21 the applicant must demonstrate to the board that the applicant:

40.22 A. earned 125 clock hours of approved administrative and supervisory continuing  
40.23 education ~~have been earned~~ according to this part during the five-year period immediately  
40.24 before ~~the application~~ applying for a continuing license, in which case the board must issue  
40.25 a five-year continuing license ~~must be granted~~; or



41.1 B. was offered a position ~~has been offered~~ contingent upon holding a valid license,  
 41.2 and ~~demonstrate that~~ if the applicant demonstrates there is insufficient time to complete  
 41.3 125 clock hours of approved administrative and supervisory continuing education, ~~in which~~  
 41.4 ease the board may issue a nonrenewable one-year license ~~may be granted. Upon expiration~~  
 41.5 ~~of. When the applicant's nonrenewable one-year license expires,~~ the applicant must qualify  
 41.6 for a continuing license according to subpart 3.

41.7 **3512.2400 SUSPENSION AND REVOCATION OF LICENSES.**

41.8 Subpart 1. **Cause.** The board may revoke or suspend the license of a superintendent,  
 41.9 principal, or director ~~may be revoked or suspended~~ for any of the following causes:

41.10 A. immoral character or conduct;

41.11 B. a breach of contract of employment without justifiable cause;

41.12 C. overall gross inefficiency or willful neglect of duty;

41.13 D. fraud or misrepresentation in obtaining a license;

41.14 E. felony conviction which directly relates to the occupation for which licensure  
 41.15 is held; or

41.16 F. violation of the code of ethics for school administrators under part 3512.5200;  
 41.17 ~~code of ethics for school administrators.~~

41.18 Subp. 2. **Procedure for suspension and revocation of licenses.** The board may ~~act~~  
 41.19 ~~to~~ suspend or revoke ~~the~~ a person's license ~~of a person whose license was granted by the~~  
 41.20 ~~board after~~ if the following procedures ~~have been~~ in this subpart are followed.:

41.21 A. A student, a parent, a community member, or the school board employing the  
 41.22 licensee must file a written complaint that specifies with the board specifying the nature  
 41.23 and character of the charges against the licensee ~~is filed with the board by a student, parent,~~  
 41.24 ~~community member, or the school board employing the person.~~

42.1 B. The board ~~notifies~~ must notify the licensee of the allegations ~~contained~~ in the  
42.2 complaint, ~~giving~~ and give the licensee an opportunity to respond to the allegations.

42.3 C. The board must hold a hearing conducted according to the rules of the Office  
42.4 of Administrative Hearings, ~~if not waived, must be held~~ unless the licensee waives the  
42.5 licensee's right to a hearing.

42.6 Subp. 3. **Revocation.** Revocation includes the cancellation or repeal of a license or  
42.7 renewal privilege. Revocation disqualifies a person from performing any function ~~that is~~  
42.8 ~~permitted on the basis of~~ by holding a license issued under ~~the board rules of the board.~~  
42.9 Revocation is final, except that a person whose license ~~has been~~ is revoked may petition  
42.10 the board for licensure under subpart 6.

42.11 Subp. 4. **Suspension.** Suspension includes the temporary withdrawal of a license or  
42.12 renewal privilege. Suspension disqualifies a person from performing any function ~~that is~~  
42.13 ~~permitted on the basis of~~ by holding a license issued under ~~the board rules of the board.~~ The  
42.14 board must determine the length of each suspension and attach any terms and conditions  
42.15 ~~attached to the suspension must be determined by the board on consideration of~~ after  
42.16 considering:

42.17 A. the activity of the individual that led to the license suspension;

42.18 B. any relevant mitigating factors ~~that~~ provided by the individual ~~may interpose;~~

42.19 C. the prior administrative, supervisory, or teaching record of the individual; and

42.20 D. other similar factors.

42.21 Subp. 5. **Applicability.** Unless otherwise provided by the board, a revocation or  
42.22 suspension applies to each license or renewal privilege held by the individual at the time  
42.23 the board takes final action is taken by the board. The board must not issue any other license  
42.24 to a person whose license or renewal privilege has been is suspended or revoked ~~is ineligible~~

43.1 ~~to be issued any other license by the board~~ during the pendency of the suspension or  
 43.2 revocation.

43.3 Subp. 6. **Issuance of license after revocation.** A person whose license or renewal  
 43.4 privilege ~~has been~~ was revoked by the board may apply for and may be ~~granted~~ issued an  
 43.5 initial license ~~upon presentation of~~ after presenting reliable evidence that the person fulfilled  
 43.6 all the terms and conditions ~~that the board imposed have been fulfilled~~, and upon meeting  
 43.7 current licensure standards.

43.8 Subp. 7. **Issuance or reinstatement of license after suspension.** A person whose  
 43.9 license or renewal privilege ~~has been~~ was suspended by the board may apply for ~~reinstatement~~  
 43.10 ~~of that~~ to the board to have the license according to reinstated under this subpart.

43.11 A. If the person's suspended license ~~was~~ is an ~~entrance~~ initial license that has  
 43.12 lapsed during the suspension, the board must reinstate that license ~~must be reinstated upon~~  
 43.13 proper application if the person:

43.14 (1) properly applies to the board after the ~~period of~~ suspension ~~has expired~~  
 43.15 ~~and upon presentation of~~ expires;

43.16 (2) presents reliable evidence that the person met all terms and conditions  
 43.17 ~~that the board imposed have been fulfilled, if the applicant has; and~~

43.18 (3) had less than one year of administrative or supervisory experience while  
 43.19 holding the entrance initial license.

43.20 If the ~~applicant has~~ person gained a year or more of experience on the ~~entrance~~ initial  
 43.21 license before the suspension and the license ~~has~~ lapsed during the suspension, the board  
 43.22 must issue a five-year continuing license ~~must be granted~~ after the person meets all other  
 43.23 conditions stated in this part ~~have been met~~.

43.24 B. If the person's suspended license is an ~~entrance~~ initial license that has not lapsed  
 43.25 during the suspension, the person may resume administrative or supervisory functions for

44.1 whatever period of time remains on that license after the ~~period of the suspension has expired~~  
44.2 expires and upon presentation of the person presents reliable evidence to the board that the  
44.3 person met all terms and conditions that the board imposed ~~have been fulfilled.~~

44.4 C. If the suspended license is a continuing license that has not lapsed during the  
44.5 ~~period of the suspension~~, the person may resume administrative or supervisory functions  
44.6 for whatever period of time remains on the continuing license after the suspension ~~has~~  
44.7 ~~expired~~ expires and upon presentation of after the person presents reliable evidence to the  
44.8 board that the person met all terms and conditions ~~that the board imposed~~ ~~have been fulfilled.~~

44.9 D. If the suspended license is a continuing license that lapsed during the ~~period~~  
44.10 ~~of the suspension~~, the person may apply for another continuing license ~~that must be granted.~~  
44.11 The board must issue the person a continuing license if:

44.12 (1) the suspension ~~has~~ is expired;<sub>2</sub>

44.13 (2) the person presents reliable evidence that the person met all terms and  
44.14 conditions the board imposed ~~have been fulfilled;~~<sub>2</sub> and ~~demonstrates~~

44.15 (3) the person completed the current continuing education requirements ~~have~~  
44.16 ~~been completed.~~

44.17 E. If the suspended license was a life license, the person may resume administrative  
44.18 or supervisory functions after the ~~period of the suspension has expired~~ expires and after  
44.19 presenting reliable evidence to the board that the person met all terms and conditions imposed  
44.20 by the board ~~have been fulfilled.~~

#### 44.21 **3512.2500 PROCEDURES FOR APPROVAL OF LICENSURE PROGRAMS.**

44.22 Subpart 1. **Request for approval.** Institutions ~~approved by the board~~ approves under  
44.23 this part 3512.2500 to prepare persons for licensure may request board approval by the  
44.24 ~~board~~ of licensure programs in administration and supervision. The board must evaluate

45.1 ~~the programs shall be evaluated~~ for initial approval and thereafter ~~shall be audited~~ audit the  
 45.2 programs for continuing approval ~~according to~~ under this part.

45.3 Subp. 2. **Content of program description.** The administrator of the defined  
 45.4 administrative and instructional unit of each institution shall ~~shall~~ must forward ~~from the~~  
 45.5 ~~administrator of the defined administrative and instructional unit of that institution~~ to the  
 45.6 board a program description ~~for~~ of each licensure program for which board approval is  
 45.7 requested. The licensure program description ~~shall include~~ must:

45.8 A. ~~a statement which verifies~~ verify the ~~institutional~~ institution's commitment to  
 45.9 the licensure program;

45.10 B. ~~a description of the~~ describe the institution's organizational structure ~~of the~~  
 45.11 ~~institution and~~;

45.12 C. ~~procedures~~ describe the process to align strategic planning, assessment, and  
 45.13 decision-making for implementing or sustaining the licensure program;

45.14 ~~C. D. a description of~~ describe the anticipated role for ~~which~~ persons who enroll  
 45.15 in the licensure program ~~are being prepared~~;

45.16 D. ~~an enumeration of the specific knowledge, skills, and dispositions to be achieved~~  
 45.17 ~~by persons completing the licensure program~~;

45.18 E. ~~a description of~~ list and describe how the licensure program ~~which~~ relates  
 45.19 individual program components to the knowledge, skills, and dispositions ~~to be achieved~~  
 45.20 ~~by that~~ persons completing the licensure program must achieve;

45.21 F. ~~a description of~~ describe the field-based experience, the assessment of prior  
 45.22 experience and preparation, and the situational observation component;

45.23 G. ~~a description of~~ describe the systematic procedure for ~~evaluation of~~ evaluating  
 45.24 the licensure program ~~which assures that~~ to ensure that all persons recommended for licensure

46.1 ~~meet all licensure requirements for licensure have been met by all persons recommended~~  
 46.2 ~~for licensure;~~

46.3 H. ~~a specific identification of~~ specifically identify the plans for assessing the  
 46.4 performance of each person who ~~is to be judged as having~~ successfully completed the  
 46.5 licensure program;

46.6 I. ~~evidence that~~ list the college departments involved with the licensure program,  
 46.7 licensed practicing education personnel, school administrators, and interested citizens who  
 46.8 participated in developing the licensure program ~~forwarded for approval has been developed~~  
 46.9 ~~with participation from the college departments involved with the licensure program, licensed~~  
 46.10 ~~practicing education personnel, school administrators, and interested citizens; and~~

46.11 J. ~~a description of~~ describe the procedures to establish and maintain an internal  
 46.12 process ~~for systematic evaluation of~~ to systematically evaluate the licensure program; and

46.13 K. include program review data as mandated by the legislature and the board and  
 46.14 describe how that data are utilized.

46.15 Subp. 3. **Evidence required in program description.** Each program description  
 46.16 ~~forwarded to the board by that~~ an institution forwards to the board for each licensure program  
 46.17 ~~for which seeking board approval is requested shall~~ must include evidence that the licensure  
 46.18 program:

46.19 A. meets board rules of the board governing the licensure program ~~are met;~~

46.20 B. allocates necessary faculty and physical resources ~~are allocated~~ to implement  
 46.21 and maintain the licensure program; and

46.22 C. provides adequate supervision for practicum experiences required by individual  
 46.23 licensure rules ~~is provided.~~

47.1 Subp. 4. ~~Appraisal of Program appraisal.~~ Before ~~initial approval for initially~~  
47.2 ~~approving~~ the licensure program is ~~granted~~, persons ~~designated~~ the board designates as  
47.3 program auditors ~~by the board may~~ must visit the institution to examine the licensure program  
47.4 ~~for the purpose of verifying~~ to verify the program description and ~~making~~ make a  
47.5 recommendation regarding approval status. During the operation of an approved licensure  
47.6 program, the board may arrange, in consultation with the institution, an audit visit to verify  
47.7 that the approved program complies with this part ~~may be arranged in consultation with the~~  
47.8 ~~institution~~. Program auditors ~~shall~~ must make a written report of their findings to the board  
47.9 and to the institution.

47.10 Board staff or persons ~~designated~~ the board designates as program auditors ~~by the~~  
47.11 ~~board,~~ in consultation with the institution ~~shall,~~ must make audit visits on a five-year cycle  
47.12 to verify program descriptions and ~~to~~ make a recommendation regarding the approval status  
47.13 of each licensure program.

47.14 Based ~~upon~~ on the institution's appraisal of the program description ~~prepared by the~~  
47.15 ~~institution~~ and the auditors' written report ~~of the auditors,~~ the board ~~shall~~ must:

47.16 A. grant initial approval;

47.17 B. grant continuing approval;

47.18 C. grant conditional approval, state the conditions, and establish time lines for  
47.19 ~~meeting~~ the program to meet the stated conditions; or

47.20 D. disapprove the licensure program, state the reasons for disapproval, and, if  
47.21 needed, stipulate a termination date ~~that will~~ to accommodate persons enrolled in the program.

47.22 Subp. 5. **Conditional approval.** If the board conditionally approves a licensure  
47.23 program is ~~conditionally approved~~, the board ~~shall~~ must reconsider the licensure program's  
47.24 approval status ~~of the licensure program upon verification that the~~ after verifying that the

48.1 board's stated conditions are met. If the board's stated conditions are not met within the  
48.2 established time lines, the board must withdraw its conditional approval ~~must be withdrawn.~~

48.3 Subp. 6. **Programs that vary in curricular design.** The board must approve licensure  
48.4 programs that vary in curricular design ~~must be approved provided that~~ if the program  
48.5 components meet the approval criteria ~~for approval~~ in this part.

48.6 Subp. 7. **Revisions made in program.** If an institution ~~makes revisions in an approved~~  
48.7 revises a board-approved licensure program, the administrator of the defined administrative  
48.8 and instructional unit of that institution ~~shall~~ must forward to the board a written description  
48.9 of the licensure program revision. The board must undertake an audit ~~must be made~~ to verify  
48.10 that the revised licensure program continues to meet board rules ~~of the board~~. Each verified  
48.11 licensure program revision is an amendment to the approved licensure program.

48.12 Subp. 8. **Revocation or suspension due to failure to meet rules.** The board ~~shall~~  
48.13 must revoke or suspend the approval of a licensure program if the board determines that an  
48.14 approved licensure program no longer complies with this part.

48.15 **3512.2600 LICENSURE FOR PERSONS PREPARED IN STATES OTHER THAN**  
48.16 **MINNESOTA.**

48.17 Subpart 1. **Criteria.**

48.18 A. The board must issue Minnesota licenses ~~shall be granted~~ to persons who  
48.19 otherwise meet applicable statutory requirements ~~and who complete programs leading to~~  
48.20 ~~licensure in colleges and universities located outside Minnesota~~ and the requirements of  
48.21 this part. The board must issue licenses ~~shall be granted~~ only in licensure fields for which  
48.22 the board has ~~established~~ rules governing licensure programs ~~leading to licensure~~. Persons  
48.23 prepared in other states ~~other than Minnesota shall~~ must present their credentials to the  
48.24 board for approval. The board has jurisdiction on all matters concerning administrative  
48.25 licensure. ~~The licenses shall be issued according to either item A or B as follows:~~



49.1 ~~A. Persons who complete approved programs in colleges and universities leading~~  
49.2 ~~to licensure within states which have signed contracts with Minnesota according to the~~  
49.3 ~~Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota~~  
49.4 ~~initial license. No licenses shall be issued on the basis of teaching experience only.~~

49.5 B. The board must issue an initial professional license to persons who complete  
49.6 administrative preparation programs leading to licensure in colleges and universities within  
49.7 states outside Minnesota ~~which have not signed contracts with Minnesota shall be granted~~  
49.8 ~~a Minnesota initial license~~ when all of the following criteria are met:

49.9 (1) the college or university is regionally accredited by the Association for  
49.10 the Accreditation of Colleges and Secondary Schools;

49.11 (2) the program ~~leading to licensure has been~~ the applicant completed is  
49.12 recognized by the state as qualifying the applicant ~~completing the program~~ for such  
49.13 employment as an administrator or licensure within that state;

49.14 (3) the program ~~leading to licensure~~ the applicant completed by the applicant  
49.15 is essentially equivalent in content to approved programs offered by Minnesota colleges  
49.16 and universities under the board rules of the Board of School Administrators governing the  
49.17 licensure field. A person licensed under this part must achieve educational equivalency with  
49.18 persons licensed in Minnesota by the time the person's initial professional license expires.  
49.19 Educational equivalency includes 30 semester credits beyond a master's degree or 60 semester  
49.20 credits beyond a bachelor's degree, including a master's, specialist, or doctoral degree; and

49.21 (4) the college or university ~~which offers~~ offering the program leading to  
49.22 ~~licensure~~ verifies ~~that~~ the applicant ~~has~~ completed an approved licensure administrative  
49.23 preparation program at that institution and recommends the applicant for a license ~~in a~~  
49.24 ~~licensure field at a licensure level~~ if licensure is required by that state.

50.1 ~~Notwithstanding part 3510.4000 governing human relations, persons who have been~~  
50.2 ~~prepared for licensure in states other than Minnesota shall be granted a Minnesota initial~~  
50.3 ~~license based upon the provisions of this part.~~

50.4 Subp. 2. [See repealer.]

50.5 Subp. 3. **Field experience equivalency.** A licensure candidate may substitute one  
50.6 year of full-time experience as a superintendent, assistant superintendent, principal, assistant  
50.7 principal, or director of special education in another state for the field experience required  
50.8 by part 3512.0400, subpart 1.

50.9 **3512.5200 CODE OF ETHICS FOR SCHOOL ADMINISTRATORS.**

50.10 Subpart 1. **Scope.** This part applies to all persons licensed as school administrators  
50.11 as defined in part 3512.0100, subparts 5 to 7.

50.12 Subp. 2. **Standards of professional conduct.** The standards of professional conduct  
50.13 for school administrators are listed in items A to K.

50.14 A. A school administrator ~~shall~~ must provide professional educational services  
50.15 in a nondiscriminatory manner.

50.16 B. A school administrator ~~shall~~ must take reasonable action to protect students  
50.17 and staff from conditions harmful to health and safety.

50.18 C. A school administrator ~~shall~~ must take reasonable action to provide an  
50.19 atmosphere conducive to learning.

50.20 D. A school administrator ~~shall~~ must not ~~misuse~~ use professional relationships  
50.21 with students, parents and caregivers, staff, or colleagues to private advantage.

50.22 E. A school administrator ~~shall~~ must disclose confidential information about  
50.23 individuals only when a compelling professional purpose is served in accordance with state  
50.24 and federal laws, and school district policies.

51.1 F. A school administrator ~~shall~~ must not knowingly falsify or misrepresent records  
51.2 or facts relating to the administrator's qualifications; or to the qualifications of other staff  
51.3 or personnel.

51.4 G. A school administrator ~~shall~~ must not knowingly make false or malicious  
51.5 statements about students, students' families, staff, or colleagues.

51.6 H. A school administrator ~~shall~~ must not accept gratuities, gifts, or favors that  
51.7 impair professional judgment, nor offer any favor, service, or item of value to obtain special  
51.8 advantage.

51.9 I. A school administrator ~~shall~~ must only accept a contract for a position when  
51.10 licensed for the position or when a school district is ~~granted~~ issued a variance ~~or letter of~~  
51.11 ~~approval~~ by the board.

51.12 J. A school administrator, in filling positions requiring licensure, ~~shall~~ must  
51.13 employ, recommend for employment, and assign only appropriately licensed personnel, or  
51.14 persons for whom the school district has been ~~granted~~ issued a variance by the appropriate  
51.15 state board or agency, unless, after making reasonable efforts to obtain a variance, an  
51.16 appropriately licensed person cannot be assigned and the position must be filled to meet a  
51.17 legitimate emergency educational need.

51.18 K. A school administrator ~~shall~~ must not engage in conduct involving dishonesty,  
51.19 fraud, or misrepresentation in the performance of professional duties.

51.20 Subp. 3. **Statutory enforcement of code, complaints, investigation, and hearing.** The  
51.21 board must enforce this part ~~shall be enforced in accordance with~~ according to Minnesota  
51.22 Statutes, section 214.10, subdivisions 1, 2, and 3.

51.23 Subp. 4. **Complaints handled by board.** ~~When oral complaints alleging violations~~  
51.24 ~~of the code of ethics for school administrators are received, the board shall request the~~

52.1 ~~complaining party to submit a written complaint. Upon receipt of a written complaint, the~~  
52.2 ~~administrator named in the complaint shall be notified in writing of the complaint.~~

52.3 A. When the board receives complaints alleging violations of the code of ethics  
52.4 for school administrators, the board must require the complaining party to submit:

52.5 (1) a signed, written complaint specifying the nature and character of the  
52.6 allegations; and

52.7 (2) a consent form provided by the board.

52.8 B. The board must consider only those complaints that comply with this subpart.  
52.9 The administrator ~~shall be~~ is entitled to be represented by the administrator's own counsel  
52.10 or representative at each stage of the investigation and hearing.

52.11 Subp. 5. **Enforcement procedures.** The board may impose one or more of the  
52.12 following penalties when it ~~has found~~ finds a violation of a standard under subpart 2. ~~These~~  
52.13 ~~actions shall be taken only after previous efforts at remediation have been exhausted.~~

52.14 A. The board may enter into agreements with administrators accused of violating  
52.15 the code of ethics ~~that would~~ to suspend or terminate proceedings against the administrator  
52.16 on conditions agreeable to both parties.

52.17 B. The board may send a letter of censure ~~from the board may be sent~~ to the person  
52.18 ~~determined to be in violation of~~ it determines is violating the standards of the code of ethics.  
52.19 The board must keep the letter ~~shall be kept~~ on file for a ~~period of time not to exceed~~ up to  
52.20 one calendar year.

52.21 C. The board may place an administrator ~~who has been found to have~~ it finds  
52.22 violated the code of ethics ~~may be placed~~ on probationary licensure status for a period of  
52.23 time ~~to be~~ determined by the board. The board may impose conditions on the administrator  
52.24 during the probationary period ~~which are to be~~ directed toward improving the administrator's  
52.25 performance in the area of the violation. During this period, the administrator's performance

53.1 or conduct ~~shall be~~ is subject to board review ~~by the board~~. The board must direct the review  
53.2 ~~shall be directed~~ toward monitoring the administrator's activities or performance ~~with regard~~  
53.3 ~~to whatever~~ and the conditions ~~may be~~ placed on the administrator during the probationary  
53.4 period. Before the ~~end of the~~ probationary period ends, the board ~~shall~~ must decide to extend  
53.5 or terminate the administrator's probationary licensure status or ~~to~~ take further disciplinary  
53.6 actions ~~as~~ consistent with this ~~rule~~ subpart.

53.7 D. The board may suspend the license ~~to practice~~ of the person ~~determined to be~~  
53.8 ~~in violation of~~ it determines is violating the standards of the code of ethics ~~may be suspended~~  
53.9 ~~for a period of time determined by the board~~. The board must determine the time period of  
53.10 any suspension.

53.11 E. The board may revoke the license ~~to practice~~ of the person ~~determined to be~~  
53.12 ~~in violation of~~ it determines violated the standards of the code of ethics ~~may be revoked by~~  
53.13 ~~the board~~.

53.14 **3512.5300 VARIANCE.**

53.15 Subpart 1. **Scope.** Pursuant to Minnesota Statutes, section 14.055, a person or entity  
53.16 may apply for a variance from any rule or portion of a rule under the jurisdiction of the  
53.17 board ~~of school administrators~~. The board may not consider a request for a variance from  
53.18 a statute or court order.

53.19 Subp. 2. **Application.** The applicant must file an application for a variance in writing  
53.20 on a form provided by the board. The application form must comply with Minnesota Statutes,  
53.21 section 14.056, subdivision 1, and must include instructions for completing the form and a  
53.22 description of the variance process.

53.23 Subp. 3. **Criteria.** In reviewing a variance request, the board must consider the  
53.24 information required under Minnesota Statutes, section 14.056, subdivision 1, and the  
53.25 following:

54.1 A. whether ~~application of the rule to the individual circumstances of the applicant~~  
54.2 ~~would serve the purpose of the rule~~ variance from the rule would serve a compelling public  
54.3 purpose;

54.4 B. whether application of the rule to the individual circumstances of the applicant  
54.5 would result in hardship or injustice;

54.6 C. whether variance from the rule would be consistent with the public interest  
54.7 and the educational interests of students, school districts, and the profession;

54.8 D. whether variance from the rule would positively serve an educational need or  
54.9 opportunity;

54.10 E. whether variance from the rule would compromise the purpose of the rule; and

54.11 F. whether variance from the rule would prejudice the substantial legal or economic  
54.12 rights of any person or entity.

54.13 Pursuant to Minnesota Statutes, section 14.055, subdivision 3, the board must ~~grant~~  
54.14 issue a variance from a rule if the applicant ~~can provide~~ provides evidence that ~~application~~  
54.15 ~~of applying~~ the rule to the applicant's individual circumstances ~~of the applicant~~ would not  
54.16 serve the purpose of the rule. The board may not ~~grant~~ issue a variance under any  
54.17 circumstances if the variance would compromise the purpose of the rule or the variance  
54.18 would prejudice the substantial legal or economic rights of any person or entity.

54.19 Subp. 4. **Oral argument.** Upon the applicant's request ~~from the applicant~~, the board  
54.20 may permit an applicant to present an oral argument ~~in defense of~~ defending a variance  
54.21 application.

54.22 Subp. 5. [See repealer.]

54.23 Subp. 6. **Order; timing.** Within 60 days of ~~receipt of~~ receiving a completed variance  
54.24 application, the board must issue a ~~written order granting~~ or ~~denying~~ deny a variance and

55.1 ~~specifying~~ specify the scope and period of the variance. The board must not ~~grant~~ issue a  
55.2 ~~discretionary~~ variance for a period longer than one year. The board's order must ~~include a~~  
55.3 ~~statement of~~ state the relevant facts and the reasons for the board's action.

55.4 Subp. 7. **Limitations.** The board may issue a variance ~~may be granted to the applicant~~  
55.5 only for the specific circumstances ~~for which the request is made~~ the applicant described  
55.6 in the variance application. The applicant may not apply the variance to other circumstances  
55.7 without specific board approval ~~from the board~~, and is prohibited from transferring a variance  
55.8 ~~is not transferable~~ to other individuals or entities in similar situations without specific board  
55.9 approval ~~from the board~~.

55.10 Subp. 8. **Fees.** ~~The application must include a nonrefundable processing fee of \$25.~~  
55.11 ~~An application is not complete until the board receives the processing fee. The applicant~~  
55.12 ~~may be charged additional fees if the cost for the board to process the variance application~~  
55.13 ~~exceeds \$25.~~ The fee for the variance application must be charged consistent with Minnesota  
55.14 Statutes, section 14.056.

55.15 Subp. 9. **Reconsideration.** A board decision ~~of the board~~ to grant issue or deny a  
55.16 variance is final unless the board reverses the decision ~~is reversed by~~ through a subsequent  
55.17 board action. The applicant may submit an application for reconsideration if the applicant  
55.18 ~~is able to submit~~ submits additional information ~~in~~ to support ~~of its~~ the variance request.

55.19 Subp. 10. **Record.** The board must maintain a record of all orders ~~granting~~ issuing  
55.20 and denying variances in compliance with Minnesota Statutes, section 14.056, subdivision  
55.21 7.

55.22 Subp. 11. **Variance for director of community education.** Subject to the conditions  
55.23 in this subpart, the board must annually issue an administrative variance to a school district  
55.24 to allow the district to use an individual who is not fully licensed as the community education  
55.25 director if the school district is unable to employ a fully licensed director of community  
55.26 education.

56.1 A. The board must issue an administrative variance to school districts only if the  
56.2 individual is enrolled in a board-approved program leading to licensure as a director of  
56.3 community education and can show evidence the individual will complete the program  
56.4 within three school years.

56.5 B. A school district must apply annually for an administrative variance and must  
56.6 not exceed the three years stated in item A for any one individual.

56.7 C. The school superintendent must verify in writing the district's inability to  
56.8 contract with a fully licensed director of community education for a position. The  
56.9 superintendent must verify how the district advertised the director of community education  
56.10 position and that the district did not place a licensed director of community education  
56.11 interested in the position on unrequested leave of absence.

56.12 **REPEALER.** Minnesota Rules, parts 3512.0200, subpart 5; 3512.0300, subpart 5;  
56.13 3512.0505, subparts 7 and 9; 3512.2600, subpart 2; 3512.2700; and 3512.5300, subpart 5,  
56.14 are repealed.