

## MINNESOTA RULES

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**SUPERINTENDENTS, PRINCIPALS,  
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**3512.0100 DEFINITIONS.**

Subpart 1. **Scope.** As used in this chapter, the terms defined in this part have the meanings given them.

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

Subp. 2a. **Board.** "Board" means the Minnesota Board of School Administrators.

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

Subp. 4. **Department.** "Department" means the Department of Education.

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

Subp. 5a. **Executive director.** "Executive director" means the executive director of the Board of School Administrators.

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

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

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** 21 SR 804; L 1998 c 397 art 11 s 3; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385  
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**3512.0200 EDUCATION AND EXPERIENCE REQUIREMENTS FOR SUPERINTENDENT, PRINCIPAL, AND DIRECTOR OF SPECIAL EDUCATION.**

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

Subp. 2. **Teaching experience.**

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

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

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

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

B. An applicant for licensure as a director of special education must have three years of combined special education experience as any of the following:

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

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

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

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

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

A. An applicant for licensure as a superintendent, principal, or director of special education must complete, at a regionally accredited institution, a specialist or doctoral program consisting of

a minimum of 60 semester credits or a program consisting of 60 semester credits beyond a bachelor's degree that includes a master's degree and a demonstration of competence in the core areas identified in part 3512.0510. Completion of an administrative licensure program approved by the board under part 3512.2500 shall be evidence that an applicant has demonstrated competence in the core areas identified in part 3512.0510. Applicants who complete preparatory programs that have not received board approval under part 3512.2500 must meet the requirements of part 3512.2600.

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

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

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

Subp. 5. [Repealed, 44 SR 1385]

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; L 2017 1Sp5 art 12 s 22; 44 SR 1385*

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

Subpart 1. **License required.** A person who serves as or performs the duties of a superintendent, principal, or director of special education must hold a license appropriate to that position. A person must hold the appropriate administrative license if 50 percent or more of the person's duties involve assisting the superintendent, principal, or director of special education with administration of

personnel, employee supervision, employee evaluation, and curriculum implementation or, notwithstanding Minnesota Statutes, section 122A.40, subdivision 8, any of the person's duties include the duties listed in Minnesota Statutes, section 179A.03, subdivision 17.

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

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

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

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

Subp. 4. **Persons holding life or permanent licenses.**

A. A person holding a Minnesota life or permanent license as a superintendent or principal need not hold an initial license or a continuing license in that administrative licensure area.

B. A person holding a Minnesota life license as a superintendent may serve as a secondary school principal or assistant principal or as an elementary school principal or assistant principal.

Subp. 5. [Repealed, 44 SR 1385]

Subp. 6. [Repealed, 33 SR 658]

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; 44 SR 1385*

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### **3512.0400 PROGRAM REQUIREMENTS.**

Subpart 1. **Field experience.** A board-approved school licensure program for superintendents, principals, and directors of special education must include a 320-hour field experience. A person participating in field experiences must not replace superintendents, principals, or directors of special education employed at the participating school or district. Field experience must be under the

direction of a board-approved program and outcomes must focus on the knowledge, skills, and dispositions in the competencies under part 3512.0510.

Subp. 2. [Repealed, 33 SR 658]

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; 44 SR 1385*

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**3512.0500** [Repealed, 33 SR 658]

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

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

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

A. hold a baccalaureate degree from a regionally accredited institution; and

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

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

The candidate must complete a field experience, including at least 320 clock hours in an administrative position supervised by a licensed practicing director of community education. During the field experience, the candidate must apply the knowledge and skills under part 3512.0510, subparts 1 and 5. A person prepared in another state as director of community education may substitute one year of experience as a districtwide director of community education in another state for the field experience.

Subp. 4. **Institutional requirement.** An institution applying to the board for approval of a licensure program for directors of community education must comply with part 3512.2500. An institution with a board-approved program must describe how the institution evaluates the experience and preparation of licensure applicants in the areas listed in subpart 3. Representatives from college

departments involved with the licensure program and licensed practicing directors of community education must participate in the evaluation. The evaluation must result in a plan for the applicant to complete the knowledge, skills, and dispositions listed in subpart 3 and may reduce the required college credits an applicant needs to be recommended for licensure.

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

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

Subp. 7. [Repealed, 44 SR 1385]

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

Subp. 9. [Repealed, 44 SR 1385]

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; 44 SR 1385*

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

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

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

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

(2) demonstrate leadership by collaboratively developing a shared educational mission for the school or district, which provides purpose and direction for individuals and groups;

(3) demonstrate shared leadership and decision-making strategies and empower and entrust teachers and staff with collective responsibility for meeting the academic, social, behavioral,

emotional, and physical needs of each student pursuant to the mission, vision, and core values of the school;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



- (4) ensure policies and practices are in place that proactively encourage positive behavior and respond to student behavior needs in a positive, fair, and unbiased manner;
- (5) recognize, identify, and address individual and institutional biases;
- (6) promote the preparation of students to live productively in and contribute to a diverse and global society;
- (7) address matters of equity and cultural responsiveness in all aspects of leadership;  
and
- (8) ensure policies and practices are in place that address student and staff mental and physical health and trauma.

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

- (1) understand and implement policy to meet local, state, and federal requirements and constitutional provisions, standards, and regulatory applications to promote student success;
- (2) recognize and apply standards of care involving civil and criminal liability for negligence, harassment, and intentional torts; and
- (3) demonstrate an understanding of state, federal, and case law, and rules and regulations governing general education, special education, and community education.

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

- (1) exhibit an understanding of school districts as political systems, including governance models;
- (2) demonstrate an understanding of involving stakeholders in the development of educational policy;
- (3) understand the role and coordination of social agencies and human services to develop productive relationships and engage resources for the school community; and
- (4) demonstrate an understanding of processes to align constituencies in support of school and district priorities.

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

- (1) understand the need to develop shared understanding of and commitment to mission, vision, and core values within the school and the community;
- (2) demonstrate individual and team facilitation skills;
- (3) recognize and apply an understanding of individual and group behavior in all situations;

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

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

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

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

(8) understand and utilize appropriate communication technology.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) demonstrate knowledge of diversifying, effectively recruiting, selecting, and retaining personnel;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) demonstrate the ability to develop and implement policies and procedures for safe and secure educational environments; and
- (2) demonstrate the means to address emergency and crisis situations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) demonstrate an understanding of the articulation and alignment of curriculum from prekindergarten through grade 12;
- (2) demonstrate an understanding of different organizational systems and structures at prekindergarten, elementary, middle or junior high, and high school levels;
- (3) demonstrate the ability to work with children of all ages;
- (4) demonstrate the ability to work with parents, teachers, and other staff in all levels of schooling;
- (5) demonstrate an understanding of the characteristics of effective transitions from one level of schooling to the next; and
- (6) demonstrate an understanding of the developmental needs of children of all ages.

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

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

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

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

- (1) demonstrate knowledge of statutory regulations relative to school districts affecting board meetings, policies, communications, procedures, and practices that affect special education governance; and
- (2) demonstrate an understanding of special education administrative models used in Minnesota.

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

- (1) demonstrate an ability to apply state and federal laws, rules, and procedures governing special education finance, budgeting, and accounting to school district funding structures;
- (2) demonstrate an understanding of special education program development including needs assessment, design, implementation, and evaluation; and
- (3) demonstrate an understanding of the resources available, along with the agencies and organizations that serve students with a disability and their families.

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

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

- (1) understand and describe the history and philosophy of community education;
- (2) demonstrate a knowledge and application of the principles of community education;
- (3) demonstrate a knowledge of the role of the local school district's administrative team;
- (4) demonstrate, facilitate, and lead the integration of community education into the prekindergarten through grade 12 system;
- (5) demonstrate the skills necessary to conduct community needs assessments as required by statute and district policy;
- (6) demonstrate knowledge of the various assessment tools used to effectively evaluate community education programs and determine educational objectives and learning experiences; and
- (7) demonstrate an understanding of the resources available to support learners of all abilities and ages.

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

- (1) demonstrate a knowledge of advisory councils, including their role, organization, functions, and development;
- (2) demonstrate the ability to involve advisory councils in addressing community and school issues;
- (3) demonstrate the ability to build collaborative partnerships in the community;
- (4) demonstrate the ability to effectively identify formal and informal community political structures;
- (5) demonstrate the ability to identify and effectively use local, civic, and business resources to enhance lifelong learning opportunities within the community;
- (6) demonstrate knowledge of the techniques used for developing leadership among community members;
- (7) demonstrate knowledge about sustaining community involvement in the community education process; and

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

**Statutory Authority:** *MS s 122A.14; L 2006 c 263 art 2 s 20*

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

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

Subp. 2. **Degree requirement.** An applicant must meet the degree requirement in part 3512.0200, subpart 3, or be approved for licensure as a superintendent under part 3512.0800.

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

Subp. 3a. **Teaching knowledge and skills.** An applicant must demonstrate basic teaching knowledge and skills as required by part 8710.2000. The applicant must present a portfolio or other presentation to demonstrate the applicant's appropriate teaching knowledge and skills.

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

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

B. be supervised by a licensed practicing school administrator;

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



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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; 44 SR 1385*

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

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

Subp. 2. **Procedures for licensure.** An applicant for licensure through an alternative pathway must demonstrate the applicant has substantive experience and education in areas including but not limited to administration, supervision, management, and executive leadership in education, health care, business or industry, labor, or government. An applicant for an alternative license must:

A. complete a written application;

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

C. provide an official college transcript;

D. document competence in reference to part 3512.0510, subparts 1 and 2, and other educational and leadership experience;

E. provide a professional resume; and

F. include letters of recommendation and portfolio examples.

Subp. 3. **Credential review committee.** An applicant must appear before a credential review committee and present evidence of the applicant's proposed effectiveness as a superintendent. The applicant may present data and information about the applicant's leadership effectiveness through testimony from teachers, parents, students, site council members, community members, and other interested persons. The review committee must consist of a licensed administrator appropriate to the field, a college or university administration preparer, and a member of a local school board or person of similar background. The credential review committee must recommend to the licensing committee whether to approve or disapprove the applicant's initial application. The licensing committee may accept or reject the credential committee's recommendation. The licensing committee shall make its recommendation to the board for final determination.

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

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

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

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

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

Subp. 7. **Appeal.** The applicant may appeal the licensing committee's recommendation to the Office of Administrative Hearings pursuant to the process in part 3512.1600.

Subp. 8. **Fee.** In addition to the license fee under part 3512.2000, subpart 1, the board may charge a fee for the review process to recover costs.

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385*

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**3512.1100** [Repealed, 33 SR 658]

**Published Electronically:** *October 23, 2008*

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

Subpart 1. **Definitions.** The definitions in items A and B apply to this part.

A. "Clock hours" means hours of actual instruction or supervised group activities in a Minnesota administrative and supervisory continuing education program approved according to this part.

B. "Initiator" means the individual, agency, or institution that initiates and conducts continuing education programs according to this part.

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

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

A. ensure prior approval for continuing education programs. Programs not receiving prior approval or a waiver from the board designee must obtain a continuing education variance from the board in order to qualify as continuing education under part 3512.2300, subpart 3;

B. collect and verify attendance;

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

D. identify competency areas under part 3512.0510; and

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

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

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

B. describe the client group or groups for whom the program is designed;

C. state the program goals related to client demands;

D. state any prerequisite education or experience required for program admission;

E. describe the proposed continuing education program, including:

(1) expected learning outcomes;

(2) program components to develop specified learning outcomes; and

(3) the means for achieving specified learning outcomes for each program participant;

F. state the number of clock hours requested for the proposed program;

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

H. state the number of times the program is offered during the approval period; and

I. show that qualified staff are assigned to the program and other needed resources are allocated to the program.

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *L 1995 1Sp3 art 16 s 13; 21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; 44 SR 1385*

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

Subpart 1. **Request to surrender license.** A person holding a license issued by the board may voluntarily surrender the license by submitting to the executive director of the board a written request to surrender, specifying the license or licenses being surrendered.

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

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

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

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

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

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

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

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

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

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385*

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**3512.1400** [Repealed, 33 SR 658]

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

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

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

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1981 c 359 s 2 subd 4; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; 44 SR 1385*

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### **3512.1600 APPEALS.**

Subpart 1. **Licensure denials.** A person whose application for an administrative license is recommended for denial by the licensing committee or whose application is denied by the board without a licensing committee recommendation may appeal under the contested case procedures in Minnesota Statutes, chapter 14. When the licensing committee makes a recommendation to the board to deny a license, the committee must provide the applicant with written notice of its recommendation. If the board denies a license without first receiving a recommendation from the licensing committee, the board must provide the applicant with written notice of its intent to deny the license. The notice of recommendation to deny and the notice of intent to deny the license shall explain the process for appeal and the contested case hearing process. The applicant shall have 30 days from the date of service of the notice to request a contested case hearing. An applicant who fails to request a hearing within 30 days shall be deemed to have waived an appeal and the licensing committee's recommendation or the board's intended decision may be summarily affirmed by the board, in which case the board's decision is final and shall not be subject to further review. If an applicant makes a timely request for a contested case hearing, the board shall schedule a hearing before an administrative law judge at the Office of Administrative Hearings. The administrative

law judge shall make a recommendation to the board on whether the board should grant or deny the application. After considering the administrative law judge's recommendation, the board shall make the final decision on whether to grant or deny the license application. A person whose license application is denied by the board after completing a contested case hearing may appeal the board's final decision to the court of appeals pursuant to Minnesota Statutes, sections 14.63 to 14.69.

**Subp. 1a. Licensure suspension or revocation.** A person whose administrative license is recommended for suspension or revocation under part 3512.2400 or 3512.5200 may appeal the recommendation under the contested case procedures in Minnesota Statutes, chapter 14. When the ethics committee recommends to the board suspending or revoking a license, the committee must provide the licensee with written notice of its recommendation. The notice must explain the process for appealing the ethics committee's recommendation and the contested case hearing process. The licensee shall have 30 days from the date of service of the notice to request a contested case hearing. A licensee who fails to request a hearing within 30 days shall be deemed to have waived an appeal, and the ethics committee's suspension or revocation recommendation may be summarily affirmed by the board, in which case the board's decision shall be final and shall not be subject to further review. If a licensee makes a timely request for a contested case hearing, the board shall schedule a hearing before an administrative law judge at the Office of Administrative Hearings. The administrative law judge shall make a recommendation to the board on whether the board should suspend or revoke the license. After considering the administrative law judge's recommendation, the board shall make the final decision on whether to suspend or revoke the license. A person whose license is suspended or revoked by the board after completing a contested case hearing may appeal the board's final decision to the court of appeals pursuant to Minnesota Statutes, sections 14.63 to 14.69.

**Subp. 2. Appeal request.** To appeal the denial, suspension, or revocation of an administrative license, a person must file a written request for a hearing with the executive director within 30 days of receiving notice of the board's intent to deny, suspend, or revoke the license. Upon receiving the request for a hearing, the board must notice a contested case hearing before an administrative law judge under Minnesota Statutes, chapter 14. The failure to file a written request for a hearing within 30 days constitutes a waiver of the person's right to a hearing.

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385*

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### **3512.1700 RULES REVIEW.**

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** 21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385

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

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

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

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

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

Subp. 2. **Initial license.** The initial license issued in any licensure area is a two-year license. The board must issue licenses to persons who meet all requirements of applicable statutes and rules and who complete board-approved licensure programs under part 3512.2500 or who qualify for licensure under part 3512.2600.

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

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

**Subp. 5. Conduct review.**

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

B. The conduct review consists of the following questions:

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

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

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

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

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

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

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

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

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1981 c 359 s 2 subd 4; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *L 1995 1Sp3 art 16 s 13; 21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385*

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**3512.2050 PROVISIONAL LICENSE.**

A. The board may issue a two-year nonrenewable provisional license to an applicant under part 3512.2600 who has not completed a licensure program equivalent in credits and substantially equivalent in content to board-approved programs. To be eligible for a provisional license, the applicant must enroll and make progress in a board-approved program leading to licensure as a



superintendent, a principal, or a director of special education during the applicant's two-year provisional status. To qualify for a provisional license, the applicant must:

(1) hold a full administrative license in another state in the applicable administrative licensure area; or

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

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

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

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

**Statutory Authority:** *MS s 122A.14*

**History:** *44 SR 1385*

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## SUPERVISORY AND SUPPORT PERSONNEL

### 3512.2100 INITIAL LICENSE.

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

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

(2) either:

(a) be recommended for licensure by a board-approved program which, in making such a recommendation, attests to the applicant satisfactorily completing the approved program; or

(b) be an applicant from another state who qualifies for licensure under part 3512.2600.

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; 44 SR 1385*

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**3512.2300 CONTINUING LICENSE.**

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

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

Subp. 3. **Renewal of continuing licenses.** The board must renew the continuing license of an applicant who provides evidence of completing 125 clock hours of approved administrative and supervisory continuing education earned according to part 3512.1200 during the five-year period immediately before renewing the continuing license. The board must approve continuing education programs and the clock hours an applicant may earn in each program according to part 3512.1200. An applicant may apply relevant courses successfully completed at regionally accredited institutions toward the clock-hour requirement. Coursework completed at a regionally accredited institution does not require prior approval. One quarter college credit equals 15 clock hours and one semester college credit equals 20 clock hours. An applicant must meet the renewal requirements during the five-year period of each continuing license, and no clock hours shall carry forward into any subsequent five-year licensure period. The applicant may appeal to the board for a continuing education variance under part 3512.5300 to allow credits the applicant earned outside the five-year period to count toward the 125-clock-hour requirement.

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

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

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 44 SR 1385*

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**3512.2400 SUSPENSION AND REVOCATION OF LICENSES.**

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

- A. immoral character or conduct;
  - B. a breach of contract of employment without justifiable cause;
  - C. overall gross inefficiency or willful neglect of duty;
  - D. fraud or misrepresentation in obtaining a license;
  - E. felony conviction which directly relates to the occupation for which licensure is held;
- or
- F. violation of the code of ethics for school administrators under part 3512.5200.

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

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

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

C. Before suspending or revoking a license, the board must give the licensee notice of a right to a contested case hearing under Minnesota Statutes, chapter 14, following the process in part 3512.1600. A licensee must request a contested case hearing within 30 days of service of the ethics committee's notice of recommendation to suspend or revoke the license. If a licensee fails to timely request a contested case hearing, the board's decision to suspend or revoke the license shall be final.

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

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

- A. the activity of the individual that led to the license suspension;
- B. any relevant mitigating factors provided by the individual;
- C. the prior administrative, supervisory, or teaching record of the individual; and

D. other similar factors.

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

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

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

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

- (1) properly applies to the board after the suspension expires;
- (2) presents reliable evidence that the person met all terms and conditions the board imposed; and
- (3) had less than one year of administrative or supervisory experience while holding the initial license.

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

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

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

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

- (1) the suspension is expired;

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

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

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; 33 SR 658; 44 SR 1385*

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

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

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

- A. verify the institution's commitment to the licensure program;
- B. describe the institution's organizational structure;
- C. describe the process to align strategic planning, assessment, and decision-making for implementing or sustaining the licensure program;
- D. describe the anticipated role for persons who enroll in the licensure program;
- E. list and describe how the licensure program relates individual program components to the knowledge, skills, and dispositions that persons completing the licensure program must achieve;
- F. describe the field-based experience, the assessment of prior experience and preparation, and the situational observation component;
- G. describe the systematic procedure for evaluating the licensure program to ensure that all persons recommended for licensure meet all licensure requirements;
- H. specifically identify the plans for assessing the performance of each person who successfully completed the licensure program;
- I. list the college departments involved with the licensure program, licensed practicing education personnel, school administrators, and interested citizens who participated in developing the licensure program;

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

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

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

A. meets board rules governing the licensure program;

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

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

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

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

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

A. grant initial approval;

B. grant continuing approval;

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

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

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

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

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

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *L 1995 1Sp3 art 16 s 13; 21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385*

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

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

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

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

(1) the college or university where the preparatory program is completed is a regionally accredited institution, as defined by part 3512.0100, subpart 6a;

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

(3) the program the applicant completed is equivalent in credits and substantially equivalent in content to board-approved programs under board rules governing the licensure field, including preparation in the core competencies established in part 3512.0510. For superintendents, principals, and directors of special education, credit equivalency includes completion of a specialist or doctoral program consisting of a minimum of 60 semester credits or a program consisting of 60 semester credits beyond a bachelor's degree, including a master's degree. To determine content equivalency, the board may consult with board-approved preparation programs; and

(4) the college or university offering the program verifies the applicant completed the administrative preparation program at that institution and recommends the applicant for a license if licensure is required by the state where the institution is located.

Subp. 2. [Repealed, 44 SR 1385]

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14; L 2006 c 263 art 2 s 20*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385*

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**3512.2700** [Repealed, 44 SR 1385]

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## HEAD COACHES

### **3512.3000 LICENSE RENEWAL OF HEAD VARSITY COACHES OF INTERSCHOLASTIC SPORTS IN SENIOR HIGH SCHOOLS.**

A person who holds or has held a license as a head varsity coach of interscholastic sports in senior high schools issued before December 31, 1996, under parts 3510.7500 to 3510.7900 may continue to renew this license according to requirements of the Professional Educator Licensing and Standards Board governing continuing education relicensure.

**Statutory Authority:** *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3; L 2017 1Sp5 art 12 s 22*

**Published Electronically:** *August 21, 2017*

### **3512.3100 EMPLOYMENT OF HEAD VARSITY COACHES OF INTERSCHOLASTIC SPORTS IN SENIOR HIGH SCHOOLS.**

A school district may employ a person as a head varsity coach of an interscholastic sport in a senior high school provided that:

- A. in the judgment of the school board, the person has the knowledge and experience necessary to coach the sport;
- B. the person can verify completion of six quarter credits, or the equivalent, or 60 clock hours of instruction in first aid and the care and prevention of athletic injuries; and
- C. the person can verify completion of a coaching methods or theory course.



**Statutory Authority:** *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3*

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**3512.3500** [Renumbered 3512.0505]

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**3512.4000** [Repealed, 33 SR 1966]

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### READING CONSULTANTS AND SUPERVISORY AND CONSULTATIVE PERSONNEL

#### **3512.5000 LICENSE RENEWAL OF READING CONSULTANTS.**

A person who holds or has held a license as a reading consultant issued before July 1, 1995, under part 3510.8100, may continue to renew this license according to part 3512.2300 governing continuing licenses.

**Statutory Authority:** *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3*

**Published Electronically:** *October 23, 2008*

#### **3512.5100 LICENSE RENEWAL OF SUPERVISORY AND CONSULTATIVE PERSONNEL.**

A person who holds or has held a license as supervisory and consultative personnel issued before July 1, 1995, under part 3510.8300, may continue to renew this license according to part 3512.2300 governing continuing licenses.

**Statutory Authority:** *MS s 125.05; L 1993 c 224 art 12 s 34; L 1996 c 412 art 9 s 14*

**History:** *21 SR 804; L 1998 c 397 art 11 s 3*

**Published Electronically:** *October 23, 2008*

### SCHOOL ADMINISTRATORS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) a consent form provided by the board.

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

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

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

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

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

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

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

**Statutory Authority:** *MS s 122A.14; 125.05; L 2006 c 263 art 2 s 20*

**History:** *23 SR 1928; L 1998 c 398 art 5 s 55; L 2003 c 130 s 12; 33 SR 658; 44 SR 1385*

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### **3512.5300 VARIANCE.**

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

Subp. 2. **Application.** The applicant must file an application for a variance in writing on a form provided by the board. The application form must comply with Minnesota Statutes, section 14.056, subdivision 1, and must include instructions for completing the form and a description of the variance process.

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

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

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

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

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

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

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

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

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

Subp. 5. **Notice.** Notice must be provided consistent with Minnesota Statutes, section 14.056, subdivision 3.

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

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

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

Subp. 9. **Reconsideration.** A board decision to issue or deny a variance is final unless the board reverses the decision through a subsequent board action. The applicant may submit an application for reconsideration if the applicant submits additional information to support the variance request.

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

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

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

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

C. The superintendent must verify how the district advertised the director of community education position and that the district did not place a licensed director of community education interested in the position on unrequested leave of absence. The superintendent must verify in writing the district's decision not to contract with a fully licensed director of community education because:

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

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

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

**Statutory Authority:** *MS s 14.055; 122A.14*

**History:** *27 SR 426; 44 SR 1385*

**Published Electronically:** *June 25, 2020*

### **SUPPLEMENTAL EDUCATIONAL SERVICE PROVIDERS**

**3512.5400** [Expired, 28 SR 271]

### **3512.5400 SUPPLEMENTAL EDUCATIONAL SERVICES PROVIDERS.**

Subpart 1. **Provider requirements.** A provider of supplemental educational services must be a nonprofit entity, a for-profit entity, or a local educational agency, and may include public or private schools, public or private postsecondary institutions, and faith-based organizations. A provider:

A. has a tutorial program with a demonstrated record of effectiveness in increasing student academic achievement;

B. can document that its instructional strategies are of high quality, based upon research, and designed to increase student academic achievement;

C. is capable of providing supplemental educational services that are aligned with state academic standards and demonstrate an understanding of the instructional program of the local educational agency; and

D. is financially sound.

**Subp. 2. Application.**

A. Providers applying to the commissioner of education must complete a written application provided by the commissioner which must include that the provider will:

(1) provide parents of children receiving supplemental educational services under this part and the appropriate local educational agency with information on the progress of the children in increasing achievement, in a format, and to the extent practicable, a language that the parents can understand;

(2) ensure that the instruction provided and content used by the provider are aligned with state academic standards and demonstrate an understanding of the instruction provided and content used by the local educational agency;

(3) meet all applicable federal, state, and local health, safety, and civil rights laws;

(4) ensure that all instruction and content under this part are secular, neutral, and nonideological; and

(5) meet the federal requirement that supplemental educational services are delivered in addition to instruction provided during the school day.

B. A potential provider also must inform the commissioner of education of:

(1) the subject areas in which the provider plans to provide instruction, in addition to the required areas of language arts, mathematics, or both;

(2) the provider's approach or model of instruction;

(3) how a standard tutoring session will be structured, in terms of number of minutes and times per week;

(4) how student needs are assessed or diagnosed and how an instructional program is prescribed based on the student's individual needs;

(5) how services offered will help academically at-risk students improve their achievement;

(6) the specific strategies the provider uses to work with parents and families;

(7) the facilities, equipment, and materials used and supplied by the provider and used and supplied by the student; and

(8) the recruitment and development of staff to deliver the high-quality program required by the No Child Left Behind Act of 2001, United States Code, title 20, section 6301, et seq.

**Subp. 3. Application review and approval.**

A. The commissioner of education shall approve applications based on evidence of:

(1) a high-quality research base;

- (2) program effectiveness in increasing student achievement;
- (3) alignment with Minnesota academic standards in language arts, mathematics, or both, and a demonstrated understanding of the instructional program of the local educational agency;
- (4) capability and willingness to provide educational services for children with disabilities consistent with the child's individualized education program and with the need for accommodations for the child's disabilities;
- (5) evaluation of student progress;
- (6) communication with parents and school staff;
- (7) quality of instructional staff;
- (8) financial and organizational capacity; and
- (9) compliance with health, safety, and civil rights laws, rules, and regulations.

B. An application must be reviewed and scored by a team of three individuals. Reviewers will be selected from the Department of Education, school districts, Title I programs, and public and private organizations that have experience in the area of providing supplemental services.

C. A quality threshold score of 70 points out of 100 possible points on the application is required for a provider to be on the state's approved list. To ensure the merits of each applicant's responses are discussed, reviewers must reach consensus within three points on each section.

D. A successful applicant shall remain on the approved list for three school years, beginning with the next school year after the application is reviewed, unless the provider does not meet the requirements under subpart 2 or the provider requests to be removed from the list. A provider whose application is not approved may resubmit an application in the next round of applications.

E. The application and approval process must be repeated annually, with the timeline to be modified by the commissioner of education if warranted by the need for additional providers.

**Statutory Authority:** *MS s 14.388*

**History:** *28 SR 271; L 2007 c 146 art 2 s 35*

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