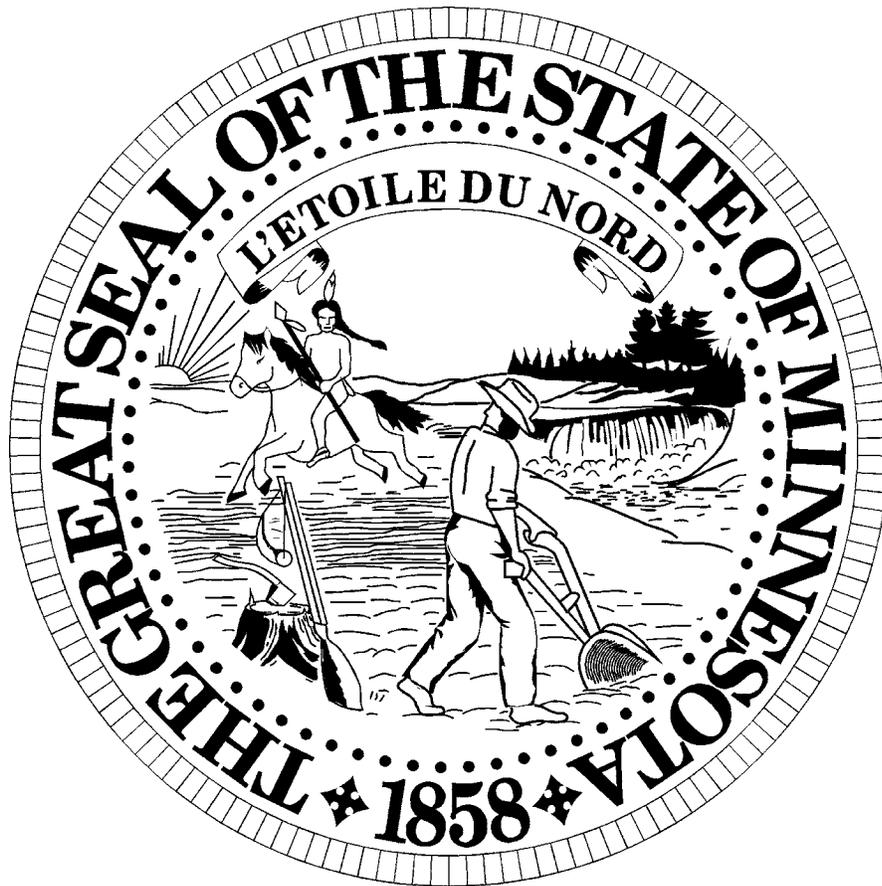


Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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**

Tuesday 26 May 2020

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- **Withdrawn Rules**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

Printing Schedule and Submission Deadlines

Vol. 44 Issue Number	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)
#49	Monday 1 June	Noon Tuesday 26 May	Noon Thursday 21 May
#50	Monday 8 June	Noon Tuesday 2 June	Noon Thursday 28 May
#51	Monday 15 June	Noon Tuesday 9 June	Noon Thursday 4 June
#52	Monday 22 June	Noon Tuesday 16 June	Noon Thursday 11 June

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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 #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. 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.

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A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

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.

Board of School Administrators

Adopted Permanent Rules Relating to Administrative Licensure, including Administrator Preparation and Issuance and Renewal of Licenses; Enforcement of the Code of Ethics for School Administrators; and Modernization and Technical Changes to Administrative Licenses

The rules proposed and published at State Register, Volume 43, Number 52, pages 1425-1455, June 24, 2019 (43 SR 1425); and Volume 44, Number 15, pages 461-462, October 07, 2019 (44 SR 461), are adopted with the following modifications:

3512.0100 DEFINITIONS.

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

Subp. 8. ~~License definitions:~~

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

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

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

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

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

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

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

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

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

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

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

3512.0400 PROGRAM REQUIREMENTS.

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

3512.0505 DIRECTORS OF COMMUNITY EDUCATION.

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

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

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

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

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

Subp. 5. **Situational observation component.** A board-approved licensure program for ~~superintendents, principals, or directors of special~~ community education must require a person to demonstrate mastery of the program knowledge, skills, and dispositions in part 3512.0510 as part of the exit evaluation. The exit evaluation must focus on knowledge,

Adopted Rules

skills, and dispositions in the competencies for school administrators under part 3512.0510 and may include objective examinations, portfolio reviews, and observations.

3512.0510 PROGRAM REQUIREMENTS FOR ALL ADMINISTRATIVE LICENSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) demonstrate an understanding of, and utilize appropriate technology in, problem analysis; and

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

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

Adopted Rules

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

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

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

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

3512.0800 ALTERNATIVE PATHWAY LICENSURE FOR SCHOOL SUPERINTENDENTS.

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

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

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

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

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

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

Subp. 7. **Appeal.** The applicant may appeal the executive director's decision licensing committee's recommendation to the board within 30 days of receiving notice of the decision Office of Administrative Hearings

pursuant to the process in part 3512.1600.

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

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

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

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

3512.1300 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.

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

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

B. the applicant's copy of the license;

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

D. the required processing fee under part 3512.2000.

3512.1600 APPEALS.

Subpart 1. **Licensure denials.** ~~A person denied an administrative license may appeal the denial under Minnesota Statutes, chapter 14, to the board. The board's decision is final. A person whose application for an administrative license is recommended for denial by the licensing committee or whose application is denied by the board without a licensing committee recommendation may appeal under the contested case procedures in Minnesota Statutes, chapter 14. When the licensing committee makes a recommendation to the board to deny a license, the committee must provide the applicant with written notice of its recommendation. If the board denies a license without first receiving a recommendation from the licensing committee, the board must provide the applicant with written notice of its intent to deny the license. The notice of recommendation to deny and the notice of intent to deny the license shall explain the process for appeal and the contested case hearing process. The applicant shall have 30 days from the date of service of the notice to request a contested case hearing. An applicant who fails to request a hearing within 30 days shall be deemed to have waived an appeal and the licensing committee's recommendation or the board's intended decision may be summarily affirmed by the board, in which case the board's decision is final and shall not be subject to further review. If an applicant makes a timely request for a contested case hearing, the board shall schedule a hearing before an administrative law judge at the Office of Administrative Hearings. The administrative law judge shall make a recommendation to the board whether the board should grant or deny the application. After considering the administrative law judge's recommendation, the board shall make the final decision on whether to grant or deny the license application. A person whose license application is denied by the board after completing a contested case hearing may appeal the board's final decision to the court of appeals pursuant to Minnesota Statutes, sections 14.63 to 14.69.~~

Adopted Rules

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

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

3512.2000 REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSES.

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

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

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

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

Subp. 5. **Conduct review.**

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

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B. The conduct review consists of the following questions:

- (1) Have you ever been charged with or convicted of a misdemeanor, gross misdemeanor, or felony level criminal offense?
- (2) Have you ever been referred to a pretrial diversion program after being arrested for a criminal offense?
- (3) Have you ever been acquitted or found not guilty of a criminal offense?
- (4) Are any criminal charges currently pending against you in Minnesota or any other state?
- (5) Have you ever had an education or other occupational license revoked, suspended, or denied in Minnesota or in any other state?
- (6) Have you ever voluntarily surrendered an education or other occupational license?
- (7) Is disciplinary action against your teaching, administrative, or other occupational license currently pending in another state?
- (8) Have you ever resigned from or otherwise left any employment after allegations of misconduct were made against you or when an investigation into those allegations was pending?
- (9) Have you or a school district in which you were employed ever been a party to a civil action, settlement, award, or agreement of any kind that involved an allegation that you engaged in sexual conduct, violence, or financial impropriety?

3512.2050 PROVISIONAL LICENSE.

A. The board may issue a two-year nonrenewable provisional license to an applicant under part 3512.2600 who has not met all Minnesota preparation program requirements: completed a licensure program equivalent in credits and substantially equivalent in content to board-approved programs. To be eligible for a provisional license, the applicant must enroll and make progress in a board-approved program leading to licensure as a superintendent, a principal, or a director of special education, or a kindergarten through grade 12 principal at a regionally accredited college or university during the applicant's two-year provisional status. To qualify for a provisional license, the applicant must:

- ~~(1) have completed an applicable preparation program in another state; or~~
- ~~(2) (1) hold an appropriate a full administrative license: in another state in the applicable administrative licensure area; or~~
- ~~(2) have completed an applicable administrative preparation program in another state and have a combined total of three years of successful education experience in:~~
 - ~~(a) the administrative position for which the license is sought; or~~
 - ~~(b) experiences listed in part 3512.0200, subpart 2.~~

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

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

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3512.2100 INITIAL LICENSE.

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

(2) either:

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

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

3512.2300 CONTINUING LICENSE.

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

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

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

3512.2400 SUSPENSION AND REVOCATION OF LICENSES.

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

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

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

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

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

3512.2500 PROCEDURES FOR APPROVAL OF LICENSURE PROGRAMS.

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

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

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

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

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

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

3512.2600 LICENSURE FOR PERSONS PREPARED IN STATES OTHER THAN MINNESOTA.

Subpart 1. **Criteria.**

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

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

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

(3) the program the applicant completed is essentially equivalent in credits and substantially equivalent in content to approved board-approved programs offered by Minnesota colleges and universities under board rules governing the licensure field, including preparation in the core competencies established in part 3512.0510. ~~A person~~

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~~licensed under this part must achieve educational equivalency with persons licensed in Minnesota by the time the person's initial professional license expires. Educational For superintendents, principals, and directors of special education, credit equivalency includes 30 semester credits beyond a master's degree or 60 semester credits beyond a bachelor's degree, including a master's, specialist, or doctoral degree completion of a specialist or doctoral program consisting of a minimum of 60 semester credits or a program consisting of 60 semester credits beyond a bachelor's degree, including a master's degree. To determine content equivalency, the board may consult with board-approved preparation programs; and~~

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

3512.5300 VARIANCE.

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

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

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

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

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

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

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

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

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

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

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The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the Constitution of the State of Minnesota, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order 20-60: Extending the Relief from Regulations for Motor Carriers and Drivers Operating in Minnesota Declared in Executive Orders 20-24 and 20-44

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken extraordinary steps to prevent and respond to the COVID-19 pandemic. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. After notifying the Legislature, on April 13, 2020 and again on May 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

In response to the COVID-19 pandemic, the Federal Motor Carrier Safety Administration (“FMCSA”) issued a national emergency declaration on March 13, 2020, providing relief from certain safety regulations to carriers providing direct assistance to support emergency relief efforts. Due to the continued emergency conditions, FMCSA has twice extended the expiration date of the initial declaration. Based on the language of the declaration and FMCSA guidance, livestock is a commodity covered under the category of “precursor raw materials” that are required and used for the manufacture of food needed for the emergency restocking of stores.

The agricultural industry and community in Minnesota and neighboring states are facing a significant decrease in the employee workforce, including commercial truck drivers and employees of farms and processing plants, due to impacts related to COVID-19. Based on data collected over the past six weeks by the Centers for Disease Control and Prevention and the Minnesota Department of Agriculture, there were nearly 5,000 workers from meat and poultry processing facilities across the United States and approximately 1,000 employees from eight different plants in Minnesota who were sick due to COVID-19. Without healthy workers, plants have had to close or reduce operations, requiring farmers to travel farther distances to transport livestock to meat processing plants in other states that are still operating. This has also prompted the need for farmers to depopulate some of their animals and transport the carcasses between farms and rendering facilities.

On March 27, 2020, I issued Executive Order 20-24, which provided relief from certain weight restrictions and the hours of service requirements for drivers and vehicles transporting livestock. On April 24, 2020, I issued Executive Order 20-44, extending the relief provided in 20-24 for another 30 days and expanded it to include the transportation of animal carcasses. The need for the relief identified in Executive Orders 20-24 and 20-44 still exists and must be extended.

Minnesota Statutes 2019, sections 169.86 and 169.865, provide weight limitations, as well as permit and permit fee requirements for vehicles operating on Minnesota roadways and transporting overweight loads of certain commodities. Minnesota Statutes 2019, section 221.0314, subdivision 9, adopts federal regulations, including hours of service requirements for drivers. Minnesota Statutes 2019, section 221.0269, provides: “The governor may declare an emergency and grant relief from any of the regulations incorporated in section 221.0314 to carriers and drivers

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operating motor vehicles in Minnesota to provide emergency relief during the emergency.”

Minnesota’s livestock markets have been and will continue to be impacted by COVID-19. Further spread of the virus, especially in rural communities, threatens the health and availability of workers who companies rely on to process, inspect, and transport meat. Strict enforcement of certain hours of service and weight restriction regulations would prevent or hinder the efficient transportation of livestock and animal carcasses. The continued and efficient movement of livestock and animal carcasses is vital to the health and safety of Minnesotans.

For these reasons, I order as follows:

1. A state of emergency exists in Minnesota that requires assistance from motor carriers to transport livestock or animal carcasses. Vehicles and drivers providing direct assistance for these emergency relief efforts are exempted from certain regulations as described in this Executive Order.
2. The weight-related regulatory provisions of Minnesota Statutes 2019, sections 169.86 and 169.865, are temporarily suspended, to the extent that those provisions require a special permit or restrict the overweight movement of livestock or animal carcasses transported in support of direct assistance to these emergency relief efforts.
3. Suspension of these weight-related provisions, without the need for a permit, applies to loads transported on state and local roads within Minnesota. Vehicles operating under this Executive Order may not exceed the maximum axle weight limits established under Minnesota Statutes 2019, section 169.824, by more than twelve and one-half percent (12.5%), the maximum axle weight limit of 20,000 pounds, or 90,000 pounds gross weight. Additionally, vehicles operating under this Executive Order must comply with posted limits on bridges.
4. Vehicles operating with a gross vehicle weight in excess of 80,000 pounds and providing direct assistance to the emergency relief efforts described in this Executive Order by transporting livestock may apply for a permit issued by the Minnesota Department of Transportation authorizing the vehicle to operate on the Interstate Highway System. The permit described in this paragraph does not apply to the transportation of animal carcasses.
5. Pursuant to Minnesota Statutes 2019, section 221.0269, subdivision 1, conditions exist in Minnesota that require relief from regulations incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles providing direct assistance to the emergency relief efforts described in this Executive Order.
6. Motor carriers and drivers providing direct assistance to emergency relief efforts in response to COVID-19 by transporting livestock or animal carcasses are exempted from the Code of Federal Regulations, title 49, part 395.3, which is incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service.
7. This Executive Order does not relieve motor carriers and drivers providing direct assistance to emergency relief efforts from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial driver’s licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.
8. No motor carrier operating under the terms of this Executive Order shall require or allow a fatigued or ill driver to operate a commercial motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be relieved of all duty and responsibilities and given at least 10 consecutive hours off duty before the driver is required to return to service.

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9. Upon the expiration of this Executive Order or termination of direct assistance to emergency relief efforts, the driver must receive a minimum of 10 hours off duty.

This Executive Order is effective immediately under Minnesota Statutes 2019, section 4.035, subdivision 2, and remains in effect for 30 days, or until the direct assistance has ended, whichever occurs first. For purposes of this Executive Order, direct assistance does not include transportation of mixed loads that include freight that is not being transported in support of emergency relief efforts. Additionally, direct assistance to an emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort, or when the carrier dispatches that driver or vehicle to another location to begin operations in regular commerce.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on May 21, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Office of the Governor

Emergency Executive Order 20-61: Extending the Relief from Regulations for Motor Carriers and Drivers Operating in Minnesota Declared in Executive Order 20-45

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken extraordinary steps to prevent and respond to the COVID-19 pandemic. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. After notifying the Legislature, on April 13, 2020 and again on May 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

Minnesota, which ranks fifth nationally in agricultural production, is home to over 3,000 pig farms and nearly 4,000 poultry farms. This vital industry is experiencing instability and challenges due to the COVID-19 pandemic. As restaurants and schools remain closed or operating in a limited capacity, there has been a reduced demand for certain agricultural products, including pork and poultry, which has resulted in a significant shift from processing meat for a commercial market to a retail market.

The COVID-19 pandemic has caused a breakdown in the meat supply chain and caused significant disruptions in market continuity. With recent plant closures in Minnesota, in addition to nearby states, including South Dakota, Iowa, Wisconsin, Illinois, and Missouri, farmers are facing an animal welfare crisis due to overcrowding. Extraordinary measures have been taken to help those farmers and animal producers that are unable to move their animals to market. The Animal and Plant Health Inspection Services within the U.S. Department of Agriculture has established a National Incident Coordination Center, and the Minnesota Department of Agriculture and the Minnesota Board of Animal Health have established an Incident Management team. These entities are providing direct support to impacted farmers and producers by helping to find alternative slaughter sites or provide options and resources for depopulation.

The suspension of operations at meat processing facilities has resulted in a reduction of the normal processing

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capacity leaving farmers with nowhere to bring their animals and creating a regional and nationwide processing backlog. Even as plants begin to reopen, the facilities are expected to operate below maximum capacity for the foreseeable future to maintain worker safety. As a result, producers will need to continue to depopulate and compost animals, a process that requires large amounts of carbon-rich materials, such as wood, biomass, and other forage.

On April 24, 2020, I issued Executive Order 20-45, granting relief from certain weight restrictions and the hours of service requirements for drivers and vehicles transporting wood products, including biomass and forage, used exclusively for the composting process of animals that have been depopulated due to impacts of COVID-19, ending on May 24, 2020. The need for the relief identified in Executive Order 20-45 still exists and must be extended.

Minnesota Statutes 2019, sections 169.824, 169.8261, and 169.86, provide weight limitations, as well as permit and permit fee requirements for vehicles operating on Minnesota roadways and transporting overweight loads of certain commodities. Minnesota Statutes 2019, section 221.0314, subdivision 9, adopts federal safety regulations, including hours of service requirements for drivers. Minnesota Statute 2019, section 221.0269, provides: “The governor may declare an emergency and grant relief from any of the regulations incorporated in section 221.0314 to carriers and drivers operating motor vehicles in Minnesota to provide emergency relief during the emergency.”

Relief is needed to help protect the livelihood of our State’s farmers as they work to continue fulfilling the critical role of feeding Minnesotans. The unfortunate need to depopulate large numbers of animals on farms presents a risk to public health and safety, and prompt transportation of composting materials is crucial. This Executive Order is consistent with the extraordinary steps that have already been taken to support emergency response efforts and provide assistance to those impacted by the pandemic. Strict enforcement of certain hours of service and weight restriction regulations would prevent or hinder efforts to provide necessary and time-sensitive assistance to our State.

For these reasons, I order as follows:

1. A state of emergency exists in Minnesota that requires assistance from motor carriers to transport wood products, including biomass and forage, used exclusively for the composting process of animals that have been depopulated due to impacts of COVID-19. Vehicles and drivers providing direct assistance for these emergency relief efforts are exempted from certain regulations as described in this Executive Order.
2. The weight-related regulatory provisions of Minnesota Statutes 2019, sections 169.8261 and 169.86, are temporarily suspended, to the extent that those provisions require a special permit or restrict the overweight movement of wood products, including biomass and forage, used exclusively for the composting process of animals that have been depopulated due to impacts of COVID-19.
3. Suspension of these weight-related provisions, without the need for a permit, applies to loads transported on state and local roads within Minnesota. Vehicles operating under this Executive Order may not exceed the maximum axle weight limits established under Minnesota Statutes 2019, section 169.824, by more than twelve and one-half percent (12.5%), the maximum axle weight limit of 20,000 pounds, or 90,000 pounds gross weight. Additionally, vehicles operating under this Executive Order must comply with posted limits on bridges.
4. The gross weight tolerances provided in Minnesota Statutes 2019, section 168.013, subdivision 3, paragraph (b), do not apply to loads transported under this Executive Order.
5. Pursuant to Minnesota Statutes 2019, section 221.0269, subdivision 1, conditions exist in Minnesota that require relief from regulations incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles providing direct assistance to the emergency relief efforts described in this Executive Order.
6. Motor carriers and drivers providing direct assistance to emergency relief efforts by transporting wood products, including biomass and forage, used exclusively for the composting process of animals that have been depopulated due to impacts of COVID-19, are exempted from paragraphs (b) and (c) under the Code of Federal Regulations, title 49, part 395.3, which are incorporated in Minnesota Statutes 2019, section 221.0314,

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subdivision 9, pertaining to hours of service.

7. Nothing in this Executive Order may be construed to relieve motor carriers and drivers providing direct assistance to emergency relief efforts by transporting wood products, including biomass and forage, used exclusively for the composting process of animals that have been depopulated due to impacts of COVID-19, from the requirements under paragraph (a) of the Code of Federal Regulations, title 49, part 395.3, which states, in part, a driver may drive only 11 hours during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty.
8. This Executive Order does not relieve motor carriers and drivers providing direct assistance to emergency relief efforts from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial driver's licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.
9. No motor carrier operating under the terms of this Executive Order may require or allow a fatigued or ill driver to operate a commercial motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be relieved of all duty and responsibilities and given at least 10 consecutive hours off duty before the driver is required to return to service.
10. Upon the expiration date of this Executive Order, or when a driver or carrier has been relieved of all duty and responsibility to provide direct assistance to the emergency relief efforts, a driver is required to comply with paragraphs (b) and (c) under the Code of Federal Regulations, title 49, part 395.3, by taking 34 consecutive hours off duty before the driver is required to return to service.
11. Nothing in this Executive Order shall be construed to provide relief from any applicable state laws or federal regulations pertaining to the transport or disposal of animals or animal carcasses.

This Executive Order is effective immediately under Minnesota Statutes 2019, section 4.035, subdivision 2, and remains in effect for 30 days, or until the direct assistance has ended, whichever occurs first. For purposes of this Executive Order, direct assistance does not include routine commercial deliveries, or transportation of mixed loads that include freight that is not being transported in support of emergency relief efforts. Additionally, direct assistance to an emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort, or when the carrier dispatches that driver or vehicle to another location to begin operations in regular commerce.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on May 21, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

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.

Emergency Medical Services Regulatory Board (EMSRB) Notice of Completed Application for Madelia Community Ambulance

PLEASE TAKE NOTICE that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from Madelia Community Ambulance, Madelia, Minnesota, for a new license to provide Part-Time Advanced Life Support (ALS).

NOTICE IS HEREBY GIVEN that, pursuant to Minn. Stat 144E.11, subd. 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB within 30 days or by **June 25, 2020, 4:30 p.m.**

Written recommendations or comments opposing the application should be sent to: Tony Spector, Executive Director, EMSRB, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222. If no more than five comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to Minn. Stat. 144E.11, subd 4(a). If more than five comments in opposition to the application are received during the comment period, or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to Minn. Stat. 144E.11, subd. 5(a)(b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing, one will be scheduled and notice of the hearing given pursuant to Minn. Stat. 144E.11, subd. 5(c)-(e).

Date: 05/19/2020

Tony Spector, Executive Director

Department of Human Services Health Care Administration Request for Comments on the Prepaid Medical Assistance Project Plus Section 1115 Medicaid Waiver Extension Request

DHS is announcing a 30-day comment period on the proposed extension of the Prepaid Medical Assistance Project Plus (PMAP+) Section 1115 Medicaid waiver.

The PMAP+ waiver provides federal authority to:

- Cover children under Medical Assistance who are 12 to 23 months old with income eligibility above 275 percent and at or below 283 percent of the federal poverty level (FPL)
- Waive the federal requirement to redetermine the basis of Medical Assistance eligibility for caretaker adults with incomes at or below 133 percent of the FPL who live with children age 18 who are not full-time secondary school students;

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- Provide Medical Assistance benefits to pregnant women during the period of presumptive eligibility; and
- Fund graduate medical education through the Medical Education Research Costs (MERC) trust fund.

The current waiver ends December 31, 2020.

DHS invites public comment on the PMAP+ waiver extension request. Comments received will be posted on the DHS website. A copy of the waiver renewal request can be found at http://www.dhs.state.mn.us/dhs16_171635

Written comments may be submitted to the following email mailbox: Section1115WaiverComments@state.mn.us. DHS would like to provide copies of comments received in a format that is accessible for people with disabilities. Therefore, we request that comments be submitted in Microsoft Word format or incorporated within the email text. If you would also like to provide a signed copy of the comment letter, you may submit a second copy in Adobe PDF format. Comments must be received by June 25, 2020.

In addition to the opportunity to submit written comments during the 30-day public comment period, two teleconferences will be held to provide stakeholders and other interested persons the opportunity to comment on the waiver request. The dates and times of the two conferences are provided below.

Teleconference #1

Date: Monday, June 1, 2020

Time: 9:00 a.m.

Teleconference #2

Date: Wednesday, June 3, 2020

Time: 4:00 p.m.

If you would like to attend a teleconference please send an email request to Section1115WaiverComments@state.mn.us to obtain the call-in information. If you plan to testify during the conference, please send an email to Section1115WaiverComments@state.mn.us indicating that you will testify.

Ramsey County Public Notice

NOTICE IS GIVEN, to all persons and men worldwide that I, Kevin John Grell, grantee of special term adult name Order 9-18-2017 Ramsey County Court Case #62cv174372, pursuant to “AN ACT for the admission of the State of Minnesota into the Union”, (Thirty Fifth Congress of the United States of America: At the First Session, on the seventh day of December, one thousand eight hundred and fifty seven), hereby, acknowledge and accept said “ACT” and give notice of entry into the Union State of Minnesota and exit from the Territory. That I, Kevin John Grell, do now enter as heir to the Posterity of Minnesota the Union State and take possession to KEVIN JOHN GRELL 1963MN0090060 dated 6-18-1963.

Teachers Retirement Association Audit Committee Notice of Meeting

The Minnesota Teachers Retirement Association Audit Committee will hold a meeting on **Tuesday, June 16, 2020 at 9:30 a.m.** in Room 414, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the committee. Committee members may participate in the meeting by electronic means.

If Governor Walz’s social distancing requirements remain in place on the meeting day, the meeting will be held by electronic means. The public may monitor the meeting electronically from a remote site as set out on the agency’s website, which can be found at www.minnesotatra.org.

Official Notices

Teachers Retirement Association

Board of Trustees

Notice of Meeting

The Minnesota Teachers Retirement Association Board of Trustees will hold a meeting on **Wednesday, June 17, 2020 at 9:30 a.m.** in Room 106, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board. Board members may participate in the meeting by electronic means.

If Governor Walz's social distancing requirements remain in place on the meeting day, the meeting will be held by electronic means. The public may monitor the meeting electronically from a remote site as set out on the agency's website, which can be found at www.minnesotatira.org.

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 Human Services

Child Safety and Permanency Division

Notice of Request for Proposals for Kinship Navigator Services

The Minnesota Department of Human Services (DHS) is requesting proposals, from qualified responders, to provide services to formal and informal kinship caregivers statewide

DHS is seeking proposals for the grant period June 11th, 2020 through September 30th, 2020

For more information, or to obtain a copy of the Request for Proposals, contact:

Nichole Lange
Department of Human Services
Child Safety and Permanency Division
P.O. Box 64943
444 Lafayette Road North, St. Paul, MN 55155 0943
Phone: (651)-431-4386, Fax: (651)
Nichole.Lange@state.mn.us

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

To obtain this information in a different format, please call 651-431-3612.

Proposals submitted in response to this Request for Proposals must be received at the email address above no later than **4:00 p.m., Central Time, June 5th, 2020. Late proposals will not be considered.** Mailed proposals will not be considered.

State Grants & Loans

The RFP can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

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.

Department of Human Services

Disability Services Division

Addendum to Request for Proposals for a Qualified Grantee to Receive Day Training & Management Assistance

The Minnesota Department of Human Services through its Disability Services Division has published an Addendum to its **Request for Proposals for a Qualified Grantee to Receive Day Training & Management Assistance** that was published in the April 27th, 2020 State Register. In the Addendum, the Disability Services Division is extending the deadline for submitting questions on the RFP (now May 29, 2020 at 4:00 PM CT); is extending the deadline for the submission of the RFP (now June 5, 2020 at 4:00 PM CT); and is clarifying the submission guidance to be fully electronic via email to Whitney Terrill (Whitney.N.Terrill@state.mn.us).

To request a full text of the RFP Addendum please contact:

Whitney Terrill
Department of Human Services
Disability Services Division
Phone: (651) 431-2411
Whitney.N.Terrill@state.mn.us

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

To obtain this information in a different format, please call 651-431-3612.

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

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.

Department of Human Services

Disability Services Division

Addendum to Request for Proposals for a Qualified Grantee to Receive Home and Community-Based Disability Waiver Services Provider Technical & Financial Management Assistance

The Minnesota Department of Human Services through its Disability Services Division has published an Addendum to its **Request for Proposals for a Qualified Grantee to Receive Home and Community-Based Disability Waiver Services Provider Technical & Financial Management Assistance** that was published in the Monday, April 13, 2020 State Register. In the Addendum, the Disability Services Division is extending the deadline for submitting questions on the RFP (now May 29, 2020 at 4:00 PM CT); is extending the deadline for the submission of the RFP (now June 5, 2020 at 4:00 PM CT); and is clarifying the submission guidance to be fully electronic via email to Whitney Terrill (Whitney.N.Terrill@state.mn.us).

State Grants & Loans

To request a full text of the RFP Addendum please contact: Whitney Terrill

Department of Human Services
Disability Services Division
Phone: (651) 431-2411
Whitney.N.Terrill@state.mn.us

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

To obtain this information in a different format, please call 651-431-3612.

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

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.

Department of Human Services

Economic Assistance and Employment Supports Division

Notice of Request for Proposals to for Qualified Grantees to Provide Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)

The Minnesota Department of Human Services (DHS) is requesting proposals for Qualified Grantees to Provide Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)

DHS is seeking proposals for the grant period October 1, 2020 through September 30, 2021.

For more information, or to obtain a copy of the Request for Proposals, contact:

Ashley Snyder
Phone: (651) 431-3850
Ashley.snyder@state.mn.us

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

To obtain this information in a different format, please call 651-431-3612.

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, Tuesday, June 30th, 2020. Late proposals will not be considered.**

The RFP can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

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.

Department of Public Safety (DPS)

Office of Justice Programs

Notice of Application for Funding from the Bureau of Justice Assistance

The Office of Justice Programs is submitting an application to the Bureau of Justice Assistance, Office of Justice Programs, U. S. Department of Justice for the Edward Byrne Memorial Justice Assistance Grant Program (JAG). JAG funded projects may address crime through provision of direct services and by improving the effectiveness and efficiency of the criminal and juvenile justice systems, processes and procedures.

Those wishing to comment on the application may contact Tricia Hummel at the Department of Public Safety, telephone number (651) 201-7320 or e-mail: Tricia.Hummel@state.mn.us.

The application can be found on our *website*.

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.

Minnesota State Colleges and Universities (Minnesota State)

Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). 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.

If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

State Contracts

Minnesota State Colleges and Universities (Minnesota State)

Lake Superior College

Request for Proposal for On-campus Child Care Services

NOTICE IS HEREBY GIVEN that proposals are being solicited for child care services to be housed on-campus at Lake Superior College. It is desired that these services be available to the campus as well as the community at large.

For additional information or to request a copy of the Request for Proposal, please contact:

Mike Francisco, Purchasing
Lake Superior College
2101 Trinity Road, Duluth MN 55811
P: 218-733-5968 E: purchasing@lsc.edu

A copy of the RFP can also be found at <https://www.lsc.edu/rfp/>. Proposals are due at the Lake Superior College Business Office by 4:00pm CT on Monday, June 22, 2020.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

Minnesota State Colleges and Universities (Minnesota State)

Winona State University

Request for Proposal (RFP) for Chartered Bus Service for Athletic Trips

Notice is hereby given that Winona State University is seeking proposals for CHARTERED BUS SERVICE FOR ATHLETIC TRIPS. Proposal specifications are available by contacting Laura Mann, Purchasing Director, PO Box 5838, 106 Somsen Hall, Winona, MN 55987 or via email to lmann@winona.edu. Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Winona, MN 55987 or Business Office, Somsen Hall 106, by Thursday, June 11, 2020, 3:00 p.m. CT. Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Minnesota Sports Facilities Authority (MSFA)

Request for Proposals for Snow Gutter Repair - U.S. Bank Stadium

1. **Proposals** - Submit proposals for Snow Gutter Repair - U.S. Bank Stadium, Minneapolis, Minnesota, to Curtis Schmillen, ASM Global-U.S. Bank Stadium office on or before 5:00pm on June 16, 2020. The Request for Proposals can be found on the MSFA website at: *Snow Gutter Repair*

2. **Work Includes** – Due to a large snow fall, portions of the interior snow gutter walls and some utilities were damaged. The items in need of repair include dented/bent/torn metal panels, broken fasteners, cracked concrete, broken electrical conduit and security camera housings, damaged ladders/platforms, and broken drain piping and grates. It is expected the contractor will engage an architect and/or engineering firm as a subconsultant to review and accept the design, repair procedures, and material selection.

3. **Affirmative Action** - All proposers, applicants, prime contractors and prospective subcontractors will be subject to a pre-award compliance review to ensure the employment of minorities, women and disabled person.

The Minnesota Sports Facilities Authority and ASM Global reserve the right to reject any and all proposals and to waive any informalities in any proposals received without explanation.

– Minnesota Sports Facilities Authority

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.

Non-State Public Bids, Contracts & Grants

The State Register also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2020 Unstaffed Exit Lanes

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2020 Unstaffed Exit Lanes
MAC Contract No: 106-2-945
Bids Close At: 2:00 p.m. on Thursday, June 18, 2020

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work consists of limited building demolition, metal framed partition systems, hollow metal doors and frames, door hardware, overhead coiling door, temporary construction partitions, interior finishes, security systems, heating, ventilation, and electrical work for remodeling an area adjacent to the Skyway Checkpoint at the Terminal 1 complex, to facilitate installation of exit breach control devices.

Non-State Public Bids, Contracts & Grants

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to *MAC e-news subscription service* and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 8%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Construction Documents: Plans and specifications are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications may secure a complete digital set at <http://www.franzrepro.com>. Click on the "Plan Rooms" tab and select the "Franz Public Plan Room". Bidders may download the complete set of digital bidding documents for \$ 50.00 by entering **106-2-945-00** in the "search projects" box then click "refresh/search" button. Contact Franz at 763-503-3401 or support@franzrepro.com for assistance. Hard copy drawings and specifications are available for purchase at Bidders expense.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on May 26, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

Continue to follow safe practices:

- 1 Wash your hands
- 2 Get tested when sick
- 3 Stay 6 feet from others
- 4 Wear a mask
- 5 Stay home when able

STAY SAFE MN

