

Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;
Executive Orders; Appointments; Commissioners' Orders; Revenue Notices;
Official Notices; State Grants & Loans; State Contracts;
Non-State Public Bids, Contracts and Grants**

**Monday 8 January 2018
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Minnesota State Register

Judicial Notice Shall Be Taken of Material Published in the *Minnesota State Register*

The *Minnesota State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 42 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 29	Tuesday 16 January	Noon Tuesday 9 January	Noon Thursday 4 January
# 30	Monday 22 January	Noon Tuesday 16 January	Noon Thursday 11 January
# 31	Monday 29 January	Noon Tuesday 23 January	Noon Thursday 18 January
# 32	Monday 5 February	Noon Tuesday 30 January	Noon Thursday 25 January

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Minnesota Rules: Amendments and Additions	762	Department of Human Services	
Proposed Rules		Notice of Request for Proposals for a Qualified Grantee to Provide Services to the Minnesota Department of Human Services to Operate Community-Based Programs Designed to Optimize Transition Outcomes for Youth in Out-of-Home Placement, and to Prevent Homelessness for Youth who have Experienced Out-of-Home Placement.....	791
Professional Educator Licensing and Standards Board		State Contracts	
Proposed Permanent Rules Relating to Issuance, Renewal, and Validity of Teaching Licenses; Licensure of Teachers with Out-of-State Credentials; and Technical Changes to Teaching Licenses; Notice of Hearing	763	Department of Administration	
Environmental Quality Board		Notice of Request for Proposals for Contracts for Pharmaceuticals and OTC Products	792
Proposed Permanent Rule: Preliminary Draft Environmental Impact Statements; Notice of Intent to Adopt Rules without a Public Hearing	786	Department of Administration/Department of Transportation	
Commissioner's Orders		Notice of Availability of Request for Proposal (RFP) for Designer Selection for: MnDOT Safety Rest Area Building Replacement and Site Rehabilitation at Clear Lake SRA and Des Moines River SRA (State Designer Selection Board Project No. 18-01)	793
Department of Natural Resources (DNR)		Minnesota State Colleges and Universities (Minnesota State)	
Commissioner's Order: Classification of the Centennial State Forest in Cass County, Minnesota.....	788	Request for Proposal (RFP) for Data Integration Platform	793
Official Notices		Notice of Request for Qualifications (RFQ) for Architectural, Engineering, Owner's Representative, Real Estate and other Professional and Technical Services for a Master Contract.....	794
Minnesota Interagency Council on Homelessness		Rochester Community and Technical College	
Notice of meeting.....	789	Notice of Request for Proposal (RFP) for Food Service and Concessions Needs.....	795
Department of Natural Resources (DNR)		Department of Military Affairs	
Notice of Receipt of an Application for a Permit to Mine for the Polymet Northmet Project	789	Request for Proposals for Physical Fitness for Duty, Security and Fire and Emergency Personnel, Camp Ripley, Little Falls, MN (Project No. 18121).....	796
Minnesota State Fair		Minnesota Department of Transportation (MnDOT)	
Meeting Notice.....	791	Notices Regarding Professional/Technical (P/T) Contracting.....	796
State Grants & Loans			
Department of Employment and Economic Development (DEED)			
Notice of Grant Opportunity	791		

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The State Register is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the State Register. Published every Monday, the State Register makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the State Register.

An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (Minnesota Statutes §§ 14.101). It does this by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as Proposed Rules, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the State Register. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the State Register as Adopted Rules. These final adopted rules are not printed in their entirety, but only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the State Register, the issue the rule appeared in as proposed, and later as adopted.

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the State Register, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

Volume 42 - Minnesota Rules

(Rules Appearing in Vol. 42 Issues #1-26 are
in Vol 42, #26 - Tuesday 26 December 2017)

Volume 42, #28

Tuesday 2 January - Monday 8 January

Board of Accountancy

1105.0250; .1400; .1500; .2900; .3100; .4900; .5100 (adopted) 736

Environmental Quality Board

4410.2550 (proposed) 786

Department of Labor and Industry (DLI)

5205.0040; .0050; .0060; .0065; .0080; 5207.0300; .0301; .0302; .0303;
.0304 (repealer) 727

Department of Natural Resources (DNR)

6230; 6236; 6240 (expedited emergency) 728
6232.0400; .1980 (expedited emergency) 733

Professional Educator Licensing and Standards Board

8710.0310; .0311; .0312; .0313; .0314; .0320; .0321; .0325; .0326;
.0330; .4725; .4925; .7000; .7100; .7200 (proposed) 763

Proposed Rules

Comments on Planned Rules or Rule Amendments. An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing. After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules or Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.1414.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Professional Educator Licensing and Standards Board Proposed Permanent Rules Relating to Issuance, Renewal, and Validity of Teaching Licenses; Licensure of Teachers with Out-of-State Credentials; and Technical Changes to Teaching Licenses; Notice of Hearing

Proposed Permanent Rules Relating to Issuance, Renewal, and Validity of Teaching Licenses; Licensure of Teachers with Out-of-State Credentials; and Technical Changes to Teaching Licenses; Rules 8710.0310, 8710.0311, 8710.0312, 8710.0313, 8710.0314, 8710.0320, 8710.0321, 8710.0325, 8710.0326, 8710.0330, 8710.4725, 8710.4925, 8710.7000, 8710.7100, 8710.7200; Repeal of Rules 8710.7620, 8710.0300, Subp. 1, 1a, 2, 2a, 2b, 3, 5, 6, 7, 8, 9, 10, and 11, 8710.0600, 8710.1000, 8710.1050, 8710.1250, 8710.1400, 8710.1410, and 8710.7100, Subp. 2; Revisor's ID Number RD4369

Public Hearing. The Professional Educator Licensing and Standards Board intends to adopt rules after a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The board will hold a public hearing on the above-named rules in Room 13, Conference Center A, 1500 Highway 36 West, Roseville, MN, 55113, starting at 9:30am on March 2, 2018, and continuing until the hearing is completed. The agency will schedule additional days of hearing if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Administrative Law Judge. Administrative Law Judge Jeanne Cochran will conduct the hearing. The judge can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota

Proposed Rules

55164-0620, telephone (651) 361-7875, and fax (651) 539-0310. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the administrative law judge.

Subject of Rules, Statutory Authority, and Agency Contact Person. The proposed rules are about Issuance, Renewal, and Validity of Teaching Licenses; Licensure of Teachers with Out-of-State Credentials; and Technical Changes to Teaching Licenses; Rules 8710.0310, 8710.0311, 8710.0312, 8710.0313, 8710.0314, 8710.0320, 8710.0321, 8710.0325, 8710.0326, 8710.0330, 8710.4725, 8710.4925, 8710.7000, 8710.7100, 8710.7200; Repeal of Rules 8710.7620, 8710.0300, Subp. 1, 1a, 2, 2a, 2b, 3, 5, 6, 7, 8, 9, 10, and 11, 8710.0600, 8710.1000, 8710.1050, 8710.1250, 8710.1400, 8710.1410, and 8710.7100, Subp. 2. The proposed rules are authorized by *Minnesota Statutes*, section 122A.09, Subd. 9(a) and (b). A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. The agency contact person is: Alex Liuzzi at 1500 Highway 36 West, Roseville, MN, 55108, 651.539.1480.

Statement of Need and Reasonableness. The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person.

Public Comment. You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. *The administrative law judge will accept your views* either orally at the hearing or in writing at any time before the close of the hearing record. Submit written comments *to the administrative law judge at the address above or via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions>*. All evidence that you present should relate to the proposed rules. You may also submit written material *to the administrative law judge* to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the administrative law judge may order this five-day comment period extended for a longer period but for no more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the administrative law judge no later than 4:30 p.m. on the due date. All comments or responses received are public and will be available for review at the Office of Administrative Hearings.

The agency requests that any person submitting written views or data to the administrative law judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The agency may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the rule hearing process. The adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the agency encourages you to participate.

Adoption Procedure after the Hearing. After the close of the hearing record, the administrative law judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the administrative law judge. You may also ask to be notified of the date that the agency adopts the rules and files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings. You may make these requests at the hearing or in writing to the agency contact person stated above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign

Proposed Rules

Finance and Public Disclosure Board. You should direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Date: 12/20/2017

Alex Liuzzi
Interim Executive Director

8710.0310 DEFINITIONS AND GENERAL RULES FOR TEACHING LICENSES.

Subpart 1. Definitions.

A. For the purposes of parts 8710.0310 to 8710.0330, the terms in this subpart have the meanings given them.

B. “Board” means the Professional Educator Licensing and Standards Board.

C. “Classroom teacher” or “teacher of record” means an individual who holds a teaching license issued by the board; is responsible for the planning, instruction, and assessment of students in a classroom; and who is authorized to grant students credit for meeting standards attributed to the content taught. For related services positions, a classroom teacher or teacher of record means an individual holding a Tier 3 or 4 license who is directly responsible for student services aligned to their licensure area.

D. “Cultural competency training” means a training program that promotes self-reflection and discussion on all of the following topics: racial, cultural, and socioeconomic groups; American Indian students; implicit bias; systemic racism; gender identity, including transgender students; sexual orientation; language diversity; and individuals with disabilities. Training programs must be designed to increase teachers’ understanding of these topics and their ability to implement this knowledge with students, families, and the school community, consistent with Minnesota Statutes, section 120B.30, subdivision 1, paragraph (q).

E. “District” means a school district or a charter school.

F. “Good cause” means an applicant is unable to meet the requirements of a higher licensure tier due to the lack of a reasonable path to a higher licensure tier or the path to a higher licensure tier causes an undue burden on the applicant, as approved or denied by the board.

G. “Innovative program” means a school within a district that is either a state-approved area learning center or alternative learning program or provides a school board resolution designating the school as an innovative program, including the reason for the designation.

H. “Professional license from another state” means a teaching license from a state other than Minnesota that can be renewed indefinitely and allows the individual to be the teacher of record based on completion of a teacher preparation program from another state or licensure via a portfolio process in another state aligned to part 8710.0330 and Minnesota Statutes, section 122A.18, subdivision 10.

I. “Student teaching” means a minimum of 12 weeks when an individual enrolled in a teacher preparation program assumes teacher responsibilities while working with a cooperating teacher who holds a Tier 3 or 4 license in the subject area and a provider supervisor to practice and demonstrate the necessary development of the individual’s knowledge, skills, and dispositions to become a teacher. A student teaching experience includes observation, feedback, and evaluation from the cooperating teacher and provider supervisor.

J. “Teacher preparation program” means a program approved by the board or the state where the program resides.

Proposed Rules

that trains candidates in educational pedagogy and content-specific pedagogy for any subset of the scope of licensure for students from birth to 21 years of age.

K. “Teaching license” or “teacher license” means a license that permits an individual to be teacher of record. This includes Tier 1, Tier 2, Tier 3, and Tier 4 licenses issued under parts 8710.0311 to 8710.0314.

Subp. 2. Teaching licenses, in general.

A. Teaching licenses must be granted by the board to applicants who meet all requirements of applicable statutes and rules.

B. An applicant must qualify separately for each licensure area for which an application is made.

C. A license becomes valid on the date issued by the board and expires on June 30 of the expiration year.

D. The board must request a criminal history background check be performed by the Bureau of Criminal Apprehension consistent with Minnesota Statutes, section 122A.18, subdivision 8, upon an individual applying for a teaching license for the first time. Upon renewal of a teaching license, the board must perform a new background check on the license holder with the CLEAR background check system if a background check has not been completed on the license holder within the last five years.

Subp. 3. **Addition to a Tier 3 or 4 license.** When a licensure area is added to a Tier 3 or 4 license issued under parts 8710.0313 and 8710.0314, the expiration date is the date previously established for the Tier 3 or 4 license in effect.

Subp. 4. **Movement between tiers.** Teachers may apply to obtain a license in a higher licensure tier at any time after the requirements for the higher tier have been met. The teacher must be granted the license under a higher tier upon review and approval by the board pursuant to the rules established for the license sought. Applicants may obtain a license in a lower licensure tier only if they hold a Tier 2 license in one content area and a district requests to hire the applicant for a different content area in which the applicant does not meet the requirements for a Tier 2 license.

Subp. 5. **Multiple expiration dates.** If a license holder has completed and verified the renewal requirements for a currently held Tier 3 or 4 license issued under parts 8710.0313 and 8710.0314, the license holder may renew a currently held Tier 3 or 4 license up to one year before the expiration date for the purpose of consolidating multiple expiration dates of any Tier 3 or 4 licenses held into one expiration date. The consolidation of multiple expiration dates must be consolidated within a single tier.

Subp. 6. **Appeal.** An applicant who is denied a teaching license by the board or who is issued a license under a different licensure tier than what was sought may appeal the board’s decision under part 8710.0900 and Minnesota Statutes, chapter 14, and section 122A.188.

Subp. 7. **Licenses issued in error.** A license issued in error to a person who does not qualify for the license must be corrected without charge to the license holder, and the corrections must be made without a hearing under part 8710.0900 and Minnesota Statutes, chapter 14. A license issued in error is not valid.

Subp. 8. **Report.** The board must issue an annual report by September 1 that summarizes the previous fiscal year’s Tier 1, 2, 3, and 4 licenses and out-of-field and innovative program permissions, organized by licensure field and by district.

8710.0311 TIER 1 LICENSE.

Subpart 1. **Purpose.** If a district is unable to fill an open position with a teacher holding a Tier 2, 3, or 4 license, a Tier 1 license must be issued, consistent with this part, to an applicant who does not hold a Tier 2, 3, or 4 license on behalf of a district request. A Tier 1 license authorizes the license holder to teach within the requesting district and the specific licensure field in the application.

Proposed Rules

Subp. 2. **Requirements.** The board must issue a Tier 1 license to an applicant upon request by the designated administrator of the hiring district. The applicant must initiate the application process and meet the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the assignment;

(b) an associate's degree aligned to the assignment; or

(c) a professional certification aligned to the assignment from an approved certifying organization.

B. The hiring district must show:

(1) the position was posted for at least 15 days on the board-approved statewide job board; and

(2) one of the following:

(a) no Tier 2, 3, or 4 licensed individuals applied for the position;

(b) no Tier 2, 3, or 4 licensed applicants accepted the position; or

(c) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of item B, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for a Tier 1 license, at the sole discretion of the board.

C. The hiring district must affirm the applicant:

(1) will participate in a mentorship program aligned to board-adopted criteria;

(2) will participate in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or, if the statutory models are not practicable, to another identified district-aligned evaluation; and

(3) has the necessary skills and knowledge to teach in the content field aligned to the assignment.

D. The board must complete a criminal background check on the applicant.

Proposed Rules

E. A committee of board staff designated by the board must review applications requesting emergency placements under this subpart within two business days. The committee may immediately issue a Tier 1 license based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days.

Subp. 3. **Duration.** A Tier 1 license is valid for up to one year and expires on June 30 of the expiration year.

Subp. 4. **First renewal.** To renew a Tier 1 license for the first time, the applicant must initiate the renewal application process, and the hiring district must meet the requirements of this subpart.

A. The hiring district must show that the position was posted for at least 60 days on the board-approved statewide job board. If an applicant accepts the position but later turns it down, the hiring district must repost the position for 15 days.

B. The hiring district must show one of the following:

(1) no Tier 2, 3, or 4 licensed individuals applied for the position;

(2) no Tier 2, 3, or 4 licensed applicants accepted the position; or

(3) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of items A and B, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for a Tier 1 renewal, at the sole discretion of the board.

C. The hiring district must show the applicant attempted the board-approved content examination aligned to the assignment during the academic year in which the applicant held a Tier 1 license. Any licensure area that does not have a board-approved content examination is exempt from this requirement.

D. The hiring district must show the applicant participated in cultural competency training aligned to board-adopted criteria.

E. The hiring district must report to the board the following:

(1) whether the applicant completed mentorship aligned to board-adopted criteria in the previous year; and

(2) the outcome of the applicant's evaluation in the previous year.

F. The board must complete a criminal background check on the applicant, if applicable.

G. A committee of board staff designated by the board must review applications requesting emergency placements under this subpart within two business days. The committee may immediately issue a Tier 1 license based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days.

Subp. 5. **Second and third renewals.** To renew a Tier 1 license for the second or third time, the applicant must initiate the renewal application process, and the hiring district must meet the requirements of this subpart.

A. The hiring district must show that the position was posted for at least 60 days on the board-approved statewide job board. If an applicant accepts the position but later turns it down, the hiring district must repost the position for 15 days.

Proposed Rules

B. The hiring district must show one of the following:

- (1) no Tier 2, 3, or 4 licensed individuals applied for the position;
- (2) no Tier 2, 3, or 4 licensed applicants accepted the position; or
- (3) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of items A and B, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for a Tier 1 renewal, at the sole discretion of the board.

C. The hiring district must report to the board the following:

- (1) whether the applicant completed mentorship aligned to board-adopted criteria in the previous year; and
- (2) the outcome of the applicant's evaluation in the previous year.

D. The board must complete a criminal background check on the applicant, if applicable.

E. A committee of board staff designated by the board must review applications requesting emergency placements under this subpart within two business days. The committee may immediately issue a Tier 1 license based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days.

Subp. 6. **Additional renewals.** To renew a Tier 1 license more than three times, the applicant must initiate the renewal application process, and the hiring district must meet the requirements of this subpart.

A. The hiring district must show that the position was posted for at least 60 days on the board-approved statewide job board. If an applicant accepts the position but later turns it down, the hiring district must repost the position for 15 days.

B. The hiring district must show one of the following:

- (1) no Tier 2, 3, or 4 licensed individuals applied for the position;
- (2) no Tier 2, 3, or 4 licensed applicants accepted the position; or
- (3) all Tier 2, 3, or 4 licensed applicants had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of items A and B, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 2, 3, or 4 licensed applicant was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for a Tier 1 renewal, at the sole discretion of the board.

C. The hiring district must show one of the following:

- (1) the Tier 1 teacher is teaching in a career and technical education field or career pathway course of study; or
- (2) the Tier 1 teacher is teaching in a licensure area identified as a shortage area as defined in Minnesota Statutes, section 122A.06, subdivision 6.

If the hiring district cannot meet the requirements of item C, the district must provide good cause justification for why the applicant should receive additional Tier 1 renewals. The good cause justification must include why the applicant

Proposed Rules

has not obtained a license in a higher licensure tier. Failure by a district to provide good cause justification constitutes grounds for the board to deny a request for additional Tier 1 renewals, at the sole discretion of the board.

D. The hiring district must report to the board the following:

- (1) whether the applicant completed mentorship aligned to board-adopted criteria in the previous year; and
- (2) the outcome of the applicant's evaluation in the previous year.

E. The board must complete a criminal background check on the applicant, if applicable.

F. A committee of board staff designated by the board must review applications requesting emergency placements under this subpart within two business days. The committee may immediately issue a Tier 1 license based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days.

Subp. 7. **Related services exclusion.** Tier 1 licenses do not apply to related services positions under parts 8710.6000 to 8710.6400.

Subp. 8. **Position change.** If a Tier 1 license holder moves to another position within a district or to another district, prior to the expiration of the Tier 1 license, the license holder must initiate a new application, including paying the application fee, and the hiring district must meet the requirements under subpart 2 for the new position. The applicant is not required to complete a new background check by the board. The Tier 1 license issued by the board under this subpart is considered a new license, not a renewal under subparts 4 to 6.

8710.0312 TIER 2 LICENSE.

Subpart 1. **Purpose.** A Tier 2 license must be issued, consistent with this part, to an applicant on behalf of a district request. A Tier 2 license authorizes the license holder to teach within the requesting district and the specific licensure field in the application.

Subp. 2. **Requirements.** The board must issue a Tier 2 license to an applicant upon request by the designated administrator of the hiring district. The applicant must initiate the application process and must meet the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the assignment;

(b) an associate's degree aligned to the assignment; or

(c) a professional certification aligned to the assignment from an approved certifying organization.

Proposed Rules

B. The applicant must:

- (1) be enrolled in a board-approved teacher preparation program aligned to the assignment;
- (2) hold a master's degree aligned to the assignment from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript; or
- (3) show completion of two of the following:
 - (a) at least eight upper division or graduate-level credits aligned to the assignment;
 - (b) field-specific methods in a state-approved teacher preparation program aligned to the assignment;
 - (c) at least two years of experience teaching as the teacher of record aligned to the assignment;
 - (d) board-adopted pedagogy and content examinations with passing scores; or
 - (e) a state-approved teacher preparation program.

C. The hiring district must affirm the applicant will participate in:

- (1) a mentorship program aligned to board-adopted criteria; and
- (2) an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or, if the statutory models are not practicable, to another identified district-aligned evaluation.

D. The board must complete a criminal background check on the applicant.

Subp. 3. **Duration.** A Tier 2 license is valid for up to two years and expires on June 30 of the expiration year.

Subp. 4. **First renewal.** To renew a Tier 2 license for the first time, the applicant must initiate the renewal application process, and the requirements of this subpart must be met.

A. The hiring district must show the applicant participated in cultural competency training aligned to board-adopted criteria.

B. The hiring district must report to the board the following:

- (1) whether the applicant completed mentorship aligned to board-adopted criteria in the previous year; and
- (2) the outcome of the applicant's evaluation in the previous year.

C. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher preparation program, the provider must certify that meaningful progress, as defined by the provider, has been made toward completion of the program. If no meaningful progress has been made, the board must deem the applicant not to be enrolled in a teacher preparation program unless the applicant provides justification to the board for failing to make meaningful progress.

D. The board must complete a criminal background check on the applicant, if applicable.

Subp. 5. **Second and third renewals.** To renew a Tier 2 license for the second or third time, the applicant must initiate the renewal application process, and the requirements of this subpart must be met.

Proposed Rules

A. The hiring district must report to the board the following:

- (1) whether the applicant completed mentorship aligned to board-adopted criteria in the previous year; and
- (2) the outcome of the applicant's evaluation in the previous year.

B. If the applicant holds a Tier 2 license while enrolled in a board-approved teacher preparation program, the provider must certify that meaningful progress, as defined by the provider, has been made toward completion of the program. If no meaningful progress has been made, the board must deem the applicant not to be enrolled in a teacher preparation program unless the applicant provides justification to the board for failing to make meaningful progress.

C. The board must complete a criminal background check on the applicant, if applicable.

Subp. 6. **Additional renewals.** To renew a Tier 2 license more than three times, the applicant must initiate the renewal application process, and the requirements of this subpart must be met.

A. The hiring district must show:

(1) the applicant participated in an evaluation aligned to the district's teacher development and evaluation model under Minnesota Statutes, section 122A.40, subdivision 8, or 122A.41, subdivision 5, or, if the statutory models are not practicable, to another identified district-aligned evaluation; and

(2) good cause justification for why the applicant should receive additional Tier 2 renewals. The good cause justification must include why the applicant has not obtained a Tier 3 license. Failure by a district to provide good cause justification constitutes grounds for the board to deny a request for additional Tier 2 renewals, at the sole discretion of the board.

B. The board must complete a criminal background check on the applicant, if applicable.

Subp. 7. **Related services exclusion.** Tier 2 licenses do not apply to related services positions under parts 8710.6000 to 8710.6400.

Subp. 8. **Position change.** If a Tier 2 license holder moves to another position within a district or to another district, prior to the expiration of the Tier 2 license, the license holder must initiate a new application, including paying the application fee, and the hiring district must meet the requirements under subpart 2 for the new position. The applicant is not required to complete a new background check by the board. The Tier 2 license issued by the board under this subpart is considered a new license, not a renewal under subparts 4 to 6.

8710.0313 TIER 3 LICENSE.

Subpart 1. **Purpose.** A Tier 3 license must be issued to an applicant, consistent with this part, aligned to the scope and field of the applicant's training and experience. A Tier 3 license authorizes the license holder to teach within the specific licensure field.

Subp. 2. **Requirements.** The board must issue a Tier 3 license if the applicant meets all of the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a

Proposed Rules

credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the licensure area sought;

(b) an associate's degree aligned to the licensure area sought; or

(c) a professional certification aligned to the licensure area sought from an approved certifying organization.

B. The applicant must obtain passing scores on the board-approved pedagogy and content examinations aligned to the licensure area sought.

C. The applicant must show one of the following:

(1) completion of a preparation program approved in another state aligned to the licensure area sought that included field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The applicant is exempt from field-specific student teaching if the applicant has at least two years of field-specific experience teaching as the teacher of record;

(2) completion of a board-approved Minnesota conventional, nonconventional, or alternative teacher preparation program aligned to the licensure area sought. The board must accept certifications in related services positions under parts 8710.6000 to 8710.6400 in lieu of completion of a board-approved teacher preparation program;

(3) recommendation for licensure via portfolio application aligned to the licensure area sought; or

(4) possession of a valid professional license from another state in good standing aligned to the licensure area sought with at least two years of experience teaching as the teacher of record aligned to the licensure area sought.

D. The board must complete a criminal background check on the applicant.

Subp. 3. Tier 3 alternative pathway.

A. A teacher holding a Tier 2 license may obtain a Tier 3 license if the teacher:

(1) meets the requirements of subpart 2, items A, B, and D;

(2) has at least three years of experience teaching as the teacher of record aligned to the licensure area sought under a Tier 2 license; and

(3) presents evidence of summative teacher evaluations that did not result in placing or otherwise keeping the teacher on an improvement process aligned to the district's teacher development and evaluation plan.

B. To renew for the first time a Tier 3 license obtained under item A, the teacher must demonstrate to the board that the standards of effective practice under part 8710.2000 have been met. Demonstration of meeting the standards of effective practice must include one of the following:

(1) standards of effective practice coursework or experiences through a teacher preparation provider;

(2) passing scores on a board-adopted teacher performance assessment;

Proposed Rules

(3) professional growth and development aligned to the standards of effective practice and signed by the individual responsible for the supervision of the teacher; or

(4) other qualifications as determined by the board.

Subp. 4. **Duration.** A Tier 3 license is valid for up to three years and expires on June 30 of the expiration year.

Subp. 5. **Renewal.** A Tier 3 license may be renewed an unlimited number of times. To renew a Tier 3 license, the applicant must complete:

A. a criminal background check through the board, if applicable; and

B. board-approved licensure renewal requirements, including obtaining approval from the applicant's local continuing education/relicensure committee, under parts 8710.7100 and 8710.7200 and Minnesota Statutes, section, 122A.187, subdivision 3.

Subp. 6. **Restrictions.**

A. An applicant whose content training or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of subpart 2, must be issued a Tier 3 license restricted to the scope and licensure area of the applicant's content training or experience.

B. Applicants with content training or experience within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license.

C. Applicants with certification from an Association Montessori Internationale or American Montessori Society training center must be issued a Tier 3 license restricted to a Montessori setting.

8710.0314 TIER 4 LICENSE.

Subpart 1. **Purpose.** A Tier 4 license authorizes the license holder, consistent with this part, to teach in the field and scope aligned to the license holder's preparation. A Tier 4 license indicates the license holder has had at least three years of experience in Minnesota within the field and scope of licensure and completed the professional development requirements mandated by statute.

Subp. 2. **Requirements.** The board must issue a Tier 4 license if the applicant meets all of the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the licensure area sought;

(b) an associate's degree aligned to the licensure area sought; or

Proposed Rules

(c) a professional certification aligned to the licensure area sought from an approved certifying organization.

B. The applicant must have completed one of the following:

(1) a board-approved conventional, nonconventional, or alternative teacher preparation program aligned to the licensure area sought. The board must accept certifications in related services positions under parts 8710.6000 to 8710.6400 in lieu of completion of a board-approved teacher preparation program; or

(2) a preparation program approved in another state aligned to the licensure area sought that included field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The applicant is exempt from field-specific student teaching if the applicant has at least two years of field-specific experience teaching as the teacher of record.

C. The applicant must obtain passing scores on the board-approved skills, pedagogy, and content examinations aligned to the licensure area sought.

D. The applicant must have at least three years of experience teaching in Minnesota as the teacher of record.

E. The applicant's most recent summative evaluation must not have resulted in placing or otherwise keeping the teacher in an improvement process aligned to the district's teacher development and evaluation plan.

Subp. 3. **Adding a Tier 4 license.** To add an additional Tier 4 license, the applicant must show evidence of meeting the requirements of subpart 2, item C, and part 8710.0313, subpart 2, item C, subitem (1), (2), or (3), in the licensure area sought.

Subp. 4. **Duration.** A Tier 4 license is valid for up to five years and expires on June 30 of the expiration year.

Subp. 5. **Renewal.** A Tier 4 license may be renewed an unlimited number of times. To renew a Tier 4 license, the applicant must complete:

A. a criminal background check through the board; and

B. board-approved licensure renewal requirements, including obtaining approval from the applicant's local continuing education/relicensure committee, under parts 8710.7100 and 8710.7200 and Minnesota Statutes, section 122A.187, subdivision 3.

Subp. 6. **Restrictions.**

A. An applicant whose content training or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of this part must be issued a Tier 4 license restricted to the scope and licensure area of the applicant's content training or experience.

B. Applicants with content training or experience within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license.

8710.0320 OUT-OF-FIELD PERMISSION.

Subpart 1. **Purpose.** An out-of-field permission authorizes a teacher holding a Tier 3 or 4 license, consistent with this part, to teach in a field not aligned with the Tier 3 or 4 license.

Subp. 2. **Requirements.** The board must issue an out-of-field permission upon request by the designated administrator of the hiring district. The applicant must initiate the application process, and the hiring district must show:

Proposed Rules

- A. the applicant holds a Tier 3 or 4 license;
- B. the applicant holds a license other than for a related services position under parts 8710.6000 to 8710.6400;
- C. the applicant approves the request;
- D. the position was posted for at least 15 days on the board-approved statewide job board; and
- E. one of the following:
 - (1) no teachers who hold Tier 3 or 4 licenses in the assignment applied for the position;
 - (2) no teachers who hold Tier 3 or 4 licenses in the assignment accepted the position; or
 - (3) all Tier 3 or 4 licensed teachers aligned to the assignment had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of items D and E, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 3 or 4 licensed teacher aligned to the assignment was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for an out-of-field permission, at the sole discretion of the board.

E. A committee of board staff designated by the board must review applications requesting emergency placements under this subpart within two business days. The committee may immediately issue an out-of-field permission based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days.

Subp. 3. **Duration.** An out-of-field permission is valid for up to one year and expires on June 30 of the expiration year.

Subp. 4. **Renewal.** An out-of-field permission may be renewed four times. To renew an out-of-field permission, the applicant must initiate the application process, and the hiring district must show:

- A. the applicant approves the request;
- B. the position was posted for at least 60 days on the board-approved statewide job board. If an applicant accepts the position but later turns it down, the hiring district must repost the position for 15 days; and
- C. one of the following:
 - (1) no teachers who hold Tier 3 or 4 licenses in the assignment applied for the position;
 - (2) no teachers who hold Tier 3 or 4 licenses in the assignment accepted the position; or
 - (3) all Tier 3 or 4 licensed teachers aligned to the assignment had a record of disciplinary action with the board.

If the hiring district cannot meet the requirements of items B and C, the district must provide justification to be reviewed by the board for approval or denial. The justification must include why no Tier 3 or 4 licensed teacher aligned to the assignment was acceptable for the position. Failure by a district to provide justification constitutes grounds for the board to deny a request for an out-of-field permission, at the sole discretion of the board.

Proposed Rules

D. A committee of board staff designated by the board must review applications requesting emergency placements under this subpart within two business days. The committee may immediately issue an out-of-field permission based on board-adopted criteria pending review by the board. The board must review applications after the position has been posted on the board-approved statewide job board for 15 days.

Subp. 5. **Additional renewals.** To renew an out-of-field permission more than four times, the hiring district must provide good cause justification for why the applicant should receive additional out-of-field permission renewals. The good cause justification must include why the applicant has not obtained a Tier 3 or 4 license in the field for which the out-of-field permission was issued. Failure by a district to provide a good cause justification constitutes grounds for the board to deny a request for additional out-of-field permission renewals, at the sole discretion of the board.

Subp. 6. **Limitations and exceptions.**

A. An individual cannot hold an out-of-field permission to work in a related services position.

B. An out-of-field permission is limited to the licensure area and the district for which it was granted.

C. An out-of-field permission granted for a summer school position may be renewed an unlimited number of times.

8710.0321 INNOVATIVE PROGRAM PERMISSION.

Subpart 1. **Purpose.** An innovative program permission authorizes a licensed teacher, consistent with this part, to teach multiple fields within an established innovative program.

Subp. 2. **Requirements.** The board must issue an innovative program permission upon request by the designated administrator of the hiring district. The applicant must initiate the application process, and the hiring district must show:

A. the applicant holds a Tier 3 or 4 license; and

B. the teaching assignment is within an innovative program.

Subp. 3. **Duration.** An innovative program permission is valid for up to one year and expires on June 30 of the expiration year.

Subp. 4. **Renewal.** An innovative program permission may be renewed an unlimited number of times.

8710.0325 SHORT-CALL SUBSTITUTE LICENSE.

Subpart 1. **Purpose.** A short-call substitute license authorizes the license holder to replace the same classroom teacher for no more than 15 consecutive school days.

Subp. 2. **Requirements.** The board must issue a short-call substitute license to an applicant who meets the requirements of this subpart.

A. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service;

Proposed Rules

(3) for applicants in career and technical education fields and career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the assignment;

(b) an associate's degree aligned to the assignment; or

(c) a professional certification aligned to the assignment from an approved certifying organization; or

(4) be enrolled in and making meaningful progress, as defined by the provider, in a board-approved teacher preparation program and have successfully completed student teaching to be employed as a short-call substitute teacher.

B. The board must complete a criminal background check on the applicant.

Subp. 3. **Duration.** A short-call substitute license is valid for up to three years and expires on June 30 of the expiration year.

Subp. 4. **Reapplication.** An applicant must reapply for a short-call substitute license upon its expiration and must pass a criminal background check.

8710.0326 LIFETIME SUBSTITUTE LICENSE.

Subpart 1. **Purpose.** A lifetime substitute license is issued to a retired teacher and authorizes the license holder to replace the same classroom teacher who is on an approved leave of absence.

Subp. 2. **Requirements.** The board must issue a lifetime substitute license to an applicant who meets one of the following:

A. holds or held a Tier 3 or 4 license, a Minnesota five-year standard license or its equivalent, or a professional license from another state and receives a retirement annuity as a result of the person's teaching experience; or

B. holds or held a Tier 3 or 4 license or a Minnesota five-year standard license or its equivalent, taught for at least three years in an accredited nonpublic school in Minnesota, and receives a retirement annuity as a result of the person's teaching experience.

Subp. 3. **Duration.** A lifetime substitute license does not expire.

Subp. 4. **Background check.** A lifetime substitute license requires a criminal background check to be completed by the board every five years.

Subp. 5. **Limitations.**

A. A teacher holding a lifetime substitute license may replace the same classroom teacher on an approved leave of absence for no more than 15 consecutive school days if the substitute teacher's previous Tier 3 or 4 license, Minnesota five-year standard license or its equivalent, or professional license from another state is not aligned to the assignment.

B. A teacher holding a lifetime substitute license may replace the same classroom teacher on an approved leave of absence for more than 15 consecutive school days if the substitute teacher's previous Tier 3 or 4 license, Minnesota five-year standard license or its equivalent, or professional license from another state is aligned to the assignment.

8710.0330 TEACHER LICENSURE VIA PORTFOLIO APPLICATION.

Subpart 1. **Purpose.** An applicant who has not completed teacher preparation or is unable to obtain a Tier 3 license

Proposed Rules

through other requirements may apply for an initial Tier 3 license by submitting a pedagogy portfolio and content portfolio to the board to demonstrate the applicant has met the standards aligned to the licensure area sought. An applicant who has completed teacher preparation in one or more additional licensure areas may apply to add licensure areas to a current Tier 3 or 4 license by submitting a content portfolio to the board to demonstrate the applicant has met the standards aligned to the additional licensure areas sought.

Subp. 2. Portfolio review process.

A. The applicant must initiate the application process by submitting a portfolio aligned to board-adopted submission guidelines.

B. An application for an initial Tier 3 license must include two portfolios:

(1) a content portfolio that shows the content standards aligned to the licensure area sought under parts 8710.3000 to 8710.5850 and 8710.8000 have been met; and

(2) a pedagogy portfolio that shows the applicant meets the standards of effective practice under part 8710.2000. A board-adopted passing score on a board-adopted teacher performance assessment aligned to the standards of effective practice under part 8710.2000 may be submitted in lieu of a pedagogy portfolio.

C. Applications to add a licensure area to a current Tier 3 or 4 license must include a content portfolio that shows the applicant meets the content standards aligned to the licensure area sought under parts 8710.3000 to 8710.5850 and 8710.8000.

D. Each pedagogy portfolio must be reviewed by a panel of educators within 90 days of receiving a complete pedagogy portfolio and required fees. An applicant may present the contents of a submitted pedagogy portfolio in person to the panel on the review date. An applicant may choose not to present the contents of the submitted pedagogy portfolio to the panel on the review date and thereby waives the right to defend the pedagogy portfolio material in person.

E. If the panel of educators under item D does not recommend an applicant for licensure via the pedagogy portfolio, the panel must provide specific information to the applicant on how to successfully demonstrate meeting any standard the panel determined was not met. The applicant may submit a revised pedagogy portfolio, which must be recommended for approval or disapproval by one member of the panel of educators within 60 days of receiving the revised submission.

F. Each content portfolio must be reviewed by two reviewers who meet board-adopted qualifications within 90 days of receiving the completed portfolio and required fees.

G. If the content reviewers under item F do not recommend the applicant for licensure via the content portfolio, the reviewers must provide specific information to the applicant on how to successfully demonstrate meeting any standard the reviewers determined was not met. The applicant may submit a revised content portfolio, which must be recommended for approval or disapproval by one of the content reviewers within 60 days of receiving the revised submission.

H. An applicant who is recommended for licensure via portfolio review under this subpart must submit an application for licensure to the board that meets the requirements under subpart 3. The applicant must also pay an application fee.

Subp. 3. Application requirements. An applicant who is recommended for licensure via portfolio review and approved by the executive director of the board under subpart 2 must submit an application for licensure to the board that meets the requirements of this subpart.

A. To indicate knowledge of effective teaching dispositions under the Minnesota Code of Ethics for Teachers, the applicant must submit a completed evaluation by the individual responsible for the mentorship or supervision of the

Proposed Rules

applicant for review by a panel of educators under subpart 2, item D, after completing one of the following:

- (1) a year-long mentorship program aligned to board-adopted criteria; or
- (2) two years of experience teaching as the teacher of record in the licensure area sought.

B. The applicant must:

(1) hold the minimum of a bachelor's degree from a college or university located in the United States that is regionally accredited by the Higher Learning Commission or by the regional association for accreditation of colleges and secondary schools, as shown by a college transcript;

(2) hold a credential from outside the United States that is equivalent to a bachelor's degree, as shown by a credential evaluation completed by a credential evaluator approved by the National Association of Credential Evaluation Services or other board-approved credential evaluation service; or

(3) for applicants in career and technical education fields or career pathway courses of study, have one of the following:

(a) five years of relevant work experience aligned to the licensure area sought;

(b) an associate's degree aligned to the licensure area sought; or

(c) a professional certification aligned to the licensure area sought from an approved certifying organization.

C. The applicant must provide documentation to show all requirements have been met for an initial Tier 3 license issued under part 8710.0313, including standards of effective practice for teachers under part 8710.2000 and specific content requirements for the licensure area sought under parts 8710.3000 to 8710.5850 and 8710.8000. Applications to add a licensure area to a current Tier 3 license must provide documentation to show all specific content requirements for the licensure area sought have been met under parts 8710.3000 to 8710.8000. Evidence that provides the necessary information required under this item includes:

(1) a transcript, syllabi of college coursework, or both;

(2) subject-specific, high-quality professional development, as defined under the Every Student Succeeds Act;

(3) professional contributions to the field, including presentations given to local and national education organizations, minutes of attendance in education-related task forces or state or national committees, articles published by local or national education publications, or other activities that demonstrate the applicant has met the standards of effective practice and content requirements;

(4) a resume and letters of recommendation illustrating relevant work experience aligned to the licensure area sought;

(5) classroom performance as determined by student growth on criterion-referenced assessments;

(6) a rating of effective or higher on a teacher performance evaluation;

(7) teacher performance assessment scores;

(8) unedited video recordings of classroom instruction; or

(9) observation and evaluation feedback through mentorship, teacher evaluation, student teaching, or other

Proposed Rules

supervised classroom teaching experiences.

D. The applicant must submit board-adopted passing scores on board-adopted content and pedagogy exams.

E. An applicant recommended for an initial Tier 3 license by the panel of educators under subpart 2, item D, and content reviewers under subpart 2, item F, must pass a criminal background check and be approved by the executive director of the board.

F. An applicant recommended for the addition of a licensure area to a current Tier 3 or 4 license by the content reviewers under subpart 2, item F, must pass a criminal background check, if applicable, and be approved by the executive director of the board.

Subp. 4. **CTE exceptions.** An applicant for any career and technical education field under parts 8710.8010 to 8710.8080 is exempt from the criteria in subpart 3 and may apply for an initial Tier 3 license under part 8710.0313 through portfolio review under Minnesota Statutes, section 122A.18, subdivision 10, if the applicant completed parts 8710.2000 and 8710.8000, and meets one of the following requirements:

A. has five years of relevant work experience aligned to the licensure area sought;

B. holds an associate's degree aligned to the licensure area sought; or

C. holds a professional certification aligned to the licensure area sought from an approved certifying organization.

Subp. 5. **Submission timelines.**

A. An applicant must submit a letter of intent to the board 30 days prior to submission of a portfolio application.

B. A portfolio application prepared according to published guidelines must be submitted between 30 and 150 days after the letter of intent is received by the board.

Subp. 6. **Appeal.** An applicant who is denied an initial Tier 3 license or an addition to a current Tier 3 or 4 license by the board under this part may appeal the board's decision under part 8710.0900 and Minnesota Statutes, chapter 14.

8710.4725 TEACHERS OF READING.

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

Subp. 2. **Licensure requirements.** A candidate for licensure to teach reading to students in kindergarten through grade 12 shall:

A. hold or qualify for a ~~full professional~~ teaching license, as defined in part 8710.0310, valid for:

(1) ~~classroom teaching~~, as defined in part 8710.0300, in one or more of the following student levels: elementary, middle, or secondary;

(2) kindergarten through grade 12 special education teaching under parts 8710.5000 to 8710.5800;

(3) English as a second language teaching under part 8710.4400; or

(4) adult basic education teaching under part 8710.4000; and

B. show verification of completing a Professional Educator Licensing and Standards Board preparation program approved under chapter 8705 leading to the licensure of teachers of reading including standards under subpart 3a.

Subp. 3. [Repealed, 34 SR 595]

Proposed Rules

[For text of subps 3a to 5, see M.R.]

8710.4925 READING LEADER.

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

Subp. 2. **Licensure requirements.** A candidate for licensure to teach reading to students in kindergarten through grade 12 shall:

A. hold or qualify for a ~~full professional teaching license, as defined in part 8710.0310,~~ valid for:

(1) ~~classroom teaching, as defined in part 8710.0300,~~ in one or more of the following student levels: elementary, middle, or secondary;

(2) kindergarten through grade 12 special education teaching under parts 8710.5000 to 8710.5800;

(3) English as a second language teaching under part 8710.4400; or

(4) adult basic education teaching under part 8710.4000;

B. show verification of completing a Professional Educator Licensing and Standards Board preparation program approved under chapter 8705 leading to the licensure of teachers of reading including standards under subpart 3; and

C. show verification of completing a board preparation program approved under chapter 8705 leading to licensure as a teacher of reading under part 8710.4725.

[For text of subps 3 to 5, see M.R.]

8710.7000 DUTY OF LICENSEE TO RENEW.

It ~~shall be~~ is the responsibility of the person seeking the renewal of a ~~continuing or professional Tier 3 or 4 teaching license to comply with licensure renewal requirements in part 8710.7100 and to submit the application, appropriate verification, and other supporting materials to the local continuing education/relicensure committee, in accordance with procedures and due dates established by that committee under part 8710.7200.~~

8710.7100 ~~ISSUANCE AND RENEWAL OF PROFESSIONAL TIER 3 OR 4 TEACHING LICENSES.~~

Subpart 1. **Scope.** This part applies to persons who have held ~~entrance Tier 3 or 4 licenses, or their previous equivalencies, and are seeking to obtain first professional licenses or to renew continuing or professional Tier 3 or 4 licenses issued by the Board of Teaching, except continuing licenses valid only for substitute teaching~~ Professional Educator Licensing and Standards Board under parts 8710.0313 and 8710.0314.

Subp. 1a. **Renewal.**

A. The board must renew the Tier 3 or 4 license of an applicant who is not employed in public schools and who has not been employed in a position requiring Minnesota licensure at any time during the school year immediately preceding the date of expiration, if one of the following is submitted:

(1) verification by a local continuing education/relicensure committee that the applicant has met renewal requirements for the Tier 3 license during the three-year period immediately preceding the application or for the Tier 4 license during the five-year period immediately preceding the application; or

(2) an official college transcript showing that the applicant earned at least 12 quarter or eight semester hours of credit, applicable to the licensure field or fields, during the three-year period immediately preceding the application for Tier 3 licenses, or the five-year period immediately preceding the application for Tier 4 licenses.

Proposed Rules

B. If a requirement under item A is not met, a one-year extension of the expired Tier 3 or 4 license must be granted based on written documentation that the applicant has been offered a position contingent upon holding a valid license. An extension under this item expires on June 30 of the school year for which the license is issued and must not be renewed. In order to qualify for a Tier 3 or 4 license after a one-year extension, the applicant must provide written documentation that the renewal requirements for the Tier 3 or 4 license under item A, subitem (1), have been met.

Subp. 2. [See repealer.]

Subp. 3. **Renewal of professional license** Application and validity period.

A. A license renewal period begins on July 1 of the year of expiration. An application for renewal is accepted for processing by the Department of Education board after January 1 of the year of expiration.

B. A valid Tier 3 license must be renewed for a subsequent period of three years when an applicant presents verification by the local continuing education/relicensure committee that the applicant has, within the past three years, successfully completed at least 75 clock hours of professional development as specified in part 8710.7200.

C. A valid professional Tier 4 license shall must be renewed for a subsequent period of five years when an applicant presents verification by the local continuing education/relicensure committee that the applicant has, within the past five years, successfully completed at least 125 clock hours of professional development as specified in part 8710.7200.

Subp. 4. **Clock hour alternative pilot program.** In consultation with local education/relicensure committees, the board must develop an alternative to clock hours for meeting professional development requirements under part 8710.7200, subparts 2 and 2a. Once the pilot program has been established, local education/relicensure committees may pilot alternative professional development plans and determine on an individual basis whether to accept a professional development plan as an alternative to clock hours required under part 8710.7200, subpart 2.

8710.7200 CLOCK HOURS; REQUIREMENTS FOR RENEWAL OF PROFESSIONAL LICENSES.

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

Subp. 2. **Renewal clock hours.** Verification by the local continuing education/relicensure committee that the applicant has completed 75 approved clock hours for a Tier 3 license and 125 approved clock hours for a Tier 4 license is required for renewal. Instruction and professional development activities meet requirements to renew licenses only if they address one or more of the standards in part 8710.2000. Effective for renewal of professional licenses which expire on June 30, 2001, and after, applicants must include in their 125 clock hours instruction or other professional development activities which address positive behavioral intervention strategies and accommodation, modification, and adaptation of curriculum, materials, and instruction to appropriately meet the needs of varied students in achieving graduation standards. Effective for renewal of professional licenses which expire on June 30, 2004, and after, applicants must also include in their 125 clock hours instruction or other professional development activities which evidence further reading preparation, consistent with Minnesota Statutes, section 122A.06, subdivision 4. Effective for renewal of professional licenses which expire on June 30, 2005, and after, applicants must also include in their 125 clock hours instruction or other professional development activities which address further preparation in understanding the key warning signs of early-onset mental illnesses in children and adolescents which may include depressed mood, excessive fears and anxieties, changes in behavior and performance, failure to develop peer relationships, impaired concentration and thinking, suicidal gestures, the potential connection to substance use, and knowledge of steps to be taken if such warning signs are observed. Effective for renewal of professional licenses that expire on June 30, 2012, and thereafter, applicants must also include in their 125-clock hours instruction or other professional development activities that integrate technology effectively with student learning to increase engagement and student achievement.

Subp. 2a. **Professional development requirements.** To renew a Tier 3 or 4 license, an applicant who has been employed as a teacher during the renewal period of the expiring license must demonstrate the completion of requirements of this subpart to a local continuing education/relicensure committee for verification by the Professional Educator Licensing and Standards Board.

Proposed Rules

A. The applicant must show evidence of professional reflection and growth in best practices in the following areas:

(1) cultural competency training aligned to board-adopted criteria; and

(2) district-approved training in meeting the needs of English learners that has job-embedded opportunities for learning and practice and aligns with InTASC standards for English learners.

An applicant may satisfy the requirements of item A and subpart 2 by submitting the teacher's most recent summative evaluation or improvement plan aligned to the district's teacher development and evaluation process. An applicant not teaching in a Minnesota district may work with the applicant's local continuing education/relicensure committee for the purposes of providing evidence of renewal requirements.

B. The applicant must show evidence of professional development in the following areas:

(1) positive behavior interventions under Minnesota Statutes, section 122A.187, subdivision 4, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2001, and thereafter;

(2) reading preparation under Minnesota Statutes, section 122A.187, subdivision 5, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2004, and thereafter;

(3) mental illness training under Minnesota Statutes, section 122A.187, subdivision 6, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2005, and thereafter;

(4) integrating technology effectively with student learning to increase engagement and student achievement for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2012, and thereafter; and

(5) at least one hour of suicide prevention training under Minnesota Statutes, section 122A.187, subdivision 6, for Tier 3 or 4 licenses issued under parts 8710.0313 and 8710.0314, or their previous equivalencies, which expire on June 30, 2016, and thereafter.

Subp. 2b. Related services positions exceptions.

A. A reflective statement of professional accomplishment and assessment of professional growth is not required to renew a license for a related services position.

B. The Nationally Certified School Psychologist (NCSP) credential from the National Association of School Psychologists may be used in lieu of clock hours required under subpart 2 to renew a school psychologist license. If the NCSP credential expires during the license holder's renewal period, the local continuing education/relicensure committee must prorate clock hours completed at 25 hours per year and require completion of a prorated number of hours for the years the credential is not in effect.

C. The Certificate of Clinical Competence (CCC) credential from the American Speech-Language-Hearing Association may be used in lieu of clock hours required under subpart 2 to renew a speech-language pathologist license. If the CCC credential expires during the individual's renewal period, the local continuing education/relicensure committee must prorate clock hours completed at 25 hours per year and require completion of a prorated number of hours for the years the credential is not in effect.

Subp. 2c. **Renewal emergency extension.** If an emergency prevents an applicant from completing rule requirements to renew a license, the applicant may submit an application to the Professional Educator Licensing and Standards Board

Proposed Rules

for an emergency extension of time to renew the license. Within 30 days of receiving the application, the board must determine whether an extension of time should be granted based on documentation of the emergency.

[For text of subs 3 and 4, see M.R.]

Subp. 5. **Exception for national board certification.** A local continuing education committee shall accept verification that a teacher is actively engaged in and making progress toward National Board of Professional Standards Certification or other national professional teaching certification approved by the Professional Educator Licensing and Standards Board at the time of renewal as equivalent to fulfilling all clock hour requirements for continuing Tier 3 or 4 license renewal. A local continuing education committee shall accept verification that a teacher has earned National Board or other approved certification as equivalent to all clock hour requirements during the life of the certificate. If the certificate expires during the five-year applicable renewal period, the local committee shall prorate hours completed under this exception and require completion of a prorated number of clock hours for the years the certificate is not in effect.

Subp. 6. **Exception for local option.** The Professional Educator Licensing and Standards Board shall approve requests submitted by local committees that, through their school district master contracts or other official agreements between the local school board and its teachers, wish to substitute development and implementation of individualized professional development plans for some or all of the clock hour requirements for renewal of continuing Tier 3 or 4 teaching licenses, provided that each individualized professional development plan:

[For text of items A to E, see M.R.]

F. requires that each teacher's individualized professional development plan equal or exceed 75 hours of professional development activities during the three-year period for a Tier 3 license and 125 hours of professional development activities during the five-year period for a Tier 4 license.

[For text of subp 7, see M.R.]

Subp. 8. **Period for earning clock hours.** An applicant requesting renewal of a license to teach must earn a minimum of 75 clock hours during each three-year period preceding application for a Tier 3 licensure renewal and 125 clock hours during each five-year period preceding application for a Tier 4 licensure renewal. An applicant may not bank clock hours for purposes of relicensure, but clock hours earned after an application for renewal has been submitted may be applied to the next renewal period.

[For text of subp 9, see M.R.]

Subp. 10. **Renewal of license for two or more areas.** An applicant who seeks renewal of a continuing Tier 3 or 4 teaching license for two or more areas should allocate at least 30 clock hours to each of the licensure areas for a total of no fewer than 75 clock hours for a Tier 3 license and 125 clock hours for a Tier 4 license, with priority given to work in areas where the candidate is employed during the licensure period. An applicant who holds an administrative license or licenses may allocate clock hours for the renewal of teaching licensure under this subpart.

[For text of subp 11, see M.R.]

REPEALER. Minnesota Rules, parts 8700.7620; 8710.0300, subparts 1, 1a, 2, 2a, 2b, 3, 5, 6, 7, 8, 9, 10, and 11; 8710.0600; 8710.1000; 8710.1050; 8710.1250; 8710.1400; 8710.1410; and 8710.7100, subpart 2, are repealed.

Proposed Rules

Environmental Quality Board

Proposed Permanent Rule: Preliminary Draft Environmental Impact Statements; Notice of Intent to Adopt Rules without a Public Hearing

Proposed Amendment to Rules Governing Preliminary Draft EIS Option, *Minnesota Rules*, 4410.2550; Revisor's ID Number R-04494.

Introduction. The Environmental Quality Board (EQB) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, § 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until February 23, 2018 4:30 pm CST.

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is:

Erik Cedarleaf Dahl
Minnesota Environmental Quality Board
520 Lafayette Road St. Paul, MN 55155
Telephone (651) 757-2364
Email erik.dahl@state.mn.us.

You may also review the proposed rule and submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions>.

Subject of Rules and Statutory Authority. The proposed rules are about allowing a project proposer to prepare a preliminary draft environmental impact statement (EIS). The statutory authority to adopt the rules is *Minnesota Statutes*, 116D.04, § 5a(11) and *Minnesota Statutes* 116D.045 § 1. A copy of the proposed rules is published in the *State Register* and on the Environmental Quality Board's website:

<https://www.eqb.state.mn.us/content/draft-environmental-impact-statement-eis-rulemaking>. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Friday, February 23, 2018, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Environmental Quality Board encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Environmental Quality Board hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on February 23, 2018. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Alternative Format. Upon request, this information can be made available in an alternative format, such as large

Proposed Rules

print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

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

Statement of Need and Reasonableness. The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The Statement of Need and Reasonableness is available on the **Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com>**. It is also available from the agency contact person and on the EQB's website: <https://www.eqb.state.mn.us/content/draft-environmental-impact-statement-eis-rulemaking>. To obtain copies for the cost of reproduction by contacting the EQB contact person or visiting the agency's website.

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

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

December 21, 2017

Dave Frederickson
Chair, Environmental Quality Board

4410.2550 PRELIMINARY DRAFT EIS OPTION.

The proposer of a specific action may include in the information submitted to the RGU a preliminary draft EIS on that action for review, modification, and determination of completeness and adequacy by the RGU. The RGU may allow a proposer of a specific action to prepare a preliminary draft environmental impact statement according to Minnesota Statutes, section 116D.04, subdivision 2a, paragraph (k). A preliminary draft EIS prepared by the project proposer and submitted to the RGU shall identify or include as an appendix all studies and other sources of information used to substantiate the analysis contained in the preliminary draft EIS. The RGU shall require additional studies, if needed, and obtain from the project proposer all additional studies and information necessary for the RGU to perform its responsibility to review, modify, and determine the completeness and adequacy of the EIS.

Commissioner's Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Department of Natural Resources (DNR)

Commissioner's Order: Classification of the Centennial State Forest in Cass County, Minnesota

Date: December 13, 2017

Statutory authority: Minnesota Statutes, section 84.777

BACKGROUND

WHEREAS:

1. Minnesota Laws 2003, Chapter 128, Article 1, Section 167 as amended by Laws 2005, First Special Session, chapter 1, article 2, section 152, directs the Commissioner of Natural Resources to complete a review of the classification status of all state forests and forest lands under the authority of the commissioner classified as 'managed' or 'limited' with respect to the operation of motor vehicles. Reclassification is to be conducted pursuant to the process and criteria set forth in Minn. R., part 6100.1950.
2. As required by Minn. R. 6100.1950, the Department of Natural Resources (DNR) held a public meeting and solicited and received written comments and submissions on the proposed forest classification. Comments were incorporated into the final plan for forest classification.
3. All notice and procedural requirements in Minnesota Statutes and other applicable rules and law have been complied with.
4. The state forest classification is both needed and reasonable.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to authority vested in me by law, including Minnesota Statutes, section 84.777, that Centennial State Forest shall be classified as 'limited.'

Date: December 26, 2017

Tom Landwehr, Commissioner

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Minnesota Interagency Council on Homelessness

Notice of meeting

A meeting of the Minnesota Interagency Council on Homelessness has been scheduled for **Friday, January 19, 2018, at 1:00 p.m.** The meeting will be held in the Lake Superior conference room at Minnesota Housing, 400 Wabasha Street North, Suite 400, Saint Paul, MN, 55102.

If you would like to attend the meeting or would like more information or to be notified of potential changes to the meeting location or time, please send an email to sue.hite-kirk@state.mn.us with your name, organization (if applicable), email address and day time telephone number.

Department of Natural Resources (DNR)

Division of Lands and Minerals

Notice of Receipt of an Application for a Permit to Mine for the Polymet Northmet Project

The Minnesota Department of Natural Resources (DNR) has opened a public comment and objection period on a draft permit to mine for the proposed Poly Met Mining, Inc. (PolyMet) NorthMet mining project, located near the cities of Hoyt Lakes and Babbitt in northeastern Minnesota. Following review of PolyMet's permit to mine application, the DNR has prepared draft special conditions for the NorthMet project. Together, the application and the draft special conditions are considered the draft permit to mine. The draft permit to mine, project information and fact sheets are posted on the DNR's permit to mine webpage for the NorthMet project:

<http://www.dnr.state.mn.us/polymet/permitting/ptm.html>.

The DNR will accept comments and objections on the draft permit to mine via the State's PolyMet Portal (<http://polymet.mn.gov>) during the public comment and objection period, which is now open and concludes on Tuesday, March 6, 2018.

The draft permit to mine also includes a wetland replacement plan. The DNR will accept comments from the public on the draft wetland replacement plan as part of the draft permit to mine comment process.

The NorthMet Project would create an open pit copper, nickel, cobalt and precious metals mine with stockpile areas; refurbish a portion of the former LTV Steel Mining Company (LTVSMC) processing plant and construct a new hydro-metallurgical facility; construct a tailings basin facility on the site of LTVSMC existing tailings facilities; and add to existing utility infrastructure and rail lines. The draft permit to mine details the comprehensive terms and conditions of the permit, including financial assurance.

This notice also initiates an objection period as detailed in Minnesota Rules. Minnesota Rules allow qualifying individuals or entities to submit formal written objections to a draft permit to mine. There are criteria for qualifying as an objector and established procedures for submitting and resolving formal objections. The objection process is distinct from the general public's ability to submit any and all comments concerning the draft permit (see Minnesota Rules 6132.4000 subp. 2, and **DNR Effective Commenting fact sheet** on DNR's PolyMet Permit to Mine webpage (<http://www.dnr.state.mn.us/polymet/permitting/ptm.html>) for more detail. The DNR will consider all comments and written objections prior to making a final decision.

As part of the draft permit to mine comment and objection process, the DNR will hold two public meetings jointly

Official Notices

with the Minnesota Pollution Control Agency (MPCA). Public meetings will be held on:

Wednesday, February 7, 2018

Mesabi East (Aurora-Hoyt) High School
601 N 1st St W, Aurora, MN 55705
4:00-9:00 p.m. open house
6:00-9:00 p.m. public comment forum

Thursday, February 8, 2018

DECC - Duluth Entertainment Convention Center
350 Harbor Drive, Duluth, MN 55802
1:00-9:00 p.m. open house
6:00-9:00 p.m. public comment forum

In case of a weather-related cancellation, the following alternative meeting dates have been established: 1) Wednesday, February 21, 2018, Mesabi East (Aurora-Hoyt) High School – Aurora as a substitute for the scheduled February 7 meeting; 2) Thursday, February 22, 2018, DECC – Duluth as a substitute for the scheduled February 8 meeting. The DNR will notify the public of any cancellations or time or venue changes via GovDelivery message, press release and/or social media.

Comments and written objections on the NorthMet draft permit to mine will be accepted at these meetings. Stenographers will be available to record oral comments offered individually and during the public comment forum. Comment boxes will be available for submitting written comments and objections at the meetings and staff from both the DNR and MPCA will be available to answer questions during each open house.

Written comments and objections may be submitted at any time during the public comment period via the State's portal for the project: <http://polymet.mn.gov/>

or by U.S. Mail to:

MN Department of Natural Resources
Division of Lands and Minerals
500 Lafayette Road N, Box 45
St. Paul, MN 55155-4045

Comments and objections will become part of the official record and as such, may be made available for public examination.

Before proceeding with the proposed NorthMet Mining Project, PolyMet must obtain a total of 12 DNR permits as well as other state, federal, and local permits and approvals. The DNR permits and approvals that are needed include the permit to mine (including financial assurance and wetlands replacement), water appropriation permits, dam safety permits, public waters work permit, burning permit, and an endangered species takings permit. A **timeline of the permitting process** is available from the DNR's PolyMet webpage.

1/2/2018

Jess Richards
Director, Division of Lands and Minerals

Minnesota State Fair Meeting Notice

The 159th annual meeting of the Minnesota State Agricultural Society, governing body of the Minnesota State Fair, will be held **Jan. 12-14** at the DoubleTree by Hilton Hotel Bloomington. The society's general business session is scheduled for 8 a.m. Sunday, Jan. 14, followed by a meeting of the society's board of managers. A complete schedule of meetings and events will be available at the hotel.

The 2018 Minnesota State Fair runs Aug. 23 - Labor Day, Sept. 3.

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the State Register, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

Department of Employment and Economic Development (DEED) Notice of Grant Opportunity

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at <https://mn.gov/deed/about/contracts/>

Department of Human Services

Child Safety and Permanency Division

Notice of Request for Proposals for a Qualified Grantee to Provide Services to the Minnesota Department of Human Services to Operate Community-Based Programs Designed to Optimize Transition Outcomes for Youth in Out-of-Home Placement, and to Prevent Homelessness for Youth who have Experienced Out-of-Home Placement

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (department) is requesting proposals to provide services to operate community-based programs designed to optimize transition outcomes for youth in out-of-home placement, and to prevent homelessness for youth who have experienced out-of-home placement.

Work is proposed to start March 1, 2018. For more information, or to obtain a copy of the Request for Proposal, contact:

Nicolas Vogel
Minnesota Department of Human Services
Child Safety and Permanency Division
444 Lafayette Road
St. Paul, MN 55155
Phone: 651-431-4707, Fax: 651-431-7522
nicolas.vogel@state.mn.us

This is the only person designated to answer questions by potential responders regarding this request.

State Grants & Loans

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m. Central Time, January 29, 2018. Late proposals will not be considered.** Faxed or e-mailed proposals will not be considered.

The RFP will be on the department's Grants and RFP website. The RFP can be viewed on the RFP website: http://www.dhs.state.mn.us/id_000102.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

Department of Administration

Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP)

Notice of Request for Proposals for Contracts for Pharmaceuticals and OTC Products

The Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP), is requesting proposals for pharmaceuticals and over-the-counter products. MMCAP is a government-run healthcare product and service group purchasing organization serving governmental entities. For more information, go to www.mmcap.org.

To request a copy of the RFP go to MMCAP.RFP@state.mn.us

Or write to:

Pharmaceuticals and OTC Products RFP Request
MMCAP
State of Minnesota, Department of Administration
50 Sherburne Avenue, Suite 112
St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received according to the specifications in the Request for Proposals no later than **February 15, 2018 2:00p.m. Central Time. Late proposals will not be considered.**

The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Administration/Department of Transportation Notice of Availability of Request for Proposal (RFP) for Designer Selection for: MnDOT Safety Rest Area Building Replacement and Site Rehabilitation at Clear Lake SRA and Des Moines River SRA (State Designer Selection Board Project No. 18-01)

The State of Minnesota, acting through The Department of Transportation, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <https://mn.gov/admin/government/construction-projects/sdsb/projects/> (click 18-01).

A **mandatory** informational meeting is scheduled for **Wednesday, January 17, 2018 at 1:00 p.m. CT at the Jackson County Building, 53053 780th Street, Jackson, MN 56143.**

Any questions should be directed to Gail Ann Witzel at gail.ann.witzel@state.mn.us. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Thursday, January 18, 2018, no later than 5:00 p.m. Central Time.**

Proposals must be delivered to Jennifer Barber, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 (651.201.2389) not later than **12:00 noon on Wednesday, January 24, 2018.** Late responses will not be considered.

The Department of Transportation is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (Minnesota State) Request for Proposal (RFP) for Data Integration Platform

Background:

Minnesota State Colleges and Universities (Minnesota State) is the fifth-largest system of higher education in the United States. It is comprised of 37 two-year and four-year state colleges and universities with 54 campuses located in 47 Minnesota communities. The System serves approximately 430,000 students each year. The Minnesota State Colleges and Universities is an independent state entity that is governed by a 15 member Board of Trustees. The law creating the system was passed by the Minnesota Legislature in 1991 and went into effect July 1, 1995. The law merged the state's community colleges, technical colleges and state universities into one system, other than the University of Minnesota campuses. For more information about Minnesota State Colleges and Universities, please view its website at www.minnstate.edu.

Nature of RFP:

Minnesota State System Office is requesting proposals for the purchase and implementation of a cloud-based data integration and integration management solution. This RFP is undertaken by Minnesota State System Office pursuant to the authority contained in provisions of Minnesota Statutes § 136F.581 and other applicable laws.

Purpose:

The ability to effectively create and manage integrations across numerous SaaS and homegrown systems and services is foundational in supporting core business capabilities.

The purpose of this RFP is to choose a fully-developed, cloud-based data integration platform and integration management solution that will support Minnesota State in creating integrations between premise-to-premise, premise-to-cloud and cloud-to-cloud applications, data sources, databases, and APIs.

State Contracts

Problem Statement:

Minnesota State has hundreds of integrations between its ERP systems and satellite, vendor, and shadow systems. In addition, we have multiple integrations across teaching and learning systems, registration systems, campus systems and others. To date all integrations are coded manually and specifically for each integration need.

The existing highly customized, ad hoc data integration environment is not sufficient to meet future business needs. Continuation of the current integration practices is no longer sustainable.

The Minnesota State Architecture team has been charged with implementing a standardized, centralized, secure, cloud-based data integration solution that will provide discoverable, reusable data integrations across a broad variety of cloud-based and on-premise technologies, platforms, applications and services.

General Selection Criteria:

The solution will be selected based on criteria that include, but are not limited to:

The proposed solution is a Software as a Service (SaaS, iPaaS) solution, capable of integrating data to and from on premise and cloud databases, storage providers, ERP applications, RESTful API's and Message Queues.

The RFP respondent is the publisher or an authorized reseller of the solution. The vendor of proposed solution has had a commercially available SaaS/IPaaS product with sales for a minimum of three years in public sector or Higher Education.

The proposed solution substantially complies with current national accessibility specifications and standards, including Section 508 of the 1973 Rehabilitation Act and the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 AA.

Selection and Implementation Timeline:

Monday, January 8	Publish RFP notice in State Register
Monday, January 29	Submit questions on RFP
Monday, February 5	Publish answers to RFP questions
Thursday, February 15, 3:00 p.m. CST	Deadline for RFP proposal submissions
Monday, February 19 – Monday, March 12	Review RFP proposals
Tuesday, March 13 – Tuesday, March 27	Meet with individual responders
Friday, April 13	Complete selection process
Friday, June 1, 2018	Deadline for executing contract

Any questions please contact: Jennell Flodquist (email: jennell.flodquist@minnstate.edu phone: 651-201-1524)

The RFP can be downloaded at the following URL: <http://www.minnstate.edu/vendors/index.html>

Minnesota State Colleges and Universities (Minnesota State) Notice of Request for Qualifications (RFQ) for Architectural, Engineering, Owner's Representative, Real Estate and other Professional and Technical Services for a Master Contract

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("Minnesota State"), requests information of Minnesota registered consultants, as appropriate, to assist Minnesota State in providing Facilities related Professional and/or Technical services as needed for up to a five-year period. Consultants with existing master contracts are encouraged to respond to this RFQ if they wish to add additional Specialty Services. Campus projects will vary in scope and may involve professional or technical Specialty Services for Architectural Design, Predesign, Building Envelope, Commissioning, Engineering, Industrial Hygiene, Inspectors and Laboratories, Land Surveyor, Landscape Architectural Design, Owner's Representative, Real Estate, and Technology.

The Request for Qualifications documents (RFQ and attachments) are available at:
<http://www.minnstate.edu/vendors/index.html>

This RFQ is to allow a consultant to enter into master contract and be included in the Facilities Professional/Technical Consultants Master Contract database.

Responses must be delivered to:

Minnesota State Colleges & Universities
ATTN: Karen Huiett - Facilities Design and Construction
Wells Fargo Place
30 Seventh Street East, Suite 350
St. Paul, Minnesota 55101-7804

Responses must be received NO later than **Monday, February 5, 2018 at 2:00 P.M. CST**; late responses will not be considered.

Minnesota State reserves the right to cancel this solicitation if it is considered to be in Minnesota State's best interest. The RFQ is not a guarantee of work and does not obligate Minnesota State to award any contracts. Minnesota State reserves the right to discontinue the use or cancel all or any part of the Facilities Professional/Technical Consultant Master Contract database if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota State Colleges and Universities (Minnesota State)

Rochester Community and Technical College

Notice of Request for Proposal (RFP) for Food Service and Concessions Needs

NOTICE IS HEREBY GIVEN that Rochester Community and Technical College is accepting Requests for Proposals for our food service and concessions operation.

The contract will be awarded for three (3) years beginning July 1, 2018 running through June 30, 2021 with a two (2) one year renewal option.

To receive a copy of the RFP, send an e-mail to june.meitzner@rctc.edu or fax your request to 507-285-7104.

A **mandatory** informational meeting and walk through for all interested bidders is on Tuesday, January 23, 2018 from 1:00-4:00 P.M. in room CC408.

Proposals are due back by **Monday February 12, 2018; 4:00 P.M. CT** and are to be addressed to June Meitzner, Rochester Community and Technical College 851 30th Ave SE Rochester, MN 55904; Room SS153. Late responses will not be considered. Faxes are not acceptable.

A food service presentation by invitation will be scheduled for Monday, March 12, 2018 in room CC408.

Any questions should be in a form of an RFI and directed to June Meitzner: June.meitzner@rctc.edu.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel this solicitation.

State Contracts

Department of Military Affairs

Facilities Management Office, Camp Ripley, Little Falls, MN

Request for Proposals for Physical Fitness for Duty, Security and Fire and Emergency Personnel, Camp Ripley, Little Falls, MN (Project No. 18121)

The State of Minnesota, Department of Military Affairs, is soliciting proposals from interested, qualified providers for Camp Ripley Security and Fire and Emergency Personnel for Physical Fitness for Duty Initial Medical Evaluations and Annual Reassessments (Project No. 18121). It is the goal that these services ensure personnel are medically cleared for the physical nature of their job classification and requirements.

COPY REQUEST: To request a copy of the Request for Proposals (RFP), please send a written request, by email, to:

Ms. Jill Schultz
Contract Specialist
Facilities Management Office
Camp Ripley
15000 Highway 115
Little Falls, MN 56345-4173
jill.l.schultz5.nfg@mail.mil

RFP responses must be received by the Department of Military Affairs, Attn: Ms. Jill Schultz, Facilities Management Office, Camp Ripley, 15000 Highway 115, Little Falls, Minnesota 56345-4173 no later than **3:00 p.m. Central Time on February 6, 2018**. **Late responses will not be considered. Fax and email responses to this RFP will not be accepted or considered.**

The Department of Military Affairs is not obligated to complete the work contemplated in this notice and reserves the right to cancel the solicitation if it is considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting

P/T Contracting Opportunities: MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Taxpayers' Transportation Accountability Act (TTAA) Notices: MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

MnDOT's Prequalification Program: MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

MnDOT Consultant Services website: *www.dot.state.mn.us/consult*

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please call the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.

