

1.1 **Board of School Administrators**

1.2 **Adopted 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 this chapter, the terms defined in this part have the
1.8 meanings given them.

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

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

1.12 Subp. 3. **Commissioner.** "Commissioner" means the commissioner of education.

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

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

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

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

1.22 Subp. 6a. **Regionally accredited institution.** "Regionally accredited institution"
1.23 means a college or university accredited by the Higher Learning Commission, Middle States
1.24 Commission on Higher Education, New England Association of Schools and Colleges,

2.1 Northwest Commission on Colleges and Universities, Southern Association of Colleges
2.2 and Schools, or Western Association of Schools and Colleges.

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

2.6 ~~Subp. 8. **License definitions.**~~

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

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

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

2.15 ~~D. "Provisional license" means a two-year nonrenewable license issued by the~~
2.16 ~~board pursuant to part 3512.2050.~~

2.17 **3512.0200 EDUCATION AND EXPERIENCE REQUIREMENTS FOR**
2.18 **SUPERINTENDENT, PRINCIPAL, AND DIRECTOR OF SPECIAL EDUCATION.**

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

2.22 Subp. 2. **Teaching experience.**

2.23 A. An applicant for licensure as a superintendent or principal must have three
2.24 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 must have three
3.11 years of combined special education experience as any of the following:

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

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

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

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

4.1 Subp. 3. **Kindergarten through grade 12 superintendents, principals, and directors**
4.2 **of special education.**

4.3 A. An applicant for licensure as a superintendent, principal, or director of special
4.4 education must complete, at a regionally accredited ~~Minnesota graduate school~~ institution,
4.5 a specialist or doctoral program consisting of a minimum of 60 semester credits or a program
4.6 consisting of 60 semester credits beyond a bachelor's degree that includes a master's degree
4.7 and ~~preparation for completing the program requirements under~~ a demonstration of
4.8 competence in the core areas identified in part 3512.0510 leading to a professional license.
4.9 ~~The board must approve each licensure program pursuant to part 3512.2500.~~ Completion
4.10 of an administrative licensure program approved by the board under part 3512.2500 shall
4.11 be evidence that an applicant has demonstrated competence in the core areas identified in
4.12 part 3512.0510. Applicants who complete preparatory programs that have not received
4.13 board approval under part 3512.2500 must meet the requirements of part 3512.2600.

4.14 B. An applicant for licensure as a superintendent or principal must complete within
4.15 12 continuous months at least 320 hours of field experience in elementary, middle or junior
4.16 high, and high schools as an administrative intern to a licensed and practicing school principal
4.17 for principal licensure or a licensed and practicing superintendent for superintendent
4.18 licensure. The applicant must complete at least 40 hours of field experience at each school
4.19 level not represented by the applicant's primary teaching experience.

4.20 C. An applicant for licensure as a director of special education must complete a
4.21 practicum or field experience within 12 continuous months, which must include a minimum
4.22 of 320 hours in an administrative position under the immediate supervision of a licensed
4.23 and practicing director of special education. The field experience must include at least 40
4.24 hours at a special education administrative unit not represented by the applicant's primary
4.25 special education experience.

5.1 Subp. 4. **Licensed elementary and secondary school principals.** To qualify for a
5.2 kindergarten through grade 12 principal license, a person licensed as an elementary school
5.3 principal must complete a field experience of at least 120 hours in secondary administration,
5.4 and a person licensed as a secondary school principal must complete a field experience of
5.5 at least 120 hours in elementary administration. In addition to the field experience required
5.6 in this subpart, an elementary or secondary school principal must meet the requirements in
5.7 part 3512.0400, subpart 3.

5.8 Subp. 5. [See repealer.]

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

5.13 **3512.0300 SCHOOL SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF**
5.14 **SPECIAL EDUCATION.**

5.15 Subpart 1. **License required.** A person who serves as or performs the duties of a
5.16 superintendent, principal, or director of special education must hold a license appropriate
5.17 to that position. A person must hold the appropriate ~~professional~~ administrative license if
5.18 50 percent or more of the person's duties involve assisting the superintendent, principal, or
5.19 director of special education with administration of personnel, employee supervision,
5.20 employee evaluation, and curriculum implementation; or, notwithstanding Minnesota
5.21 Statutes, section 122A.40, subdivision 8, any of the person's duties ~~including~~ include the
5.22 duties listed in Minnesota Statutes, section 179A.03, subdivision 17.

5.23 The board may issue an initial ~~professional~~ license for each administrative licensure
5.24 area for which the applicant seeks licensure provided the applicant meets requirements for
5.25 licensure as a superintendent of schools, as a school principal, or as a director of special
5.26 education.

6.1 Subp. 2. **Institutional requirement.** An institution applying to the board for approval
6.2 of a preparation program leading to licensure as superintendent, principal, or director of
6.3 special education must comply with part 3512.2500. An institution with a board-approved
6.4 program must describe how the institution evaluates the experience and preparation of
6.5 licensure applicants in the areas listed in subpart 3 or 4. Representatives from college
6.6 departments involved with the licensure program and licensed practicing superintendents,
6.7 principals, and directors of special education must participate in the evaluation. This
6.8 evaluation must result in a plan for the applicant to complete the knowledge, skills, and
6.9 dispositions listed in part 3512.0510.

6.10 The competency and situational observation components of an approved program must
6.11 require a licensure candidate to demonstrate mastery of knowledge, skills, and dispositions
6.12 in the competencies under part 3512.0510 as part of the exit evaluation.

6.13 Subp. 3. **Continuing licensure.** The board must issue or renew a continuing license
6.14 according to part 3512.2300 governing continuing licenses.

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

6.16 Subp. 5. [See repealer.]

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

6.18 **3512.0400 PROGRAM REQUIREMENTS.**

6.19 Subpart 1. **Field experience.** A board-approved school licensure program for
6.20 superintendents, principals, and directors of special education must include a 320-hour field
6.21 experience. A person participating in field experiences must not replace superintendents,
6.22 principals, or directors of special education employed at the participating school or district.
6.23 Field experience must be under the direction of a board-approved program and outcomes
6.24 must focus on the knowledge, skills, and dispositions in the competencies under part
6.25 3512.0510.

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

7.2 Subp. 3. **Situational observation component.** A board-approved licensure program
7.3 for superintendents, principals, or directors of special education must require a person to
7.4 demonstrate mastery of the program knowledge, skills, and dispositions in part 3512.0510.
7.5 The exit evaluation should focus on knowledge, skills, and dispositions in the competencies
7.6 under part 3512.0510 and may include objective examinations, portfolio reviews, and
7.7 observations.

7.8 **3512.0505 DIRECTORS OF COMMUNITY EDUCATION.**

7.9 Subpart 1. **Scope.** A person who serves as a district director or assistant director of
7.10 community education must hold a license as a director of community education.

7.11 Subp. 2. **License requirement.** An applicant recommended for licensure as a director
7.12 of community education must:

7.13 A. hold a baccalaureate degree from a regionally accredited ~~college or university~~
7.14 institution; and

7.15 B. satisfactorily complete a board-approved preparation program ~~under subpart~~
7.16 ~~3~~ leading to licensure of directors of community education or obtain approval for licensure
7.17 under part 3512.2600.

7.18 Subp. 3. **Program requirement.** A licensure program for directors of community
7.19 education must consist of a minimum of 20 semester hours, or the equivalent, and must
7.20 provide a licensure candidate with the knowledge, skills, and dispositions in the subjects
7.21 listed in part 3512.0510, subparts 1 and 5.

7.22 The candidate must complete a ~~practicum, which is~~ a field experience, including at
7.23 least 320 clock hours in an administrative position supervised by a licensed practicing
7.24 director of community education. During the field experience, the candidate must apply the
7.25 knowledge and skills under part 3512.0510, subparts 1 and 5. A person prepared in another

8.1 state as director of community education may substitute one year of experience as a
8.2 districtwide director of community education in another state for the field experience.

8.3 Subp. 4. **Institutional requirement.** An institution applying to the board for approval
8.4 of a licensure program for directors of community education must comply with part
8.5 3512.2500. An institution with a board-approved program must describe how the institution
8.6 evaluates the experience and preparation of licensure applicants in the areas listed in subpart
8.7 3. Representatives from college departments involved with the licensure program and
8.8 licensed practicing directors of community education must participate in the evaluation.
8.9 The evaluation must result in a plan for the applicant to complete the knowledge, skills, and
8.10 dispositions listed in subpart 3 and may reduce the required college credits an applicant
8.11 needs to be recommended for licensure.

8.12 Subp. 5. **Situational observation component.** A board-approved licensure program
8.13 for ~~superintendents, principals, or~~ directors of special community education must require a
8.14 person to demonstrate mastery of the program knowledge, skills, and dispositions in part
8.15 3512.0510 as part of the exit evaluation. The exit evaluation must focus on knowledge,
8.16 skills, and dispositions in the competencies for school administrators under part 3512.0510
8.17 and may include objective examinations, portfolio reviews, and observations.

8.18 Subp. 6. **Issuance and renewal of licenses.** The board must issue a license according
8.19 to part 3512.2000. The board must renew a continuing license according to part 3512.2300.

8.20 Subp. 7. [See repealer.]

8.21 Subp. 8. **Continuing license.** The board must issue a continuing license to a person
8.22 who was issued an initial license between July 1, 1984, and July 1, 1990, based upon one
8.23 year of experience and who continues to hold an initial license if the person completes one
8.24 year of experience as either a part-time or full-time director of community education as
8.25 verified by the employing superintendent of schools. The person must renew subsequent
8.26 continuing licenses according to part 3512.2300.

9.1 Subp. 9. [See repealer.]

9.2 **3512.0510 PROGRAM REQUIREMENTS FOR ALL ADMINISTRATIVE**
9.3 **LICENSES.**

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

9.7 A. To demonstrate competence in leadership, a superintendent, principal, director
9.8 of special education, or director of community education must:

9.9 (1) demonstrate leadership by collaboratively assessing and improving a
9.10 professional culture of engagement, ethical and equitable practice, and systems perspective;

9.11 (2) demonstrate leadership by ~~the development of an~~ collaboratively
9.12 developing a shared educational mission for the school or district, which provides purpose
9.13 and direction for individuals and groups;

9.14 (3) demonstrate shared leadership and decision-making strategies and
9.15 empower and entrust teachers and staff with collective responsibility for meeting the
9.16 academic, social, behavioral, emotional, and physical needs of each student pursuant to the
9.17 mission, vision, and core values of the school;

9.18 (4) understand how education is impacted by historical, local, state, national,
9.19 and international events and issues;

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

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

9.23 (7) demonstrate an ability to serve as a spokesperson for the welfare of all
9.24 learners to ensure high expectations; and

10.1 (8) understand the dynamics of change and demonstrate the ability to
10.2 implement change and educational reform.

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

10.5 (1) demonstrate an understanding of organizational systems, including
10.6 structural and cultural dynamics;

10.7 (2) define and use processes for gathering, analyzing, managing, and using
10.8 data to plan and make decisions for program evaluation;

10.9 (3) plan and schedule personal and organizational work, establish procedures
10.10 to regulate activities and projects, and delegate and empower others at appropriate levels;

10.11 (4) demonstrate the ability to analyze need and allocate personnel and material
10.12 resources;

10.13 (5) develop and manage budgets and maintain accurate fiscal records;

10.14 (6) demonstrate an understanding of facilities development, planning, and
10.15 management; and

10.16 (7) understand and use technology as a management tool.

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

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

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

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

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

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

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

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

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

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

11.15 (1) understand and implement policy to meet local, state, and federal
11.16 requirements and constitutional provisions, standards, and regulatory applications to promote
11.17 student success;

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

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

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

12.1 (1) exhibit an understanding of school districts as political systems, including
12.2 governance models;

12.3 (2) demonstrate an understanding of involving stakeholders in the development
12.4 of educational policy;

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

12.7 (4) demonstrate an understanding of processes to align constituencies in
12.8 support of school and district priorities.

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

12.11 (1) understand the need to develop shared understanding of and commitment
12.12 to mission, vision, and core values within the school and the community;

12.13 (2) demonstrate individual and team facilitation skills;

12.14 (3) recognize and apply an understanding of individual and group behavior
12.15 in all situations;

12.16 (4) demonstrate an understanding of conflict resolution and problem-solving
12.17 strategies relative to communication;

12.18 (5) make presentations that are clear and easy to understand;

12.19 (6) respond to, review, and summarize information for groups;

12.20 (7) communicate appropriately, through speaking, listening, and writing, for
12.21 different audiences, including students, teachers, parents, the community, and other
12.22 stakeholders; and

12.23 (8) understand and utilize appropriate communication technology.

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

13.3 (1) articulate organizational purpose and advocate publicly for the needs and
13.4 priorities of students, families, and the community;

13.5 (2) demonstrate the ability to engage the extended community;

13.6 (3) effectively generate and respond to various forms of communication
13.7 through media;

13.8 (4) promote a positive image of schools and the school district;

13.9 (5) monitor and address perceptions about school-community issues; and

13.10 (6) demonstrate a community-centric perspective and the ability to identify
13.11 and articulate critical community issues that may impact local education.

13.12 H. To demonstrate competence in curriculum, instruction, and assessment for the
13.13 success of all learners, a superintendent, principal, director of special education, or director
13.14 of community education must:

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

13.18 (2) develop, assess, and support teachers' and staff members' professional
13.19 knowledge, skills, and practice through differentiated opportunities and emerging trends
13.20 for learning and growth, guided by understanding professional and adult learning and
13.21 development;

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

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

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

14.7 (6) lead, support with meaningful and effective feedback, and assess
14.8 instructional practice that is consistent with knowledge of child learning and development,
14.9 effective pedagogy, and the needs of each student; and

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

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

14.15 (1) demonstrate knowledge of ~~effective~~ diversifying, effectively recruiting,
14.16 selecting, and retaining personnel ~~recruitment, selection, and retention~~;

14.17 (2) demonstrate an understanding of staff development to improve the
14.18 performance of all staff members;

14.19 (3) demonstrate the ability to select and apply appropriate models for
14.20 supervision and evaluation;

14.21 (4) describe and demonstrate the ability to apply the legal requirements for
14.22 personnel selection, development, retention, and dismissal;

14.23 (5) demonstrate an understanding of management responsibilities to act in
14.24 accordance with federal and state constitutional provisions, statutory and case law, regulatory

15.1 applications toward education, local rules, procedures, and directives governing human
15.2 resource management;

15.3 (6) demonstrate an understanding of labor relations and collective bargaining;
15.4 and

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

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

15.9 (1) demonstrate an understanding of the role of education in a democratic
15.10 society;

15.11 (2) demonstrate an understanding of and model democratic value systems,
15.12 ethics, and moral leadership;

15.13 (3) demonstrate the ability to balance complex community demands in the
15.14 best interest of learners;

15.15 (4) help learners grow and develop as caring, informed citizens; and

15.16 (5) demonstrate an understanding and application of the code of ethics for
15.17 school administrators under part 3512.5200.

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

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

15.22 (2) demonstrate adaptability and conceptual flexibility;

16.1 (3) reach logical conclusions by making quality, timely decisions based on
16.2 available information;

16.3 (4) identify and give priority to significant issues;

16.4 (5) demonstrate an understanding of₂ and utilize appropriate technology in₂
16.5 problem analysis; and

16.6 (6) demonstrate an understanding of different leadership and decision-making
16.7 strategies, including but not limited to collaborative models and model appropriately their
16.8 implementation.

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

16.11 (1) demonstrate the ability to develop and implement policies and procedures
16.12 for safe and secure educational environments; and

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

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

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

16.18 (1) demonstrate an understanding of the role policy plays in school district
16.19 governance and administration;

16.20 (2) know and apply statutory regulations affecting school board meetings,
16.21 communications, procedures, and practices; and

16.22 (3) demonstrate an understanding of the distinct roles and responsibilities of
16.23 the school board and superintendent.

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

17.3 (1) demonstrate an understanding of the role the political process plays in
17.4 public education and the connection between them;

17.5 (2) demonstrate an understanding of how to interact with local, state, and
17.6 federal governments; and

17.7 (3) demonstrate an understanding of the roles played by other community
17.8 leaders in the school district.

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

17.10 (1) demonstrate knowledge of cultivating positive relationships between and
17.11 with school board members; and

17.12 (2) demonstrate effective skills in communication leadership between the
17.13 school district and the community, including internal and external constituencies.

17.14 D. To demonstrate competence in fiscal management, a superintendent must
17.15 demonstrate knowledge of factors that affect school finance, including sources of revenue;
17.16 expenditure classifications; generally acceptable accounting principles; and local, state, and
17.17 federal finance calculations.

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

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

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

18.1 (1) support teachers and staff in the implementation of state academic
18.2 standards, coherent systems of culturally responsive curriculum, instruction, and assessment
18.3 that promote the mission, vision, and core values of the school district to embody high
18.4 expectations for student learning; and

18.5 (2) demonstrate the ability to understand and apply districtwide literacy and
18.6 lead schoolwide literacy efforts in all content areas including numeracy.

18.7 B. To demonstrate competence in monitoring student learning, a principal must:

18.8 (1) demonstrate the ability to create a culture that fosters a community of
18.9 learners;

18.10 (2) demonstrate an understanding of student support systems and services;

18.11 (3) demonstrate the ability to implement and monitor student management
18.12 data systems;

18.13 (4) implement schoolwide policies and practices that encourage positive
18.14 behavior, and respond to student misconduct in a positive, fair, and unbiased manner;

18.15 (5) demonstrate the ability to develop a master instructional schedule;

18.16 (6) demonstrate the ability to meet the diverse learning needs of all students;

18.17 and

18.18 (7) demonstrate the ability to understand and support a comprehensive
18.19 program of student activities.

18.20 C. To demonstrate competence in prekindergarten through grade 12 leadership,
18.21 a principal must:

18.22 (1) demonstrate an understanding of the articulation and alignment of
18.23 curriculum from prekindergarten through grade 12;

19.1 (2) demonstrate an understanding of different organizational systems and
19.2 structures at prekindergarten, elementary, middle or junior high, and high school levels;

19.3 (3) demonstrate the ability to work with children of all ages;

19.4 (4) demonstrate the ability to work with parents, teachers, and other staff in
19.5 all levels of schooling;

19.6 (5) demonstrate an understanding of the characteristics of effective transitions
19.7 from one level of schooling to the next; and

19.8 (6) demonstrate an understanding of the developmental needs of children of
19.9 all ages.

19.10 Subp. 4. **Director of special education competencies.** A person who serves as a
19.11 director of special education must demonstrate the core competencies described in subpart
19.12 1 and competence in the specific areas under this subpart.

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

19.15 (1) demonstrate an understanding of state and federal laws, rules, and
19.16 procedures governing special education finance, budgeting, and accounting; and

19.17 (2) demonstrate an understanding of state and federal regulations governing
19.18 the monitoring of special education services.

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

19.21 (1) demonstrate knowledge of statutory regulations relative to school districts
19.22 affecting board meetings, policies, communications, procedures, and practices that affect
19.23 special education governance; and

20.1 (2) demonstrate an understanding of special education administrative models
20.2 used in Minnesota.

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

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

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

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

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

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

20.17 (1) understand and describe the history and philosophy of community
20.18 education;

20.19 (2) demonstrate a knowledge and application of the principles of community
20.20 education;

20.21 (3) demonstrate a knowledge of the role of the local school district's
20.22 administrative team;

20.23 (4) demonstrate, facilitate, and lead the integration of community education
20.24 into the prekindergarten through grade 12 system;

21.1 (5) demonstrate the skills necessary to conduct community needs assessments
21.2 as required by statute and district policy;

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

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

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

21.10 (1) demonstrate a knowledge of advisory councils, including their role,
21.11 organization, functions, and development;

21.12 (2) demonstrate the ability to involve advisory councils in addressing
21.13 community and school issues;

21.14 (3) demonstrate the ability to build collaborative partnerships in the
21.15 community;

21.16 (4) demonstrate the ability to effectively identify formal and informal
21.17 community political structures;

21.18 (5) demonstrate the ability to identify and effectively use local, civic, and
21.19 business resources to enhance lifelong learning opportunities within the community;

21.20 (6) demonstrate knowledge of the techniques used for developing leadership
21.21 among community members;

21.22 (7) demonstrate knowledge about sustaining community involvement in the
21.23 community education process; and

22.1 (8) demonstrate knowledge of factors that affect school finance, including
22.2 sources of revenue; expenditure classifications; generally acceptable accounting principles;
22.3 and local, state, and federal finance calculations.

22.4 **3512.0700 ADMINISTRATIVE LICENSURE WITHOUT TEACHING**
22.5 **EXPERIENCE FOR SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF**
22.6 **SPECIAL EDUCATION.**

22.7 Subpart 1. **Scope.** This part applies to applicants for kindergarten through grade 12
22.8 principal, superintendent, or director of special education licensure who complete a
22.9 board-approved licensure program or who have received approval for licensure under part
22.10 3512.2600 but who lack the teaching experience required in part 3512.0200, subpart 2.

22.11 Subp. 2. **Degree requirement.** An applicant must meet the degree requirement in part
22.12 3512.0200, subpart 3.

22.13 Subp. 3. **Field experience.** An applicant must satisfactorily complete a field experience
22.14 in school administration as an intern in the license area sought. The applicant must attain
22.15 the field experience in a school district setting appropriate for the license while supervised
22.16 by both educators from a board-approved college or university school administration program
22.17 and a licensed practicing school administrator working in the area of the intern's field
22.18 experience. The field experience must consist of at least 320 hours, with at least 40 hours
22.19 in each school level, including elementary, middle or junior high, and high school, and is
22.20 in addition to the teaching experience in subpart 4.

22.21 Subp. 3a. **Teaching knowledge and skills.** An applicant must demonstrate basic
22.22 teaching knowledge and skills as required by part 8710.2000. The applicant must present
22.23 a portfolio or other presentation, as determined by the board-approved school administration
22.24 program, to demonstrate the applicant's appropriate teaching knowledge and skills.

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

23.1 education, and elementary, middle or junior high ~~or middle~~, and senior high schools. The
23.2 internship must:

23.3 A. include one school year with a minimum hour equivalency of 1,050 hours of
23.4 classroom experience for a principal or superintendent license or 1,050 hours of special
23.5 education experience for a director of special education license. A candidate may count up
23.6 to 250 hours of online classroom teaching experience toward meeting the 1,050 hours of
23.7 classroom experience;

23.8 B. be supervised by a licensed practicing school administrator;

23.9 C. include supervision by educators from a board-approved school administration
23.10 program; and

23.11 D. be subject to a written agreement between the intern, the board-approved school
23.12 administration preparation institution, and the school ~~district~~ where the internship is
23.13 completed.

23.14 **3512.0800 ALTERNATIVE PATHWAY LICENSURE FOR SCHOOL**
23.15 **SUPERINTENDENTS.**

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

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

24.1 A. complete a written application;

24.2 B. provide a written description of the applicant's ~~exceptional qualifications~~
24.3 organizational leadership experience that includes examples of creating culture, managing
24.4 budgets, empowering employees, implementing change, administering federal, state, and
24.5 local regulation, resolving conflict, creating policy, communicating with stakeholders, and
24.6 balancing political interests. Examples may include activities effectively performed in and
24.7 outside the field of education;

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

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

24.21 Subp. 4. **Leadership experience.** The applicant must demonstrate a level of
24.22 responsibility comparable to the position for which the applicant seeks a license and must
24.23 present a record of successful and effective administrative behavior. The applicant must
24.24 include in the record any administrative, managerial, or supervisory positions the applicant
24.25 held.

25.1 Subp. 5. **Education.** The candidate must have an undergraduate degree from a
25.2 regionally accredited institution and broad formal preparation at the post-baccalaureate level
25.3 including a master's degree or equivalent in areas such as those listed in subpart 2. The
25.4 educational requirements under part 3512.0200, subpart 3, item A, do not apply to applicants
25.5 under this part.

25.6 Subp. 6. **Issuance of license.** The board must issue initial licenses and renew licenses
25.7 according to this subpart.

25.8 A. The board must either accept or reject the ~~executive director's~~ licensing
25.9 committee's licensure recommendation. If the board accepts the ~~executive director's~~ licensing
25.10 committee's recommendation to approve licensure, the board must issue the applicant a
25.11 two-year initial license. The board may also identify activities the individual must implement
25.12 during the initial license period to strengthen the individual's skills and improve the
25.13 individual's results as a superintendent. These activities may include a mentoring experience
25.14 or improving specific skills or competencies.

25.15 B. The board must issue a five-year continuing license to an individual holding
25.16 an initial license under this part after verifying the individual completed one year of
25.17 successful administrative experience. The board must consider any subsequent renewals of
25.18 the individual's continuing license based upon continuing education requirements in part
25.19 3512.1200.

25.20 Subp. 7. **Appeal.** The applicant may appeal the ~~executive director's decision~~ licensing
25.21 committee's recommendation to the ~~board within 30 days of receiving notice of the decision~~
25.22 Office of Administrative Hearings pursuant to the process in part 3512.1600.

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

26.1 **3512.1200 CONTINUING EDUCATION PROGRAMS FOR DIRECTORS,**
26.2 **PRINCIPALS, AND SUPERINTENDENTS.**

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

26.4 Subp. 1a. **Approval.** The board, ~~executive director~~, or board designee must approve
26.5 all continuing education programs and the clock hours a licensee may earn in each program.
26.6 If clock hours are to be earned, approval must be secured before beginning a continuing
26.7 education professional development activity.

26.8 Subp. 2. **Program initiator.** The initiator of a continuing education program is
26.9 responsible for conducting the program. The initiator may use resources from professional
26.10 associations, governmental agencies, and the private business sector to conduct the program.
26.11 The program initiator must:

26.12 A. ensure prior approval for continuing education programs. Programs not
26.13 receiving prior approval or a waiver from the ~~executive director~~ board designee must obtain
26.14 a continuing education variance from the board to ~~be considered meeting the standards for~~
26.15 ~~a continuing license as defined in part 3512.0100, subpart 8~~ in order to qualify as continuing
26.16 education under part 3512.2300, subpart 3;

26.17 B. collect and verify attendance;

26.18 C. develop proposals for continuing education programs in areas of study identified
26.19 cooperatively with licensed directors, principals, and superintendents practicing in Minnesota
26.20 school districts;

26.21 D. identify competency areas under part 3512.0510; and

26.22 E. forward continuing education program proposals to the board for approval.

26.23 Subp. 3. **Content of continuing education program.** Each continuing education
26.24 program must consist of at least three clock hours and each program proposal must:

- 27.1 A. describe the planning activities, including a list of the names, addresses, and
27.2 positions of those involved in planning;
- 27.3 B. describe the client group or groups for whom the program is designed;
- 27.4 C. state the program goals related to client demands;
- 27.5 D. state any prerequisite education or experience required for program admission;
- 27.6 E. describe the proposed continuing education program, including:
- 27.7 (1) expected learning outcomes;
- 27.8 (2) program components to develop specified learning outcomes; and
- 27.9 (3) the means for achieving specified learning outcomes for each program
27.10 participant;
- 27.11 F. state the number of clock hours requested for the proposed program;
- 27.12 G. state the length of time for which approval is being requested;
- 27.13 H. state the number of times the program is offered during the approval period;
- 27.14 and
- 27.15 I. show that qualified staff are assigned to the program and other needed resources
27.16 are allocated to the program.

27.17 Subp. 4. **Term of approval.** The board may approve programs for up to two years.
27.18 The board must approve a program if it meets the requirements of the rules and if the board
27.19 determines the program fulfills continuing education requirements.

27.20 **3512.1300 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.**

27.21 Subpart 1. **Materials required to surrender license.** A person holding a license
27.22 issued by the board may voluntarily surrender the license by submitting to the executive
27.23 director of the board:

28.1 A. a written request to surrender specifying the license or licenses being
28.2 surrendered;

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

28.4 C. ~~if still employed, the school district's copy of the license with a written statement~~
28.5 ~~indicating the employing school superintendent, or in the case of a superintendent license,~~
28.6 ~~the school board chair, was notified that the school district's copy of the license was removed~~
28.7 ~~from the school district files; and~~

28.8 D. ~~the required processing fee under part 3512.2000.~~

28.9 Subp. 2. **Surrender date.** When the board receives the materials listed in subpart 1
28.10 by January 1, the date of license surrender is July 1 of that year. If the board receives the
28.11 materials after January 1, the date of license surrender is July 1 of the following calendar
28.12 year. An applicant may revoke the request to surrender a license. An applicant must submit
28.13 a written request for the revocation to the executive director no later than December 31 of
28.14 the year in which the board received the applicant's request to voluntarily surrender the
28.15 applicant's license.

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

28.18 A. the school board has begun proceedings to terminate the continuing contract,
28.19 pursuant to Minnesota Statutes, section 122A.40, subdivision 9 or 13, or 122A.41, subdivision
28.20 6;

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

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

29.1 Subp. 4. **Initial license after surrender.** A person who voluntarily surrenders a
29.2 Minnesota administrative or supervisory license may apply for initial licensure in the field
29.3 in which the previously surrendered license was issued. The board must issue an initial
29.4 license to the applicant if:

29.5 A. a licensure rule exists in the field in which the previously surrendered license
29.6 was issued;

29.7 B. the applicant meets the initial licensure standards in effect in the field at the
29.8 time of application and meets board procedures in rules applicable to an initial license; and

29.9 C. the applicant submits the required processing fee under part 3512.2000 with
29.10 the application for initial licensure.

29.11 Subp. 5. **Disclaimer.** Subparts 1 to 4 do not prohibit a person from holding or applying
29.12 for a license in any administrative or supervisory field after surrendering an administrative
29.13 or supervisory license in another field.

29.14 **3512.1500 ISSUANCE AND RENEWAL OF LICENSES.**

29.15 Subpart 1. **Renewal.** A license to serve as superintendent, principal, or director must
29.16 bear the date of issue and the expiration date and may be renewed on or before July 1 in the
29.17 year of expiration.

29.18 Subp. 2. **Expiration.** After July 1 in the year of expiration, a license to serve as
29.19 superintendent, principal, or director is expired and not valid for administration.

29.20 Subp. 3. **Fees.** Effective July 1, 2004, each application for issuing or renewing a
29.21 license to serve as superintendent, principal, or director must be accompanied by a \$57
29.22 processing fee.

30.1 **3512.1600 APPEALS.**

30.2 Subpart 1. **Licensure denials.** ~~A person denied an administrative license may appeal~~
30.3 ~~the denial under Minnesota Statutes, chapter 14, to the board. The board's decision is final.~~
30.4 A person whose application for an administrative license is recommended for denial by the
30.5 licensing committee or denied by the board without a licensing committee recommendation
30.6 may appeal under the contested case procedures in Minnesota Statutes, chapter 14. When
30.7 the licensing committee makes a recommendation to the board to deny a license, the
30.8 committee must advise the licensee, in writing, of its intent to recommend denying the
30.9 license. If the board denies a license without first receiving a recommendation from the
30.10 licensing committee to deny that license, the board must advise the licensee, in writing, of
30.11 its intent to deny the license. The notice of intent shall explain the process for appealing the
30.12 licensing committee's or board's decision and the contested case hearing process. The licensee
30.13 shall have 30 days from the date of service of the notice to request a contested case hearing.
30.14 A licensee who fails to request a hearing within 30 days shall be deemed to have waived
30.15 an appeal and the licensing committee recommendation or board decision may be summarily
30.16 affirmed by the board. The board's decision shall not be subject to further review. If an
30.17 applicant makes a timely request for a contested case hearing, the board shall schedule a
30.18 contested case hearing before an administrative law judge at the Office of Administrative
30.19 Hearings. The administrative law judge shall make a recommendation to the board whether
30.20 the board should affirm or reverse the licensing committee's denial recommendation or the
30.21 board's denial. After considering the administrative law judge's recommendation, the board
30.22 shall make the final decision on whether to deny the license. A licensee whose license is
30.23 denied by the board after completing a contested case hearing may appeal the board's decision
30.24 to the court of appeals pursuant to Minnesota Statutes, sections 14.63 to 14.68.

30.25 Subp. 1a. **Licensure suspension or revocation.** A person whose administrative license
30.26 is recommended for suspension or revocation under part 3512.2400 may appeal the
30.27 recommendation under the contested case procedures in Minnesota Statutes, chapter 14.

31.1 When the ethics committee recommends to the board suspending or revoking a license, the
31.2 committee must advise the licensee, in writing, of its intent to recommend suspending or
31.3 revoking the license. The notice of intent to recommend suspension or revocation must
31.4 explain the process for appealing the ethics committee's decision and the contested case
31.5 hearing process. The licensee shall have 30 days from the date of service of the notice to
31.6 request a contested case hearing. A licensee who fails to request a hearing within 30 days
31.7 shall be deemed to have waived an appeal, and the ethics committee's suspension or
31.8 revocation recommendation may be summarily affirmed by the board. The board's decision
31.9 shall not be subject to further review. If an applicant makes a timely request for a contested
31.10 case hearing, the board shall schedule a contested case hearing before an administrative law
31.11 judge at the Office of Administrative Hearings. The administrative law judge shall make a
31.12 recommendation to the board whether the board should affirm or reverse the ethics
31.13 committee's suspension or revocation recommendation. After considering the administrative
31.14 law judge's recommendation, the board shall make the final decision on whether to suspend
31.15 or revoke the license. A licensee whose license is suspended or revoked by the board after
31.16 completing a contested case hearing may appeal the board's decision to the court of appeals
31.17 pursuant to Minnesota Statutes, sections 14.63 to 14.68.

31.18 Subp. 2. **Appeal request.** ~~A person entitled to a hearing under this part~~ To appeal the
31.19 denial, suspension, or revocation of an administrative license, an applicant must file a written
31.20 request for a hearing with the executive director within 30 days of receiving notice of the
31.21 denial-, suspension, or revocation. Upon receiving the request for a hearing, the board must
31.22 notice a contested case hearing before an administrative law judge under Minnesota Statutes,
31.23 chapter 14. An applicant's failure to file a written request for a hearing within 30 days
31.24 constitutes a waiver of the person's right to a hearing.

32.1 **3512.1700 RULES REVIEW.**

32.2 The board must review licensure standards for superintendents, principals, and directors
32.3 every even-numbered year beginning in 2008.

32.4 **3512.2000 REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSES.**

32.5 Subpart 1. **In general.** An applicant must qualify separately for each licensure area
32.6 for which application is made and provide evidence of satisfactory completion of a
32.7 board-approved program in the licensure area or establish compliance with part 3512.2600.

32.8 Each application for the issuance or renewal of a license must be accompanied by the
32.9 processing fee in part 8710.0200. The processing fee must be nonrefundable for applicants
32.10 not qualifying for a license, except the fee is refundable when the applicant for a license
32.11 already holds the license for which application is made and that license does not expire in
32.12 the year the application is submitted.

32.13 The board must issue and renew all licenses according to criteria established in board
32.14 rules, and the licenses are valid for the period specified in this part. All licenses must bear
32.15 the date of issuance and expire on the specified number of years from July 1 nearest the
32.16 date the board approved the license. The Professional Educator Licensing and Standards
32.17 Board must accept applications to renew a license after January 1 of the year of expiration.
32.18 The renewal period begins on July 1 of the year of expiration. After June 30 in the year of
32.19 expiration, all licenses not renewed expire and are no longer valid.

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

32.23 Subp. 2. **Initial license.** The initial license issued in any licensure area is a two-year
32.24 license. The board must issue licenses ~~for administration and supervision in Minnesota~~
32.25 ~~schools~~ to persons who meet all requirements of applicable statutes and rules and who

33.1 complete board-approved licensure programs in ~~Minnesota institutions~~ under part 3512.2500
33.2 or who qualify for licensure under part 3512.2600.

33.3 Subp. 3. **Failure to complete school year of experience affecting initial**
33.4 **license.** When a person does not complete one school year of administrative or supervisory
33.5 experience before the initial license expires, the board must issue another initial license in
33.6 that licensure area after receiving the person's licensure renewal application. If an initial
33.7 license in any licensure area lapses, the board must renew the license after receiving the
33.8 person's licensure renewal application. The board must continue to renew the license until
33.9 the applicant completes one school year of administrative or supervisory experience while
33.10 holding a valid initial license, after which time an applicant qualifies for a continuing license.

33.11 Subp. 4. **Continuing license.** The board must issue and renew a continuing license,
33.12 valid for five years, after receiving an application according to board rules for issuing and
33.13 renewing continuing licenses.

33.14 Subp. 5. **Conduct review.**

33.15 A. All applicants for licensure ~~and license renewals~~ are subject to a criminal
33.16 history background check as required under Minnesota Statutes, section 122A.18, subdivision
33.17 8, ~~and~~ License renewals are subject to a conduct review performed by the board under item

33.18 B. The board may refuse to issue a license or deny a license renewal based on the results
33.19 of the background check or conduct review. An applicant who is denied a license or license
33.20 renewal as a result of the background check or conduct review may appeal the board's
33.21 decision pursuant to part 3512.1600.

33.22 B. The conduct review consists of the following questions:

33.23 (1) Have you ever been charged with or convicted of a misdemeanor, gross
33.24 misdemeanor, or felony level criminal offense?

34.1 (2) Have you ever been referred to a pretrial diversion program after being
34.2 arrested for a criminal offense?

34.3 (3) Have you ever been acquitted or found not guilty of a criminal offense?

34.4 (4) Are any criminal charges currently pending against you in Minnesota or
34.5 any other state?

34.6 (5) Have you ever had an education or other occupational license revoked,
34.7 suspended, or denied in Minnesota or in any other state?

34.8 (6) Have you ever voluntarily surrendered an education or other occupational
34.9 license?

34.10 (7) Is disciplinary action against your teaching, administrative, or other
34.11 occupational license currently pending in another state?

34.12 (8) Have you ever resigned from or otherwise left any employment after
34.13 allegations of misconduct were made against you or when an investigation into those
34.14 allegations was pending?

34.15 (9) Have you or a school district in which you were employed ever been a
34.16 party to a civil action, settlement, award, or agreement of any kind that involved an allegation
34.17 that you engaged in sexual conduct, violence, or financial impropriety?

34.18 **3512.2050 PROVISIONAL LICENSE.**

34.19 A. The board may issue a two-year nonrenewable provisional license to an
34.20 applicant under part 3512.2600 who has not ~~met all Minnesota preparation program~~
34.21 ~~requirements.~~ completed a licensure program equivalent in credits and substantially
34.22 equivalent in content to board-approved programs. To be eligible for a provisional license,
34.23 the applicant must enroll and make progress in a board-approved program leading to licensure
34.24 as a superintendent, a principal, or a director of special education, or a kindergarten through

35.1 ~~grade 12 principal at a regionally accredited college or university~~ during the applicant's
35.2 two-year provisional status. To qualify for a provisional license, the applicant must:

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

35.4 ~~(2) (1) hold an appropriate a full administrative license; in another state in~~
35.5 the applicable administrative licensure area; or

35.6 (2) have completed an applicable administrative preparation program in
35.7 another state and have a combined total of three years of successful education experience
35.8 in:

35.9 (a) the administrative position for which the license is sought; or

35.10 (b) experiences listed in part 3512.0200, subpart 2.

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

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

35.18 **3512.2100 INITIAL LICENSE.**

35.19 A. Licensure applicants must meet the requirements for each administrative area
35.20 where the applicant seeks licensure. The board must issue an initial license to an applicant
35.21 who meets all of the following requirements. An applicant must:

35.22 (1) fulfill the requirements of part 3512.2000, subparts 1 and 2; and

35.23 (2) either:

36.1 (a) be recommended for licensure by a board-approved ~~Minnesota college~~
36.2 ~~or university~~ program which, in making such a recommendation, attests to the applicant
36.3 satisfactorily completing the approved program; or

36.4 (b) be an applicant from another state ~~must present to the Professional~~
36.5 ~~Educator Licensing and Standards Board application intake staff a college or university~~
36.6 ~~transcript to be analyzed in order to determine program comparability~~ who qualifies for
36.7 licensure under part 3512.2600.

36.8 B. A candidate who does not qualify for a continuing license issued under part
36.9 3512.2300 may apply to renew an initial license every two years and is not required to
36.10 complete any clock hours of continuing education in order to renew an initial license.

36.11 **3512.2300 CONTINUING LICENSE.**

36.12 Subpart 1. **Continuing license for those holding initial license.** The board must issue
36.13 a five-year continuing license to an applicant who completes at least one school year of
36.14 administrative or supervisory experience in a licensure area while holding an initial license.
36.15 Supervisory experience includes the tasks listed in Minnesota Statutes, section 179A.03,
36.16 subdivision 17. When an applicant adds a licensure area to a continuing license already in
36.17 effect, the board must issue a continuing license with the same expiration date established
36.18 for the continuing license already in effect.

36.19 Subp. 2. **Life license.** The board must issue a five-year continuing license to an
36.20 applicant who holds a life license and who subsequently completes a board-approved program
36.21 in an additional licensure area. The board must issue the license for the additional licensure
36.22 area.

36.23 Subp. 3. **Renewal of continuing licenses.** The board must renew the continuing
36.24 license of an applicant who provides evidence of completing 125 clock hours of approved
36.25 administrative and supervisory continuing education earned according to part 3512.1200

37.1 during the five-year period immediately before renewing the continuing license. The board
37.2 must approve continuing education programs and the clock hours an applicant may earn in
37.3 each program according to part 3512.1200. An applicant may apply relevant courses
37.4 successfully completed at regionally accredited colleges and universities institutions toward
37.5 the clock-hour requirement. Coursework completed at a regionally accredited institution
37.6 does not require prior approval. One quarter college credit equals 15 clock hours and one
37.7 semester college credit equals 20 clock hours. An applicant must meet the renewal
37.8 requirements during the five-year period of each continuing license, and no clock hours
37.9 shall carry forward into any subsequent five-year licensure period. The applicant may appeal
37.10 to the board for a continuing education variance under part 3512.5300 to allow credits the
37.11 applicant earned outside the five-year period to count toward the 125-clock-hour requirement.

37.12 Subp. 4. **Lapsed license.** If an applicant allows a continuing license to lapse for more
37.13 than 60 days and the applicant is currently employed as an administrator or supervisor, the
37.14 applicant must obtain a variance from the board while the board renews the license. If the
37.15 applicant was not employed as an administrator or supervisor during the year immediately
37.16 before applying to renew the license, the applicant must demonstrate to the board that the
37.17 applicant:

37.18 A. earned 125 clock hours of approved administrative and supervisory continuing
37.19 education according to this part during the five-year period immediately before applying
37.20 for a continuing license, in which case the board must issue a five-year continuing license;
37.21 or

37.22 B. was offered a position contingent upon holding a valid license and if the
37.23 applicant demonstrates there is insufficient time to complete 125 clock hours of approved
37.24 administrative and supervisory continuing education, the board may issue a one-time
37.25 nonrenewable one-year license. When the applicant's nonrenewable one-year license expires,
37.26 the applicant must qualify for a continuing license according to subpart 3.

38.1 **3512.2400 SUSPENSION AND REVOCATION OF LICENSES.**

38.2 Subpart 1. **Cause.** The board may revoke or suspend the license of a superintendent,
38.3 principal, or director for any of the following causes:

38.4 A. immoral character or conduct;

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

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

38.7 D. fraud or misrepresentation in obtaining a license;

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

38.10 F. violation of the code of ethics for school administrators under part 3512.5200.

38.11 Subp. 2. **Procedure for suspension and revocation of licenses.** The board may
38.12 suspend or revoke a person's license if the procedures in this subpart are followed.

38.13 A. A student, a parent, a community member, or the school board employing the
38.14 licensee must file a written complaint with the board specifying the nature and character of
38.15 the charges against the licensee.

38.16 B. The board must notify the licensee of the allegations in the complaint and give
38.17 the licensee an opportunity to respond to the allegations.

38.18 C. ~~The board must hold a hearing conducted according to the rules of the Office
38.19 of Administrative Hearings unless the licensee waives the licensee's right to a hearing.~~

38.20 Before suspending or revoking a license, the board must give the licensee notice of a right
38.21 to a contested case hearing under Minnesota Statutes, chapter 14, following the process in
38.22 part 3512.1600. A licensee must request a contested case hearing within 30 days of service
38.23 of the ethics committee's notice of intent to recommend suspending or revoking the license.

39.1 If a licensee fails to timely request a contested case hearing, the board's decision to suspend
39.2 or revoke the license shall be final.

39.3 Subp. 3. **Revocation.** Revocation includes the cancellation or repeal of a license or
39.4 renewal privilege. Revocation disqualifies a person from performing any function permitted
39.5 by holding a license issued under board rules. Revocation is final, except that a person
39.6 whose license is revoked may petition the board for licensure under subpart 6.

39.7 Subp. 4. **Suspension.** Suspension includes the temporary withdrawal of a license or
39.8 renewal privilege. Suspension disqualifies a person from performing any function permitted
39.9 by holding a license issued under board rules. The board must determine the length of each
39.10 suspension and attach any terms and conditions to the suspension after considering:

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

39.12 B. any relevant mitigating factors provided by the individual;

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

39.14 D. other similar factors.

39.15 Subp. 5. **Applicability.** Unless otherwise provided by the board, a revocation or
39.16 suspension applies to each license or renewal privilege held by the individual at the time
39.17 the board takes final action. The board must not issue any other license to a person whose
39.18 license or renewal privilege is suspended or revoked during the pendency of the suspension
39.19 or revocation.

39.20 Subp. 6. **Issuance of license after revocation.** A person whose license or renewal
39.21 privilege was revoked by the board may apply for and may be issued an initial license after
39.22 presenting reliable evidence that the person fulfilled all the terms and conditions the board
39.23 imposed, and upon meeting current licensure standards.

40.1 Subp. 7. **Issuance or reinstatement of license after suspension.** A person whose
40.2 license or renewal privilege was suspended by the board may apply to the board to have
40.3 the license reinstated under this subpart.

40.4 A. If the person's suspended license is an initial license that lapsed during the
40.5 suspension, the board must reinstate that license if the person:

40.6 (1) properly applies to the board after the suspension expires;

40.7 (2) presents reliable evidence that the person met all terms and conditions
40.8 the board imposed; and

40.9 (3) had less than one year of administrative or supervisory experience while
40.10 holding the initial license.

40.11 If the person gained a year or more of experience on the initial license before the
40.12 suspension and the license lapsed during the suspension, the board must issue a five-year
40.13 continuing license after the person meets all other conditions stated in this part.

40.14 B. If the person's suspended license is an initial license that has not lapsed during
40.15 the suspension, the person may resume administrative or supervisory functions for whatever
40.16 period of time remains on that initial license after the suspension expires ~~and~~, provided that
40.17 the person presents reliable evidence to the board that the person met all terms and conditions
40.18 the board imposed as prerequisites for reinstatement.

40.19 C. If the suspended license is a continuing license that has not lapsed during the
40.20 suspension, the person may resume administrative or supervisory functions for whatever
40.21 period of time remains on the continuing license after the suspension expires ~~and~~, provided
40.22 that after the person presents reliable evidence to the board that the person met all terms
40.23 and conditions the board imposed as prerequisites for reinstatement.

41.1 D. If the suspended license is a continuing license that lapsed during the
41.2 suspension, the person may apply for another continuing license. The board must issue the
41.3 person a continuing license if:

41.4 (1) the suspension is expired;

41.5 (2) the person presents reliable evidence that the person met all terms and
41.6 conditions the board imposed; and

41.7 (3) the person completed the current continuing education requirements.

41.8 E. If the suspended license was a life license, the person may resume administrative
41.9 or supervisory functions after the suspension expires and after presenting reliable evidence
41.10 to the board that the person met all terms and conditions imposed by the board.

41.11 **3512.2500 PROCEDURES FOR APPROVAL OF LICENSURE PROGRAMS.**

41.12 Subpart 1. **Request for approval.** Institutions the board approves under this part to
41.13 prepare persons for licensure may request board approval of licensure programs in
41.14 administration and supervision. The board must evaluate the programs for initial approval
41.15 and thereafter audit the programs for continuing approval under this part.

41.16 Subp. 2. **Content of program description.** The administrator of the defined
41.17 administrative and instructional unit of each institution must forward to the board a program
41.18 description of each licensure program for which board approval is requested. The licensure
41.19 program description must:

41.20 A. verify the institution's commitment to the licensure program;

41.21 B. describe the institution's organizational structure;

41.22 C. describe the process to align strategic planning, assessment, and decision-making
41.23 for implementing or sustaining the licensure program;

41.24 D. describe the anticipated role for persons who enroll in the licensure program;

42.1 E. list and describe how the licensure program relates individual program
42.2 components to the knowledge, skills, and dispositions that persons completing the licensure
42.3 program must achieve;

42.4 F. describe the field-based experience, the assessment of prior experience and
42.5 preparation, and the situational observation component;

42.6 G. describe the systematic procedure for evaluating the licensure program to
42.7 ensure that all persons recommended for licensure meet all licensure requirements;

42.8 H. specifically identify the plans for assessing the performance of each person
42.9 who successfully completed the licensure program;

42.10 I. list the college departments involved with the licensure program, licensed
42.11 practicing education personnel, school administrators, and interested citizens who participated
42.12 in developing the licensure program;

42.13 J. describe the procedures to establish and maintain an internal process to
42.14 systematically evaluate the licensure program; and

42.15 K. include program review data as mandated by ~~the legislature and the board~~
42.16 Minnesota Statutes, section 122A.091, subdivision 1, and describe how that data are utilized.

42.17 Subp. 3. **Evidence required in program description.** Each program description that
42.18 an institution forwards to the board for each licensure program seeking board approval must
42.19 include evidence that the licensure program:

42.20 A. meets board rules governing the licensure program;

42.21 B. allocates necessary faculty and physical resources to implement and maintain
42.22 the licensure program; and

42.23 C. provides adequate supervision for practicum experiences required by individual
42.24 licensure rules.

43.1 Subp. 4. **Program appraisal.** Before initially approving the licensure program,
43.2 persons the board designates as program auditors ~~must~~ may visit the institution to examine
43.3 the licensure program to verify the program description and make a recommendation
43.4 regarding approval status. During the operation of an approved licensure program, the board
43.5 may arrange, in consultation with the institution, an audit visit to verify that the approved
43.6 program complies with this part. Program auditors must make a written report of their
43.7 findings to the board and to the institution.

43.8 Board staff or persons the board designates as program auditors, in consultation with
43.9 the institution, must make audit visits on a five-year cycle to verify program descriptions
43.10 and make a recommendation regarding the approval status of each licensure program.

43.11 Based on the institution's appraisal of the program description and the auditors' written
43.12 report, the board must:

43.13 A. grant initial approval;

43.14 B. grant continuing approval;

43.15 C. grant conditional approval, state the conditions, and establish time lines for the
43.16 program to meet the stated conditions; or

43.17 D. disapprove the licensure program, state the reasons for disapproval, and, if
43.18 needed, stipulate a termination date to accommodate persons enrolled in the program.

43.19 Subp. 5. **Conditional approval.** If the board conditionally approves a licensure
43.20 program, the board must reconsider the licensure program's approval status after verifying
43.21 that the board's stated conditions are met. If the board's stated conditions are not met within
43.22 the time lines established ~~time lines~~ by the board, the board must withdraw its conditional
43.23 approval.

44.1 Subp. 6. **Programs that vary in curricular design.** The board must approve licensure
44.2 programs that vary in curricular design if the program components meet the approval criteria
44.3 in this part.

44.4 Subp. 7. **Revisions made in program.** If an institution revises a board-approved
44.5 licensure program, the administrator of the defined administrative and instructional unit of
44.6 that institution must forward to the board a written description of the licensure program
44.7 revision. The board must undertake an audit to verify that the revised licensure program
44.8 continues to meet board rules. Each verified licensure program revision is an amendment
44.9 to the approved licensure program.

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

44.13 **3512.2600 LICENSURE FOR PERSONS PREPARED IN STATES OTHER THAN**
44.14 **MINNESOTA.**

44.15 Subpart 1. **Criteria.**

44.16 A. The board must issue Minnesota licenses to persons who otherwise meet
44.17 applicable statutory requirements and the requirements of this part. The board must issue
44.18 licenses only in licensure fields for which the board has rules governing licensure programs.
44.19 Persons prepared in other states must present their credentials to the board for approval.
44.20 The board has jurisdiction on all matters concerning administrative licensure.

44.21 B. The board must issue an initial ~~professional~~ license to persons who complete
44.22 administrative preparation programs in colleges and universities within states outside
44.23 Minnesota when the following criteria are met:

45.1 (1) the college or university where the preparatory program is completed is
45.2 a regionally accredited by the Association for the Accreditation of Colleges and Secondary
45.3 Schools institution, as defined by part 3512.0100, subpart 6a;

45.4 (2) the program the applicant completed is recognized by the state where it
45.5 is located as qualifying the applicant for employment or licensure as ~~an administrator or~~
45.6 ~~licensure~~ a school superintendent, principal, or director within that state;

45.7 (3) the program the applicant completed is ~~essentially~~ equivalent in credits
45.8 and substantially equivalent in content to ~~approved~~ board-approved programs ~~offered by~~
45.9 ~~Minnesota colleges and universities~~ under board rules governing the licensure field, including
45.10 preparation in the core competencies established in part 3512.0510. A person licensed under
45.11 ~~this part must achieve educational equivalency with persons licensed in Minnesota by the~~
45.12 ~~time the person's initial professional license expires. Educational~~ For superintendents,
45.13 principals, and directors of special education, credit equivalency includes 30 semester credits
45.14 ~~beyond a master's degree or 60 semester credits beyond a bachelor's degree, including a~~
45.15 ~~master's, specialist, or doctoral degree~~ completion of a specialist or doctoral program
45.16 consisting of a minimum of 60 semester credits or a program consisting of 60 semester
45.17 credits beyond a bachelor's degree, including a master's degree. To determine content
45.18 equivalency, the board may consult with board-approved preparation programs; and

45.19 (4) the college or university offering the program verifies the applicant
45.20 completed ~~an approved~~ the administrative preparation program at that institution and
45.21 recommends the applicant for a license if licensure is required by that state.

45.22 Subp. 2. [See repealer.]

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

46.1 **3512.5200 CODE OF ETHICS FOR SCHOOL ADMINISTRATORS.**

46.2 Subpart 1. **Scope.** This part applies to all persons licensed as school administrators
46.3 as defined in part 3512.0100, subparts 5 to 7.

46.4 Subp. 2. **Standards of professional conduct.** The standards of professional conduct
46.5 for school administrators are listed in items A to K.

46.6 A. A school administrator must provide professional educational services in a
46.7 nondiscriminatory manner.

46.8 B. A school administrator must take reasonable action to protect students and staff
46.9 from conditions harmful to health and safety.

46.10 C. A school administrator must take reasonable action to provide an atmosphere
46.11 conducive to learning.

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

46.14 E. A school administrator must disclose confidential information about individuals
46.15 only when a compelling professional purpose is served in accordance with state and federal
46.16 laws and school district policies.

46.17 F. A school administrator must not knowingly falsify or misrepresent records or
46.18 facts relating to the administrator's qualifications or to the qualifications of other staff or
46.19 personnel.

46.20 G. A school administrator must not knowingly make false or malicious statements
46.21 about students, students' families, staff, or colleagues.

46.22 H. A school administrator must not accept gratuities, gifts, or favors that impair
46.23 professional judgment, nor offer any favor, service, or item of value to obtain special
46.24 advantage.

47.1 I. A school administrator must only accept a contract for a position when licensed
47.2 for the position or when a school district is issued a variance by the board.

47.3 J. A school administrator, in filling positions requiring licensure, must employ,
47.4 recommend for employment, and assign only appropriately licensed personnel, or persons
47.5 for whom the school district has been issued a variance by the appropriate state board or
47.6 agency, unless, after making reasonable efforts to obtain a variance, an appropriately licensed
47.7 person cannot be assigned and the position must be filled to meet a legitimate emergency
47.8 educational need.

47.9 K. A school administrator must not engage in conduct involving dishonesty, fraud,
47.10 or misrepresentation in the performance of professional duties.

47.11 Subp. 3. **Statutory enforcement of code, complaints, investigation, and hearing.** The
47.12 board must enforce this part according to Minnesota Statutes, section 214.10, subdivisions
47.13 1, 2, and 3.

47.14 Subp. 4. **Complaints handled by board.**

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

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

47.19 (2) a consent form provided by the board.

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

47.23 Subp. 5. **Enforcement procedures.** The board may impose one or more of the
47.24 following penalties when it finds a violation of a standard under subpart 2.

48.1 A. The board may enter into agreements with administrators accused of violating
48.2 the code of ethics to suspend or terminate proceedings against the administrator on conditions
48.3 agreeable to both parties.

48.4 B. The board may send a letter of censure to the person it determines is violating
48.5 the standards of the code of ethics. The board must keep the letter on file for up to one
48.6 calendar year.

48.7 C. The board may place an administrator it finds violated the code of ethics on
48.8 probationary licensure status for a period of time determined by the board. The board may
48.9 impose conditions on the administrator during the probationary period directed toward
48.10 improving the administrator's performance in the area of the violation. During this period,
48.11 the administrator's performance or conduct is subject to board review. The board must direct
48.12 the review toward monitoring the administrator's activities or performance and the conditions
48.13 placed on the administrator during the probationary period. Before the probationary period
48.14 ends, the board must decide to extend or terminate the administrator's probationary licensure
48.15 status or take further disciplinary actions consistent with this subpart.

48.16 D. The board may suspend the license of the person it determines is violating the
48.17 standards of the code of ethics. The board must determine the time period of any suspension.

48.18 E. The board may revoke the license of the person it determines violated the
48.19 standards of the code of ethics.

48.20 **3512.5300 VARIANCE.**

48.21 Subpart 1. **Scope.** Pursuant to Minnesota Statutes, section 14.055, a person or entity
48.22 may apply for a variance from any rule or portion of a rule under the jurisdiction of the
48.23 board. The board may not consider a request for a variance from a statute or court order.

48.24 Subp. 2. **Application.** The applicant must file an application for a variance in writing
48.25 on a form provided by the board. The application form must comply with Minnesota Statutes,

49.1 section 14.056, subdivision 1, and must include instructions for completing the form and a
49.2 description of the variance process.

49.3 Subp. 3. **Criteria.** In reviewing a variance request, the board must consider the
49.4 information required under Minnesota Statutes, section 14.056, subdivision 1, and the
49.5 following:

49.6 A. whether variance from the rule would serve a compelling public purpose;

49.7 B. whether application of the rule to the individual circumstances of the applicant
49.8 would result in hardship or injustice;

49.9 C. whether variance from the rule would be consistent with the public interest
49.10 and the educational interests of students, school districts, and the profession;

49.11 D. whether variance from the rule would positively serve an educational need or
49.12 opportunity;

49.13 E. whether variance from the rule would compromise the purpose of the rule; and

49.14 F. whether variance from the rule would prejudice the substantial legal or economic
49.15 rights of any person or entity.

49.16 Pursuant to Minnesota Statutes, section 14.055, subdivision 3, the board must issue a
49.17 variance from a rule if the applicant provides evidence that applying the rule to the applicant's
49.18 individual circumstances would not serve any of the purpose purposes of the rule. The board
49.19 may not issue a variance under any circumstances if the variance would compromise the
49.20 purpose of the rule or the variance would prejudice the substantial legal or economic rights
49.21 of any person or entity.

49.22 Subp. 4. **Oral argument.** Upon the applicant's request, the board may permit an
49.23 applicant to present an oral argument defending a variance application.

50.1 Subp. 5. **Notice.** ~~Upon submitting a variance application, the applicant must send~~
50.2 ~~written notice of the application to any individual or entity that may be affected by the~~
50.3 ~~variance. The notice must include a description of the variance request and a statement~~
50.4 ~~indicating that if the individual or entity opposes the variance, it may submit written~~
50.5 ~~arguments to the board, and the board may permit the individual to present an oral argument~~
50.6 ~~in opposition to the variance. The applicant must submit to the board with its application~~
50.7 ~~for a variance a list of the names and addresses of the impacted parties who were notified~~
50.8 ~~of the variance request and a sufficient explanation of how the parties were notified. The~~
50.9 ~~board will not consider a variance request until it has received the list and explanation from~~
50.10 ~~the applicant. Each month the board's monthly meeting notice must include a list of all~~
50.11 ~~variance requests to be considered that month.~~ Notice must be provided consistent with
50.12 Minnesota Statutes, section 14.056, subdivision 3.

50.13 Subp. 6. **Order; timing.** Within 60 days of receiving a completed variance application,
50.14 the board must issue or deny a variance and specify the scope and period of the variance.
50.15 The board must not issue a variance for a period longer than one year. The board's order
50.16 must state the relevant facts and the reasons for the board's action.

50.17 Subp. 7. **Limitations.** The board may issue a variance only for the specific
50.18 circumstances the applicant described in the variance application. The applicant may not
50.19 apply the variance to other circumstances without specific board approval and is prohibited
50.20 from transferring a variance to other individuals or entities in similar situations without
50.21 specific board approval.

50.22 Subp. 8. **Fees.** The fee for the variance application must be charged consistent with
50.23 Minnesota Statutes, section 14.056.

50.24 Subp. 9. **Reconsideration.** A board decision to issue or deny a variance is final unless
50.25 the board reverses the decision through a subsequent board action. The applicant may submit

51.1 an application for reconsideration if the applicant submits additional information to support
51.2 the variance request.

51.3 Subp. 10. **Record.** The board must maintain a record of all orders issuing and denying
51.4 variances in compliance with Minnesota Statutes, section 14.056, subdivision 7.

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

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

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

51.16 C. ~~The school superintendent must verify in writing the district's inability to~~
51.17 ~~contract with a fully licensed director of community education for a position.~~ The
51.18 superintendent must verify how the district advertised the director of community education
51.19 position and that the district did not place a licensed director of community education
51.20 interested in the position on unrequested leave of absence. The superintendent must verify
51.21 in writing the district's decision not to contract with a fully licensed director of community
51.22 education because:

51.23 (1) the unlicensed applicant has additional skills, experience, education, or
51.24 other qualifications that better align with the requirements of the position than a licensed
51.25 applicant possesses;

52.1 (2) no applicant holding a director of community education license applied
52.2 for the position; or

52.3 (3) no applicant holding a director of community education license accepted
52.4 the position.

52.5 **REPEALER.** Minnesota Rules, parts 3512.0200, subpart 5; 3512.0300, subpart 5;
52.6 3512.0505, subparts 7 and 9; 3512.2600, subpart 2; and 3512.2700; ~~and 3512.5300, subpart~~
52.7 ~~5~~, are repealed.