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Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules; Executive Orders; Appointments; Commissioners’ Orders; Revenue Notices; Official Notices; State Grants & Loans; State Contracts; Non-State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 2 May 2022
Volume 46, Number 44
Pages 1229 - 1298
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- Withdrawn Rules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
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THE MINNESOTA STATE REGISTER IS PUBLISHED by the Communications Division, Department of Administration, State of Minnesota, pursuant to Minnesota Statutes § 14.46 and is available on-line at: https://mn.gov/admin/bookstore/register.jsp

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U.S. Government Printing Office – Fax: (202) 512-1262
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Testing remains important.
For Everyone. Vaccinated + Unvaccinated.

STAY SAFE MN

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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 the editor at 651-201-3204 or email at sean.plemmons@state.mn.us.

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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 (PELSB)
Proposed Permanent Rules Relating to Licensing and Academic Standards; Notice of Hearing

Proposed Amendments to Rules Governing Teacher Licensure and Permissions; the Standards of Effective Practice; and Teachers of Health, Physical Education, Developmental Adapted Physical Education, Parent and Family Education, Adult Basic Education, and American Indian Language, History, and Culture; Minnesota Rules, Chapter 8710; Proposed Repeal of Minnesota Rules, parts 8710.0400 and 8710.0550; Revisor’s ID Number 4615; OAH Docket Number 5-9021-36362

Public Hearing. The Professional Educator Licensing and Standards Board (PELSB) 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 virtual public hearing on the proposed rule changes starting at 9:00 a.m. on Wednesday, August 24, and continuing until the hearing is completed. The Board will schedule additional days of hearing if necessary.

For a video and audio connection, join the hearing though an internet connection, such as with a computer or tablet:
Proposed Rules

Enter https://tinyurl.com/4615hearing or https://minnesota.webex.com
Meeting number: 2487 718 8093
Password: PELSB

For audio connection only, join the hearing by phone:
Call: 1-855-282-6330 (US Toll Free)
Access code: 2487188093#73572#


PELSB is also proposing to repeal Minnesota Rules, parts 8710.0310, subpart 3; 8710.0400; 8710.0550; 8710.3100, subparts 4 and 5; 8710.3310, subpart 4; 8710.3320, subpart 4; 8710.3330, subpart 4; 8710.3340, subpart 4; 8710.3350, subpart 4; 8710.3360, subpart 4; 8710.4000, subpart 4; 8710.4100, subparts 4 and 5; 8710.4500, subpart 4; 8710.4525, subpart 4; 8710.4700, subpart 4; 8710.4725, subpart 4; 8710.4770, subpart 3; 8710.4925, subpart 4; 8710.5300, subparts 4 and 5; 8710.5900, subpart 4; 8710.8010, subpart 4; 8710.8020, subpart 4; 8710.8030, subpart 4; 8710.8040, subpart 4; 8710.8050, subpart 5; 8710.8060, subpart 4; 8710.8070, subpart 4; and 8710.8080, subpart 4.

The statutory authority to adopt the rules is Minnesota Statutes, sections 122A.09, subdivision 9, 122A.092, subdivisions 1 and 3, and 122A.18, subdivision 10. A copy of the proposed rule changes is published in the State Register, attached to this notice, and available at the Board’s website at https://mn.gov/pelsb/board/rulemaking/licensing-academic-standards/.

Agency Contact Person. The agency contact person is: Michelle Hersh Vaught, Rulemaking Specialist at the Minnesota Professional Educator Licensing and Standards Board, 1021 Bandana Blvd. E., Suite 222, Saint Paul, MN, 55108-5111, phone: (651) 539-4187, fax: (651) 642-0708, or email: PELSB.rules@state.mn.us.

Prehearing Public Comment. You will have until 4:30 p.m. on Monday, June 6, 2022, to submit prehearing written comment in support or in opposition to the proposed rules or any part or subpart of the proposed rules. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period. Your comment must be in writing and received by the agency contact person by the due date.

Public Hearing Participation and Hearing Procedures. Administrative Law Judge James R. Mortenson will conduct the hearing on Wednesday, August 24, 2022. Judge Mortenson’s Legal Assistant Michelle Severson can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55166-0620, telephone (651) 361-7874 or michelle.severson@state.mn.us or via facsimile at (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.

You and all interested or affected persons, including representatives of associations, legal entities, and other interested groups, may participate at the hearing. The Administrative Law Judge will accept your views either orally at the hearing or in writing at any time before the hearing record closes. Submit written comments to the Administrative Law Judge via the Office of Administrative Hearings Rulemaking eComments website at https://minnesotaoah.granicusideas.com/discussions. If it is not possible for you to use the eComments website, you may submit your written comments in person, by U.S. mail, or by fax to the judge using the contact information for the Administrative Law Judge contained in the paragraph above. Any comments or materials that you present or submit must 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
Proposed Rules

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 Board 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.

**Modifications.** The Board 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 Board follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the board 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 Board adopts the rules and files them with the Secretary of State, or ask to register with the Board 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.

**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 and on the board’s website at [https://mn.gov/pelsb/board/rulemaking/licensing-academic-standards/](https://mn.gov/pelsb/board/rulemaking/licensing-academic-standards/). You may review or obtain copies for the cost of reproduction by contacting the agency contact person.

**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.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign 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:** May 2, 2022

**Signed:** Alex Liuzzi, Executive Director

**8710.0200 FEES.**

Each application for the issuance or renewal of a license to teach shall be accompanied by a processing fee in compliance with the fee authorized by the legislature. The fees shall be paid to the commissioner of education board, who shall deposit them with the commissioner of management and budget, and report each month to the commissioner of management and budget the amount of fees collected.

The fee shall 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.
Proposed Rules

8710.0310 DEFINITIONS AND GENERAL RULES FOR TEACHING LICENSES.

Subpart 1. Definitions.

[For text of items A to C, see Minnesota Rules]

D. “Cultural competency training” means a training program that promotes self-reflection and discussion including but not limited to all of the following topics: racial, cultural, and socioeconomic groups; American Indian and Alaskan native students; religion; systemic racism; gender identity, including transgender students; sexual orientation; language diversity; and individuals with disabilities and mental health concerns. Training programs must be designed to deepen teachers’ understanding of their own frames of reference, the potential bias in these frames, and their impact on expectations for and relationships with students, students’ families, and the school communities, consistent with part 8710.2000, subpart 4, and Minnesota Statutes, section 120B.30, subdivision 1, paragraph (q).

E. “Day” means a calendar day, unless otherwise noted.

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

G. “Field-specific methods” means differentiated instructional strategies targeting content and pedagogy for a singular licensure area to enable student learning.

H. “Good cause” means:

(1) the applicant is unable to meet the requirements of a higher licensure tier due to a lack of a board-approved teacher preparation program in the licensure area;

(2) the position assignment is a full-time equivalency of 0.25 or less; or

(3) the applicant is enrolled in and making meaningful progress, as defined by the provider, in a teacher preparation program aligned to the assignment; or

(4) the applicant demonstrates to the board barriers to reaching a higher licensure tier. Barriers may include but are not limited to financial burdens to obtaining a higher tiered license, inability to pass licensure exams, or lack of geographic proximity to teacher preparation.

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

[For text of items I to M, see Minnesota Rules]

N. “Substitute teacher” means an individual who replaces a teacher of record during an approved leave of absence or fills an unfilled vacancy pursuant to part 8710.0327.

O. “Teacher of record” means an individual who is responsible for the planning, instruction, and assessment of students in a classroom and, when applicable, authorized to grant students credit for meeting standards attributed to the content taught, or is part of a co-teaching assignment and has shared responsibility for planning, instruction, and assessment of students in a classroom. Serving in one of the following assignments or roles does not meet the definition of teacher of record: paraprofessional, short-term substitute, teacher aide, teacher in a home-school setting, or as an instructor of post-secondary students outside the E-12 setting.

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

Q. “Teaching license” or “teacher license” means a license that permits an individual to be a teacher of record.
Proposed Rules

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.

For text of items A and B, see Minnesota Rules

C. A license becomes valid on the date issued by the board and expires on June 30 of the expiration year. A Tier 1 or Tier 2 license, out-of-field permission, or innovative program cross-curricular delivery permission can be used until September 1 after the date of expiration if the placement is in a summer school program at the district aligned to the license or is part of a year-round school at the district aligned to the licensure area.

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 or substitute license for the first time. Upon renewal of a teaching license or substitute license, the board must perform a new background check on the license holder that includes a review for national arrests, charges, and convictions if a background check has not been completed on the license holder within the last five years.

For text of item E, see Minnesota Rules

F. At the time of application and renewal, each applicant must provide the board with a current street address, telephone number, and e-mail address.

G. Each applicant and licensed teacher must notify the board in writing of any change in address, telephone number, or e-mail address within 30 days of the change.

Subp. 3. [See repealer.]

For text of subparts 4 to 8, see Minnesota Rules

8710.0311 TIER 1 LICENSE.

For text of subpart 1, see Minnesota 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.

For text of items A to C, see Minnesota Rules

D. A committee of board staff designated by the board must review applications that meet board criteria to fill an emergency position under this subpart. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

1. the district hires a Tier 2, 3, or 4 licensed teacher;
2. the applicant is issued a short-call substitute license;
3. the district submits a completed Tier 1 application that is denied or accepted by the board; or
4. 30 days after issuance.

For text of subpart 3, see Minnesota Rules

Subp. 4. First renewal. To renew a Tier 1 license for the first time, the applicant must initiate the renewal application
Proposed Rules

process, and the hiring district must meet the requirements of this subpart.

[For text of items A to D, see Minnesota Rules]

E. A committee of board staff designated by the board must review applications that meet board criteria to fill an emergency position under this subpart. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.02, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

1. the district hires a Tier 2, 3, or 4 licensed teacher;
2. the applicant is issued a short-call substitute license;
3. the district submits a completed Tier 1 application that is denied or accepted by the board; or
4. 30 days after issuance.

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.

[For text of items A to C, see Minnesota Rules]

D. A committee of board staff designated by the board must review applications that meet board criteria to fill an emergency position under this subpart. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.02, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

1. the district hires a Tier 2, 3, or 4 licensed teacher;
2. the applicant is issued a short-call substitute license;
3. the district submits a completed Tier 1 application that is denied or accepted by the board; or
4. 30 days after issuance.

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.

[For text of items A to D, see Minnesota Rules]

E. A committee of board staff designated by the board must review applications that meet the board criteria to fill an emergency position under this subpart. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.02, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim...
permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

1. the district hires a Tier 2, 3, or 4 licensed teacher;

2. the applicant is issued a short-call substitute license;

3. the district submits a completed Tier 1 application that is denied or accepted by the board; or

4. 30 days after issuance.

[For text of subpart 7, see Minnesota Rules]

8710.0313 TIER 3 LICENSE.

[For text of subpart 1, see Minnesota Rules]

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

[For text of items A and B, see Minnesota Rules]

C. The applicant must show one of the following:

[For text of subitems (1) to (3), see Minnesota Rules]

4. holds or held a 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 in the state where the license is held aligned to the licensure area sought; or

[For text of subitem (5), see Minnesota Rules]

[For text of subparts 3 and 4, see Minnesota Rules]

Subp. 5. Restrictions.

[For text of item A, see Minnesota Rules]

B. Applicants with content training and Upon request and at the time of application or renewal, a teacher who holds a Tier 3 license that is restricted or limited in scope must be granted the full scope of a currently approved Minnesota license when:

1. the teacher has two years of teaching experience in the content area within two grade levels of a currently approved Minnesota licensure scope;

2. the teacher has completed field-specific student teaching within two grade levels of a currently approved Minnesota licensure scope; or

3. the teacher has completed:

   a. field-specific methods in a state-approved teacher preparation program aligned to the scope of the currently approved Minnesota license; and

   b. an evaluated field experience aligned to the scope of the currently approved Minnesota license.

   [For text of item C, see Minnesota Rules]

Subp. 6. Addition to Tier 3 license. When a licensure area is added to a Tier 3 license issued under this part, the expiration date is the date previously established for the Tier 3 license in effect.

Subp. 7. Middle level licenses.
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A. The board must issue a Tier 3 license to teach middle level communication arts and literature, mathematics, social studies, and general science, pursuant to parts 8710.3310 to 8710.3340, to an applicant who:

1. holds a professional license in another state aligned to the license sought and has two years of teaching experience; or

2. has completed a state-approved teacher preparation program aligned to the license sought that includes field-specific student teaching equivalent to field-specific student teaching in board-approved teacher preparation programs. The field-specific student teaching requirement does not apply to an applicant who has two years of teaching experience.

B. The scope of the license shall not exceed grades 5 through 8.

If the applicant holds two or more professional licenses, the board may not issue a stand-alone middle level license.

8710.0314 TIER 4 LICENSE.

[For text of subparts 1 and 2, see Minnesota Rules]

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), or (4), in the licensure area sought. An applicant may add a teachers of science endorsement by meeting the requirements of part 8710.4770. When a licensure area is added to a Tier 4 license issued under this part, the expiration date is the date previously established for the Tier 4 license in effect.

[For text of subparts 4 and 5, see Minnesota Rules]

Subp. 6. Restrictions and expansions.

[For text of item A, see Minnesota Rules]

B. Applicants with content training and Upon request and at the time of application or renewal, a teacher who holds a Tier 4 license that is restricted or limited in scope must be granted the full scope of a currently approved Minnesota license when:

1. the teacher has two years of teaching experience in the content area within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license;

2. the teacher has completed field-specific student teaching within two grade levels of a currently approved Minnesota licensure scope; or

3. the teacher has completed:

   a. field-specific methods in a state-approved teacher preparation program aligned to the scope of the currently approved Minnesota license; and

   b. an evaluated field experience aligned to the scope of the currently approved Minnesota license.

Subp. 7. Moving from Tier 3 to Tier 4 license. An applicant who holds a Tier 3 license and is seeking a Tier 4 license after three years of teaching experience in Minnesota, and who has passed the board-approved skills exam, must meet the renewal clock hour requirements in part 8710.7200, subpart 2, and the professional development requirements in part 8710.7200, subpart 2a.

8710.0320 OUT-OF-FIELD PERMISSION.

Subpart 1. Purpose. An out-of-field permission authorizes a teacher holding a Tier 2, 3, or 4 license, consistent with
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this part, to teach in a field not aligned with an assignment outside of the scope or field of the license held.

Subp. 2. Requirements.

A. 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:

[For text of subitems (1) and (2), see Minnesota Rules]

(3) the applicant holds a bachelor’s degree to receive an out-of-field permission for any license under parts 8710.3000 to 8710.5850 if required by statute or rule to teach the field for which the out-of-field permission is sought;

(4) the applicant approves the request; and

(5) the district will provide professional development and other supports for the applicant in any content area assigned to an out-of-field permission; and

(6) the position was posted for at least 15 days on the board-approved statewide job board. The hiring district does not need to post the position on the board-approved statewide job board when:

(a) the assignment is a full-time equivalency of 0.25 or less; or

(b) the applicant is enrolled in and making meaningful progress, as defined by the provider, in a teacher preparation program aligned to the assignment.

[For text of items B and C, see Minnesota Rules]

D. A committee of board staff designated by the board must review applications that meet board criteria to fill an emergency position under this subpart. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

(1) the district hires a Tier 2, 3, or 4 licensed teacher;

(2) the applicant is issued a short-call substitute license;

(3) the district submits a completed Tier 1 application that is denied or accepted by the board; or

(4) 30 days after issuance.

Subp. 3. Duration. An out-of-field permission is valid for up to one school year and expires on June 30 of the expiration year, unless otherwise indicated under item A or B at the time the permission is granted.

An out-of-field permission can be used until September 1 after the date of expiration if the placement is aligned to the permission and is:

A. in a summer school program at the district; or

B. part of the year-round school.

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

A. the applicant approves the request;

B. the district will provide professional development and other supports for the applicant in any content area assigned to an out-of-field permission;

C. 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. The hiring district does not need to post the position on the board-approved statewide job board when:

1. the assignment is a full-time equivalency of 0.25 or less; or
2. the applicant is enrolled in and making meaningful progress, as defined by the provider, in a teacher preparation program aligned to the assignment; and

C-D. one of the following:

1. the licensed applicant is an internal hire with one or more years of employment within the district;
2. the applicant has additional qualifications that align with the requirements of the position; or
3. one of the following:
   a. no teachers who hold a Tier 2, 3, or 4 license in the assignment applied for the position;
   b. no teachers who hold a Tier 2, 3, or 4 license in the assignment accepted the position; or
   c. for each teacher who holds a Tier 2, 3, or 4 license in the assignment that may have accepted the position, one of the following:
      i. the applicant is not fluent in the language required for the position;
      ii. the applicant was unwilling to abide by or unable to apply the pedagogical model of the district or school;
      iii. the applicant had a disciplinary action with the board or final disciplinary action in a district;
      iv. the applicant was unwilling to abide by culturally responsive teaching principles; or
      v. the applicant had references that indicated an unwillingness or ineligibility to rehire the applicant, including in the applying district.

D. A committee of board staff designated by the board must review applications that meet board criteria to fill an emergency position under this subpart. An emergency position is any position opened due to exigent circumstances, including but not limited to an unexpected resignation, leave of absence, or death of a position holder, in which the position starts within five days of the emergency request; the district has no reasonable alternative to fill the position; the applicant meets the professional qualifications for a Tier 1 license pursuant to Minnesota Statutes, section 122A.181, subdivision 2; and the district has completed a background check pursuant to Minnesota Statutes, section 123B.03, subdivision 1. If all criteria for an emergency position are met, the committee must issue an interim permission within three business days of receipt of the request that expires upon any of the following, whichever occurs first:

1. the district hires a Tier 2, 3, or 4 licensed teacher.
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(2) the applicant is issued a short-call substitute license;

(3) the district submits a completed Tier 1 application that is denied or accepted by the board; or

(4) 30 days after issuance.

[For text of subpart 5, see Minnesota Rules]

Subp. 6. Limitations and exceptions.

[For text of items A to C, see Minnesota Rules]

D. A teacher holding a Tier 2 license may hold an out-of-field permission for no more than 50 percent of the teacher’s total assignments.

8710.0321 INNOVATIVE PROGRAM CROSS-CURRICULAR DELIVERY PERMISSION.

Subpart 1. Purpose. An innovative program cross-curricular delivery permission authorizes a licensed teacher holding a Tier 3 or Tier 4 license, consistent with this part, to teach multiple fields within an established innovative program to a group of students.

Subp. 2. Requirements. The board must issue an innovative program cross-curricular delivery 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 bachelor’s degree and;

B. the applicant holds a Tier 3 or 4 license other than for a related services professional;

C. the applicant will serve as the teacher of record; and

D. the teaching assignment is within an innovative program. Assignments require:

(1) content credit be granted for graduation as required by Minnesota Statutes, section 120B.024; or

(2) the use of state academic standards as required by Minnesota Statutes, sections 120B.02 and 120B.021; and

E. the assignment is within a middle school or high school setting (grades 5 through 12).

Subp. 2a. Limitations.

A. A cross-curricular delivery permission cannot be issued if the applicant holds only a license to serve as a related services professional.

B. A cross-curricular delivery permission cannot be issued for any of the following assignments: special education, elementary education, early childhood education, related services, driver’s education, work-based learning, or English as a second language.

C. A cross-curricular delivery permission cannot be issued for any assignment for which state or federal law requires specific training or licensure requirements.

Subp. 3. Duration. An innovative program cross-curricular delivery permission is valid for up to one school year and expires on June 30 of the expiration year, unless otherwise indicated under item A or B at the time the permission is granted. A cross-curricular delivery permission can be used until September 1 after the date of expiration if the placement
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is aligned to the permission and is:

A. in a summer school program; or

B. part of a year-round program or school.

Subp. 4. Renewal. An innovative program or cross-curricular delivery 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 teacher of record or fill a vacancy 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. The applicant must:

A. 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 verified by a college transcript;

B. hold a credential from outside the United States that is equivalent to a bachelor’s degree, as verified 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

C. for applicants in career and technical education fields and career pathway courses of study, have one of the following:

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

(2) an associate’s degree aligned to the assignment; or

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

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

Subp. 2a. Requirements for a CTE short-call substitute license. The board must issue a short-call substitute license to authorize an individual to substitute teach in career and technical education and career pathway courses of study to an applicant who meets the requirements of subpart 2 or if the applicant has one of the following:

A. five years of relevant work experience aligned to a career and technical education field or career pathway;

B. an associate’s degree aligned to a career and technical education field or career pathway; or

C. a professional certification aligned to a career and technical education field or career pathway from an approved certifying organization.

[For text of subparts 3 and 4, see Minnesota Rules]

8710.0327 SUBSTITUTE TEACHING.

Subpart 1. Term for a short-call substitute. An individual may serve as a short-call substitute for the same teacher of record for no more than 20 consecutive school days.
Subp. 2. **Short-call substitute teaching.** An individual is authorized to replace a teacher of record and serve as a short-call substitute when:

A. the individual holds a valid Tier 1, Tier 2, Tier 3, or Tier 4 license pursuant to this chapter;

B. the individual holds a short-call substitute license pursuant to part 8710.0325; or

C. the individual holds a lifetime substitute license pursuant to part 8710.0326.

Subp. 3. **Limitations.** An individual acting as a short-call substitute is not considered a teacher of record.

Subp. 4. **Filling a vacancy.** When a teacher of record is absent from an assignment for more than 20 consecutive school days or a vacancy remains unfilled for more than 20 consecutive school days, the assignment must be filled with a long-term substitute or a teacher licensed for the assignment.

Subp. 5. **Long-term substitute teaching.** The following individuals are authorized to serve as a long-term substitute:

A. an individual who holds a Tier 1, Tier 2, Tier 3, or Tier 4 license aligned to the assignment;

B. an individual who holds an out-of-field permission aligned to the assignment; or

C. an individual who holds a lifetime substitute license pursuant to part 8710.0326 and held a Tier 3 or Tier 4 license, Minnesota five-year standard license or its equivalent, or a professional license from another state aligned to the assignment.

Subp. 6. **Emergency extensions.** An individual authorized to short-call substitute teach pursuant to subpart 2 may continue replacing the same teacher of record for more than 20 consecutive school days when the individual has submitted a completed application for a license for 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 through other requirements may apply for an initial Tier 3 license by submitting a pedagogy portfolio, content portfolio, and, if applicable, a core skills 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 and, if applicable, a core skills portfolio to the board to demonstrate the applicant has met the standards aligned to the additional licensure areas sought. The licensure via portfolio is a nontraditional pathway to obtaining a teacher license in Minnesota. An applicant may obtain a Tier 3 license or add a licensure field to an existing Tier 3 or Tier 4 license by successfully evidencing the required standards in one or more portfolio and by passing applicable testing.

Subp. 1a. **Eligibility for portfolio process.**

A. To be eligible to initiate the licensure via portfolio process to pursue an initial Tier 3 license, the applicant must have:

   (1) one year of experience as the teacher of record in the licensure area sought and completed a yearlong mentorship program; or

   (2) two years of experience as a teacher of record in the licensure area sought.

B. To be eligible to initiate the licensure via portfolio process to add a licensure field or expand the scope of a license, the applicant must have an existing Tier 3 or Tier 4 license.
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Subp. 2. Portfolio review process.

[D for text of items A to C, see Minnesota Rules]

D. A 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 set 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. 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 applicant for review by the panel of educators after completing one of the following:

(1) a yearlong mentorship program aligned to board adopted criteria; or

(2) two years of experience teaching as the teacher of record in the licensure area sought.

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. If the applicant submits the revised pedagogy portfolio within one year from the date the portfolio is not approved, one member of the panel of educators must recommend review the revised portfolio and recommend it for approval or disapproval by one member of the panel of educators within 60 days of receiving the revised submission. If the applicant resubmits a revised portfolio after one year from the date the portfolio is not approved, the portfolio will be considered a new submission.

[F for text of item F, see Minnesota Rules]

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. If the applicant submits the revised content portfolio within one year from the date the portfolio is not approved, one of the content reviewers must recommend review the revised portfolio and recommend it for approval or disapproval by one of the content reviewers within 60 days of receiving the revised submission. If the applicant resubmits a revised portfolio after one year from the date the portfolio is not approved, the portfolio will be considered a new submission.

[For text of item H, see Minnesota Rules]

[For text of subpart 3, see Minnesota Rules]

Subp. 4. CTE exceptions portfolios. 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. demonstrate competency in the standards of effective practice set forth in part 8710.2000;

B. demonstrate competency in the CTE core skills set forth in part 8710.8000; and

C. demonstrate competency in the applicable licensure standards set forth in parts 8710.8010 to 8710.8080. Competency in the licensure standards can be demonstrated through one of the following criteria:

A. (1) has five years of relevant work experience aligned to the licensure area sought;

B. (2) holds an associate’s degree aligned to the licensure area sought; or

C. (3) holds a professional certification aligned to the licensure area sought from an approved certifying organization; or
Proposed Rules

8710.2000 STANDARDS OF EFFECTIVE PRACTICE FOR TEACHERS.

Subpart 1. Standards. A candidate for teacher licensure shall show verification of completing the standards in subparts 2 to 11 in a teacher preparation program approved under chapter 8705.

Subp. 2. Standard 1, subject matter. A teacher must understand the central concepts, tools of inquiry, and structures of the disciplines taught and be able to create learning experiences that make these aspects of subject matter meaningful for students. The teacher must:

A. understand major concepts, assumptions, debates, processes of inquiry, and ways of knowing that are central to the disciplines taught;

B. understand how students’ conceptual frameworks and misconceptions for an area of knowledge can influence the students’ learning;

C. connect disciplinary knowledge to other subject areas and to everyday life;

D. understand that subject matter knowledge is not a fixed body of facts but is complex and ever developing;

E. use multiple representations and explanations of subject matter concepts to capture key ideas and link them to students’ prior understandings;

F. use varied viewpoints, theories, ways of knowing, and methods of inquiry in teaching subject matter concepts;

G. evaluate teaching resources and curriculum materials for comprehensiveness, accuracy, and usefulness for presenting particular ideas and concepts;

H. engage students in generating knowledge and testing hypotheses according to the methods of inquiry and standards of evidence used in the discipline;

I. develop and use curricula that encourage students to understand, analyze, interpret, and apply ideas from varied perspectives; and

J. design interdisciplinary learning experiences that allow students to integrate knowledge, skills, and methods of inquiry across several subject areas.

Subp. 3. Standard 2, student learning. A teacher must understand how students learn and develop and must provide learning opportunities that support a student’s intellectual, social, and personal development. The teacher must:

A. understand how students internalize knowledge, acquire skills, and develop thinking behaviors, and know how to use instructional strategies that promote student learning;

B. understand that a student’s physical, social, emotional, moral, and cognitive development influence learning and know how to address these factors when making instructional decisions;

C. understand developmental progressions of learners and ranges of individual variation within the physical, social, emotional, moral, and cognitive domains, be able to identify levels of readiness in learning, and understand how development in any one domain may affect performance in others;

D. use a student’s strengths as a basis for growth, and a student’s errors as opportunities for learning;
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E. assess both individual and group performance and design developmentally appropriate instruction that meets the student’s current needs in the cognitive, social, emotional, moral, and physical domains;

F. link new ideas to familiar ideas; make connections to a student’s experiences; provide opportunities for active engagement, manipulation, and testing of ideas and materials; and encourage students to assume responsibility for shaping their learning tasks;

G. use a student’s thinking and experiences as a resource in planning instructional activities by encouraging discussion, listening and responding to group interaction, and eliciting oral, written, and other samples of student thinking; and

H. demonstrate knowledge and understanding of concepts related to technology and student learning.

Subp. 4. Standard 3, diverse learners. A teacher must understand how students differ in their approaches to learning and create instructional opportunities that are adapted to students with diverse backgrounds and exceptionalities. The teacher must:

A. understand and identify differences in approaches to learning and performance, including varied learning styles and performance modes and multiple intelligences; and know how to design instruction that uses a student’s strengths as the basis for continued learning;

B. know about areas of exceptionality in learning, including learning disabilities, perceptual difficulties, and special physical or mental challenges, gifts, and talents;

C. know about the process of second language acquisition and about strategies to support the learning of students whose first language is not English;

D. understand how to recognize and deal with dehumanizing biases, discrimination, prejudices, and institutional and personal racism and sexism;

E. understand how a student’s learning is influenced by individual experiences, talents, and prior learning, as well as language, culture, family, and community values;

F. understand the contributions and lifestyles of the various racial, cultural, and economic groups in our society;

G. understand the cultural content, world view, and concepts that comprise Minnesota-based American Indian tribal government, history, language, and culture;

H. understand cultural and community diversity; and know how to learn about and incorporate a student’s experiences, cultures, and community resources into instruction;

I. understand that all students can and should learn at the highest possible levels and persist in helping all students achieve success;

J. know about community and cultural norms;

K. identify and design instruction appropriate to a student’s stages of development, learning styles, strengths, and needs;

L. use teaching approaches that are sensitive to the varied experiences of students and that address different learning and performance modes;

M. accommodate a student’s learning differences or needs regarding time and circumstances for work, tasks assigned, communication, and response modes;
Proposed Rules

N. identify when and how to access appropriate services or resources to meet exceptional learning needs;

O. use information about students’ families, cultures, and communities as the basis for connecting instruction to students’ experiences;

P. bring multiple perspectives to the discussion of subject matter, including attention to a student’s personal, family, and community experiences and cultural norms;

Q. develop a learning community in which individual differences are respected; and

R. identify and apply technology resources to enable and empower learners with diverse backgrounds, characteristics, and abilities.

Subp. 5. Standard 4, instructional strategies. A teacher must understand and use a variety of instructional strategies to encourage student development of critical thinking, problem solving, and performance skills. The teacher must:

A. understand Minnesota’s graduation standards and how to implement them;

B. understand the cognitive processes associated with various kinds of learning and how these processes can be stimulated;

C. understand principles and techniques, along with advantages and limitations, associated with various instructional strategies;

D. nurture the development of student critical thinking, independent problem solving, and performance capabilities;

E. demonstrate flexibility and reciprocity in the teaching process as necessary for adapting instruction to student responses, ideas, and needs;

F. design teaching strategies and materials to achieve different instructional purposes and to meet student needs including developmental stages, prior knowledge, learning styles, and interests;

G. use multiple teaching and learning strategies to engage students in active learning opportunities that promote the development of critical thinking, problem solving, and performance capabilities and that help students assume responsibility for identifying and using learning resources;

H. monitor and adjust strategies in response to learner feedback;

I. vary the instructional process to address the content and purposes of instruction and the needs of students;

J. develop a variety of clear, accurate presentations and representations of concepts, using alternative explanations to assist students’ understanding and present varied perspectives to encourage critical thinking;

K. use educational technology to broaden student knowledge about technology, to deliver instruction to students at different levels and paces, and to stimulate advanced levels of learning; and

L. develop, implement, and evaluate lesson plans that include methods and strategies to maximize learning that incorporate a wide variety of materials and technology resources.

Subp. 6. Standard 5, learning environment. A teacher must be able to use an understanding of individual and group motivation and behavior to create learning environments that encourage positive social interaction, active engagement in learning, and self-motivation. The teacher must:
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A. understand human motivation and behavior and draw from the foundational sciences of psychology, anthropology, and sociology to develop strategies for organizing and supporting individual and group work;

B. understand how social groups function and influence people, and how people influence groups;

C. know how to create learning environments that contribute to the self-esteem of all persons and to positive interpersonal relations;

D. know how to help people work productively and cooperatively with each other in complex social settings;

E. understand the principles of effective classroom management and use a range of strategies to promote positive relationships, cooperation, and purposeful learning in the classroom;

F. know factors and situations that are likely to promote or diminish intrinsic motivation and how to help students become self-motivated;

G. understand how participation supports commitment;

H. establish a positive climate in the classroom and participate in maintaining a positive climate in the school as a whole;

I. establish peer relationships to promote learning;

J. recognize the relationship of intrinsic motivation to student lifelong growth and learning;

K. use different motivational strategies that are likely to encourage continuous development of individual learner abilities;

L. design and manage learning communities in which students assume responsibility for themselves and one another, participate in decision making, work both collaboratively and independently, and engage in purposeful learning activities;

M. engage students in individual and group learning activities that help them develop the motivation to achieve, by relating lessons to students’ personal interests, allowing students to have choices in their learning, and leading students to ask questions and pursue problems that are meaningful to them and the learning;

N. organize, allocate, and manage the resources of time, space, activities, and attention to provide active engagement of all students in productive tasks;

O. maximize the amount of class time spent in learning by creating expectations and processes for communication and behavior along with a physical setting conducive to classroom goals;

P. develop expectations for student interactions, academic discussions, and individual and group responsibility that create a positive classroom climate of openness, mutual respect, support, inquiry, and learning;

Q. analyze the classroom environment and make decisions and adjustments to enhance social relationships, student motivation and engagement, and productive work; and

R. organize, prepare students for, and monitor independent and group work that allows for full, varied, and effective participation of all individuals.

Subp. 7. Standard 6, communication. A teacher must be able to use knowledge of effective verbal, nonverbal, and media communication techniques to foster active inquiry, collaboration, and supportive interaction in the classroom. The-
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A teacher must:

A. understand communication theory, language development, and the role of language in learning;

B. understand how cultural and gender differences can affect communication in the classroom;

C. understand the importance of nonverbal as well as verbal communication;

D. know effective verbal, nonverbal, and media communication techniques;

E. understand the power of language for fostering self-expression, identity development, and learning;

F. use effective listening techniques;

G. foster sensitive communication by and among all students in the class;

H. use effective communication strategies in conveying ideas and information and in asking questions;

I. support and expand learner expression in speaking, writing, and other media;

J. know how to ask questions and stimulate discussion in different ways for particular purposes, including probing for learner understanding, helping students articulate their ideas and thinking processes, promoting productive risk-taking and problem-solving, facilitating factual recall, encouraging convergent and divergent thinking, stimulating curiosity, and helping students to question; and

K. use a variety of media and educational technology to enrich learning opportunities.

Subp. 8. Standard 7, planning instruction. A teacher must be able to plan and manage instruction based upon knowledge of subject matter, students, the community, and curriculum goals. The teacher must:

A. understand learning theory, subject matter, curriculum development, and student development and know how to use this knowledge in planning instruction to meet curriculum goals;

B. plan instruction using contextual considerations that bridge curriculum and student experiences;

C. plan instructional programs that accommodate individual student learning styles and performance modes;

D. create short-range and long-range plans that are linked to student needs and performance;

E. design lessons and activities that operate at multiple levels to meet the developmental and individual needs of students and to help all progress;

F. implement learning experiences that are appropriate for curriculum goals, relevant to learners, and based on principles of effective instruction including activating student prior knowledge, anticipating preconceptions, encouraging exploration and problem solving, and building new skills on those previously acquired;

G. evaluate plans in relation to short-range and long-range goals, and systematically adjust plans to meet student needs and enhance learning; and

H. plan for the management of technology resources within the context of learning activities and develop strategies to manage student learning in a technology-integrated environment.

Subp. 9. Standard 8, assessment. A teacher must understand and be able to use formal and informal assessment strategies to evaluate and ensure the continuous intellectual, social, and physical development of the student. The teacher...
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must:

A. be able to assess student performance toward achievement of the Minnesota graduation standards under chapter 3501;

B. understand the characteristics, uses, advantages, and limitations of different types of assessments including criterion-referenced and norm-referenced instruments, traditional standardized and performance-based tests, observation systems, and assessments of student work;

C. understand the purpose of and differences between assessment and evaluation;

D. understand measurement theory and assessment-related issues, including validity, reliability, bias, and scoring concerns;

E. select, construct, and use assessment strategies, instruments, and technologies appropriate to the learning outcomes being evaluated and to other diagnostic purposes;

F. use assessment to identify student strengths and promote student growth and to maximize student access to learning opportunities;

G. use varied and appropriate formal and informal assessment techniques including observation, portfolios of student work, teacher-made tests, performance tasks, projects, student self-assessments, peer assessment, and standardized tests;

H. use assessment data and other information about student experiences, learning behaviors, needs, and progress to increase knowledge of students, evaluate student progress and performance, and modify teaching and learning strategies;

I. implement students’ self-assessment activities to help them identify their own strengths and needs and to encourage them to set personal goals for learning;

J. evaluate the effect of class activities on both individuals and the class as a whole using information gained through observation of classroom interactions, questioning, and analysis of student work;

K. monitor teaching strategies and behaviors in relation to student success to modify plans and instructional approaches to achieve student goals;

L. establish and maintain student records of work and performance;

M. responsibly communicate student progress based on appropriate indicators to students, parents or guardians, and other colleagues; and

N. use technology resources to collect and analyze data, interpret results, and communicate findings to improve instructional practice and maximize student learning.

Subp. 10. Standard 9, reflection and professional development. A teacher must be a reflective practitioner who continually evaluates the effects of choices and actions on others, including students, parents, and other professionals in the learning community, and who actively seeks out opportunities for professional growth. The teacher must:

A. understand the historical and philosophical foundations of education;

B. understand methods of inquiry, self-assessment, and problem-solving strategies for use in professional self-assessment;
C. understand the influences of the teacher’s behavior on student growth and learning;

D. know major areas of research on teaching and of resources available for professional development;

E. understand the role of reflection and self-assessment on continual learning;

F. understand the value of critical thinking and self-directed learning;

G. understand professional responsibility and the need to engage in and support appropriate professional practices for self and colleagues;

H. use classroom observation, information about students, and research as sources for evaluating the outcomes of teaching and learning and as a basis for reflecting on and revising practice;

I. use professional literature, colleagues, and other resources to support development as both a student and a teacher;

J. collaboratively use professional colleagues within the school and other professional arenas as supports for reflection, problem-solving, and new ideas, actively sharing experiences, and seeking and giving feedback;

K. understand standards of professional conduct in the Code of Ethics for Minnesota Teachers in part 8710.2100;

L. understand the responsibility for obtaining and maintaining licensure, the role of the teacher as a public employee, and the purpose and contributions of educational organizations; and

M. understand the role of continuous development in technology knowledge and skills representative of technology applications for education.

Subp. 11: Standard 10, collaboration, ethics, and relationships. A teacher must be able to communicate and interact with parents or guardians, families, school colleagues, and the community to support student learning and well-being. The teacher must:

A. understand schools as organizations within the larger community context and understand the operations of the relevant aspects of the systems within which the teacher works;

B. understand how factors in a student’s environment outside of school, including family circumstances, community environments, health and economic conditions, may influence student life and learning;

C. understand student rights and teacher responsibilities to equal education, appropriate education for students with disabilities, confidentiality, privacy, appropriate treatment of students, and reporting in situations of known or suspected abuse or neglect;

D. understand the concept of addressing the needs of the whole learner;

E. understand the influence of use and misuse of tobacco, alcohol, drugs, and other chemicals on student life and learning;

F. understand data practices;

G. collaborate with other professionals to improve the overall learning environment for students;

H. collaborate in activities designed to make the entire school a productive learning environment;

I. consult with parents, counselors, teachers of other classes and activities within the school, and professionals in-
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other community agencies to link student environments;

J. identify and use community resources to foster student learning;

K. establish productive relationships with parents and guardians in support of student learning and well-being;

L. understand mandatory reporting laws and rules; and

M. understand the social, ethical, legal, and human issues surrounding the use of information and technology in prekindergarten through grade 12 schools and apply that understanding in practice.

Subp. 12. Effective date. The requirements in this part for licensure are effective on September 1, 2010, and thereafter.


A. The teacher understands that students bring assets for learning based on their individual experiences, abilities, talents, prior learning, and peer and social group interactions, as well as language, culture, family, and community values, and approaches their work and students with this asset-based mindset, affirming the validity of students’ backgrounds and identities.

B. The teacher understands multiple theories of identity formation and knows how to help students develop positive social identities based on their membership in multiple groups in society.

C. The teacher understands how students construct knowledge and acquire skills.

D. The teacher understands how alignment with a student’s cultural background is necessary to make meaningful connections that enable the construction of knowledge and acquisition of skills.

E. The teacher understands the cognitive processes associated with various kinds of learning, including critical and creative thinking, problem framing and problem solving, invention, memorization, and recall.

F. The teacher understands how culture influences cognitive processes and how these processes can be stimulated in a cultural frame.

G. The teacher understands that each student’s cognitive, linguistic, social, emotional, and physical development influences learning and makes instructional decisions that build on learners’ strengths, needs, and cultural ways of knowing.

H. The teacher understands the role of language and culture in learning and knows how to modify instruction to make language comprehensible and instruction relevant, accessible, and challenging.

I. The teacher understands language development and the benefits of multilingualism and multiliteracy and knows how to incorporate instructional strategies and resources to support language development.

J. The teacher understands the exceptional needs of students, including those with disabilities and giftedness, and knows how to use strategies and resources to address these needs.

K. The teacher is able to recognize the distinguishing characteristics of reading disabilities, including dyslexia, and knows how to implement appropriate accommodations.

L. The teacher understands the diverse impacts of individual and systemic trauma, such as experiencing homelessness, foster care, incarceration, migration, medical fragility, racism, and micro and macro aggressions, on learning and development and knows how to support students using culturally responsive strategies and resources to
address these impacts.

M. The teacher is able to recognize symptoms of mental health illnesses and their impact on learning and knows how to use strategies and resources to address these impacts.

N. The teacher understands the influence of use of tobacco, alcohol, and drugs on student life and learning.

Subp. 2. **Standard 2. Learning environments.**

A. The teacher knows how to collaborate with students to create a welcoming and inclusive classroom community that reflects the diversity of student cultures in the design of the physical and virtual space, expectations, and organizational routines that represent the needs of all students.

B. The teacher understands the relationship between motivation and engagement and knows how to design learning experiences using strategies that build student self-direction and ownership of learning.

C. The teacher understands that relationship-based, culturally affirming, and proactive approaches to behavior are more likely to lead to improved student outcomes than exclusionary practices.

D. The teacher fosters an environment that ensures student identities such as race/ethnicity, national origin, language, sex and gender, gender identity, sexual orientation, physical/developmental/emotional ability, socioeconomic class, and religious beliefs are historically and socially contextualized, affirmed, and incorporated into a learning environment where students are empowered to learn and contribute as their whole selves.

E. The teacher understands and supports students as they recognize and process dehumanizing biases, discrimination, prejudices, and structural inequities.

F. The teacher communicates verbally and nonverbally in ways that demonstrate respect for and responsiveness to the cultural backgrounds and differing perspectives learners bring to the learning environment.

Subp. 3. **Standard 3. Assessment.**

A. The teacher understands the varying types and multiple purposes of assessment.

B. The teacher understands how to design, adapt, and select appropriate assessments to address specific learning goals and individual differences.

C. The teacher understands bias in assessment, evaluates standardized and teacher-created assessments for bias, and designs and modifies assessments that minimize sources of bias.

D. The teacher understands the positive impact of effective descriptive feedback for learners, engages students in understanding and identifying quality work, and uses a variety of strategies for communicating this feedback.

E. The teacher knows how and when to engage students in analyzing their own assessment results and setting goals for their own learning.

F. The teacher regularly assesses individual and group performance in order to design and modify instruction to meet students' needs in each area of development, including cognitive, linguistic, social, emotional, and physical, and scaffolds the next level of development.

G. The teacher, independently and in collaboration with colleagues, uses a variety of data, including data disaggregated by student race, ethnicity, and home language, to evaluate the outcomes of teaching and learning and to adapt planning and practice.
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H. The teacher uses assessment strategies and devices that are nondiscriminatory, and takes into consideration the impact of disabilities, methods of communication, cultural background, and primary language on measuring knowledge and performance of students.


A. The teacher understands Minnesota’s English Language Development Standards Framework and uses the framework components to develop learning experiences that support the development of language in content instruction.

B. The teacher understands cross-disciplinary instruction, with particular attention to historically marginalized disciplines to engage learners purposefully in applying content knowledge.

C. The teacher creates or adapts lessons, unit plans, learning experiences, and aligned assessments based on Minnesota’s academic standards, or if unavailable, national or international discipline-specific standards.

D. The teacher designs instruction to build on learners’ prior knowledge, culture, and experiences, allowing learners to accelerate as they demonstrate their understandings.

E. The teacher plans how to achieve each student’s learning goals by choosing anti-racist, culturally relevant, and responsive instructional strategies, accommodations, and resources to differentiate instruction for individuals and groups of learners.

F. The teacher features, highlights, and uses resources written and developed by traditionally marginalized voices that offer diverse perspectives on race, culture, language, gender, sexual identity, ability, religion, nationality, migrant/refugee status, socioeconomic status, housing status, and other identities traditionally silenced or omitted from curriculum.

G. The teacher creates opportunities for students to learn, practice, and use language of the content area.

H. The teacher creates opportunities for students to learn about power, privilege, intersectionality, and systemic oppression in the context of various communities and empowers learners to be agents of social change to promote equity.

I. The teacher explores and applies instructional design principles to create innovative digital learning environments that engage and support learning.

Subp. 5. Standard 5. Instructional strategies.

A. The teacher collaborates with students to design and implement culturally relevant learning experiences, identify their strengths, and access family and community resources to develop their areas of interest.

B. The teacher understands the value of and knows how to implement instructional approaches that integrate real-world learning opportunities, including service learning, community-based learning, and project-based learning, into instruction.

C. The teacher develops learning experiences that engage students in collaborative and self-directed learning and that extend student interaction with ideas and people locally and globally.

D. The teacher uses learners’ native languages as a resource in creating effective differentiated instructional strategies for multilingual learners developing literacy skills.

E. The teacher provides multiple models and representations of concepts and skills which consider diverse cultural ways of knowing with opportunities for learners to demonstrate their knowledge through a variety of products and performances.
F. The teacher asks questions to stimulate discussion that serves different purposes, such as probing for learner understanding, helping students articulate their ideas and thinking processes, stimulating curiosity, and helping students to question.

G. The teacher engages all students in developing higher-order questioning skills and metacognitive processes.

H. The teacher encourages critical thinking about culture and race and includes missing narratives to dominant culture in the curriculum.

I. The teacher varies learning activities to involve whole group, small group, and individual work, and to develop a range of learner skills.

J. The teacher uses technology to create, adapt, and personalize learning experiences that foster independent learning and accommodate learner differences and needs.

K. The teacher employs a variety of strategies to assist students to develop social and emotional competencies, including self-awareness, self-management, social awareness, relationship skills, and responsible decision making.


A. The teacher understands the standards of professional conduct in the Code of Ethics for Minnesota Teachers, including the role of social media, privacy, and boundaries in relationships with students.

B. The teacher understands laws related to student rights and teacher responsibilities, such as for educational equity, appropriate education for students with disabilities, confidentiality, privacy, appropriate treatment of students, data practices, and mandatory reporting requirements in situations of known or suspected abuse or neglect.

C. The teacher understands the historical foundations of education in Minnesota, including laws, policies, and practices, that have and continue to create inequitable opportunities, experiences, and outcomes for learners, especially for Indigenous students and students historically denied access, underserved, or underrepresented on the basis of race, class, gender, sexual orientation, language, socioeconomic status, or country of origin.

D. The teacher understands how prejudice, discrimination, and racism operates at the interpersonal, intergroup, and institutional levels.

E. The teacher explores their own intersecting social identities and how they impact daily experience as an educator.

F. The teacher assesses how their biases, perceptions, and academic training may affect their teaching practice and perpetuate oppressive systems and utilizes tools to mitigate their own behavior to disrupt oppressive systems.

G. The teacher uses a variety of self-assessment and problem-solving strategies to analyze and reflect on their practice and to make adaptations and adjustments toward more equitable outcomes.

H. The teacher knows how to build and implement a plan for professional growth directly aligned with their needs as a growing professional using feedback from teacher evaluations and observations, data on student performance, and school- and system-wide priorities.

I. The teacher advocates, models, and teaches safe, legal, and ethical use of information and technology, including appropriate documentation of sources and respect for others in use of social media.

J. The teacher actively seeks professional, community, and technological resources, within and outside the school, as supports for analysis, reflection, and problem solving.
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A. The teacher understands the importance of engaging in culturally affirming, reciprocal communication with families about student development, learning, and performance.

B. The teacher knows how to collaborate with a culturally relevant and responsive lens with families to support student learning and secure appropriate services to meet the needs of students.

C. The teacher plans collaboratively with professionals who have specialized expertise to design and jointly deliver, as appropriate, learning experiences to meet unique learning needs.

D. The teacher identifies gaps where the current curriculum does not address multiple perspectives, cultures, and backgrounds, and incorporates curriculum to fill these gaps.

E. The teacher recognizes the responsibility to question normative school knowledge, conventional teaching and other professional practices, and beliefs and assumptions about diverse students, their families, and communities that adversely impact learning.

F. The teacher understands multiple leadership models for teachers; knows how to take on leadership roles at the school, district, state, or national level; and advocates for students, the school, the community, and the profession.


A. The teacher understands multiple theories of race and ethnicity, including but not limited to racial formation, processes of racialization, and intersectionality.

B. The teacher understands the definitions of and difference between prejudice, discrimination, bias, and racism.

C. The teacher understands how ethnocentrism, eurocentrism, deficit-based teaching, and white supremacy undermine pedagogical equity.

D. The teacher understands that knowledge creation, ways of knowing, and teaching are social and cultural practices shaped by race and ethnicity, often resulting in racially disparate advantages and disadvantages.

E. The teacher understands the histories and social struggles of historically defined racialized groups, including but not limited to Indigenous people, Black Americans, Latinx Americans, and Asian Americans.

F. The teacher understands the cultural content, world view, concepts, and perspectives of Minnesota-based American Indian Tribal Nations and communities, including Indigenous histories and languages.

G. The teacher understands the impact of the intersection of race and ethnicity with other forms of difference, including class, gender, sexuality, religion, national origin, immigration status, language, ability, and age.

8710.3100 TEACHERS OF PARENT AND FAMILY EDUCATION.

Subpart 1. Scope of practice. A teacher of parent and family education is authorized to instruct parents in an design, implement, and evaluate educational experiences for parents and other caregivers of all ages with children prenatal through grade 12, including but not limited to early childhood family education program programs.

Subp. 2. Licensure requirements. A candidate for licensure to teach parent and family education in an early childhood family education program shall:

An applicant seeking a license to teach parent and family education must meet the requirements for a license pursuant to parts 8710.0311 to 8710.0314 and Minnesota Statutes, sections 122A.181 to 122A.184.
A: hold a baccalaureate degree from a college or university that is accredited by the regional association for accreditation of colleges and secondary schools;

B: demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C: show verification of completing a Professional Educator Licensing and Standards Board preparation program approved under chapter 8705 leading to the licensure of teachers of parent and family education in subpart 3.

Subp. 2a. Initial licensure program. A candidate completing a board-approved initial licensure program for parent and family education must demonstrate the content standards set forth in subpart 3 and the standards for effective practice in part 8710.2000, focused on teaching parents and caregivers as learners.

Subp. 2b. Additional licensure program. A candidate completing a board-approved additional licensure program for parent and family education must demonstrate the content standards set forth in subpart 3.

Subp. 2c. Licensure via portfolio. An applicant seeking an initial license via portfolio pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3 and a pedagogy portfolio aligned to the standards for effective practice in part 8710.2000, focused on teaching parents and caregivers as learners.

Subp. 2d. Adding a license via portfolio. An applicant seeking to add a license to teach parent and family education pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of parent and family education must complete a preparation program under subpart 2, item C, that includes the candidate’s demonstration of understand the knowledge and skills in items A to D.

A. A teacher of parent and family education The candidate must understand families, including:

(1) the parent’s family’s role as primary socializer and educator of the family children;

(2) theories of family dynamics;

(3) family communication;

(4) diverse and evolving family structures;

(5) family strengths from multiple perspectives;

(6) human sexual behavior the impact of technology on family life;

(7) gender roles;

(8) family impacts of decision-making and problem-solving processes on family relationships;

(9) the effects of disabilities on family relationships;

(10) the reciprocal relationships between family and community;

(11) the effects of culture and ethnicity on contexts of language, ethnicity, and culture in family relationships;

(12) the interaction of socioeconomic situations and family dynamics;
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(12) the influence of public policies on families;

(13) influence of the social and historical climate on families; and

(14) the effects of change and loss on family functioning;

(15) how to work with parents and families in a variety of settings;

(16) the effects of systemic racism on families; and

(17) the impact of adversity and multigenerational trauma on families.

B. A teacher of parent and family education The candidate must understand parent-child relationships:

   [For text of subitems (1) to (4), see Minnesota Rules]

(5) the impact of work and other external influences on parental behavior; the reciprocal relationship between parenting behavior and ecological contexts;

   [For text of subitems (6) to (10), see Minnesota Rules]

(11) the effects of culture, language, and ethnicity on parent-child relationships.

C. A teacher of parent and family education The candidate must understand child development:

   (1) theories of child development;

   (2) social, emotional, psychological, physical, cognitive, language, and moral development;

   [For text of subitems (3) to (7), see Minnesota Rules]

(8) gender identity and sexuality development;

(9) developmentally appropriate learning environments, activities, and interactions; and

(10) the effects importance of physical and mental health and nutrition on child development; and

(11) the effects of childhood adversity and trauma on child development.

D. A teacher of parent and family education The candidate must understand adult development learning:

   (1) that each adult is unique and exhibits individual patterns of development influenced by physical, social, cultural, psychological, and experiential factors;

   (2) biological changes in adulthood and developmental aspects of aging and the impact on adult learning;

   (3) adult learning and learning styles, adult cognitive development, and use of instructional strategies that promote adult learning and development;

   (4) theories of adult development and how to apply theory when making instructional decisions; and

   (5) how to apply the standards of effective practice in teaching adult students through a series of formal observations and directed instructional experiences with adults participating in early childhood and family education programs totaling at least 100 hours and including at least two written evaluations by faculty supervisors designing, implementing, and evaluating educational experiences for parents and other caregivers.

Subp. 4. [See repealer.]
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Subp. 4a. Clinical experiences for candidates completing an initial licensure program. A candidate completing an initial licensure program is exempt from the clinical experience requirements in part 8705.1010, subpart 3, item C (Standard 11). The candidate must complete at least 100 hours of clinical experience in teaching parents and caregivers in family education programs that include:

A. observations with actionable feedback to ensure growth and attainment of standards with a minimum of three observations conducted by the cooperating teacher;

B. observations with actionable feedback to ensure growth and attainment of standards with a minimum of three observations conducted by the supervisor;

C. a minimum of two triad meetings with the cooperating teacher, the supervisor, and the candidate for clear and consistent communication; and

D. at least one written evaluation by the supervisor that addresses the candidate’s ability to apply the standards in this part and apply the standards of effective practice in part 8710.2000 in teaching adult students.

For the purposes of clinical experiences, a candidate completing an initial licensure program for parent and family education and another licensure field must consider the other licensure field as the initial license subject to part 8705.1010, subpart 3, item C (Standard 11), and consider the parent and family education license as an additional license subject to subpart 4b.

Subp. 4b. Clinical experiences for candidates completing an additional licensure program. A candidate completing an additional licensure program is exempt from the clinical experience requirements in part 8705.1010, subpart 3, item E (Standard 13). The candidate must complete at least 80 hours of clinical experience in teaching parents and caregivers in family education programs that include:

A. observations with actionable feedback to ensure growth and attainment of standards with a minimum of two observations conducted by the cooperating teacher;

B. observations with actionable feedback to ensure growth and attainment of standards with a minimum of two observations conducted by the supervisor;

C. a minimum of one triad meeting with the cooperating teacher, the supervisor, and the candidate for clear and consistent communication; and

D. at least one written evaluation by the supervisor that addresses the candidate’s ability to apply the standards in this part and apply the standards of effective practice in part 8710.2000 in teaching adult students.

Subp. 5. [See repealer.]

8710.4000 TEACHERS OF ADULT BASIC EDUCATION.

Subpart 1. Scope of practice. A teacher of adult basic education is authorized to provide to learners, who are 16 years of age or over have aged out of the compulsory attendance requirement for secondary schools as set forth in Minnesota Statutes, section 120A.22, and are not enrolled in elementary or secondary schools, instruction that is designed to develop mastery of basic education skills including English language skills. This part shall not prohibit a school board from employing a teacher who holds a valid Minnesota classroom teaching license but who is not licensed as a teacher of adult basic education to teach adult basic education. A license under this part does not qualify a teacher to provide instruction leading to a high school diploma.

Subp. 2. Licensure requirements. A candidate for licensure to teach adult basic education shall:

An applicant seeking a license to teach adult basic education must meet the requirements for a license pursuant to
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parts 8710.0311 to 8710.0314 and Minnesota Statutes, sections 122A.181 to 122A.184.

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Professional Educator Licensing and Standards Board preparation program approved under chapter 8705 leading to the licensure of teachers of adult basic education in subpart 3.

Subp. 2a. Initial licensure program. A candidate completing a board-approved initial licensure program for adult basic education must demonstrate the content standards set forth in subpart 3 and the standards for effective practice in part 8710.2000, focused on teaching adults as learners.

Subp. 2b. Additional licensure program. A candidate completing a board-approved additional licensure program for adult basic education must demonstrate the content standards set forth in subpart 3.

Subp. 2c. Licensure via portfolio. An applicant seeking an initial license via portfolio pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3 and a pedagogy portfolio aligned to the standards for effective practice in part 8710.2000, focused on teaching adults as learners.

Subp. 2d. Adding a license via portfolio. An applicant seeking to add a license to teach adult basic education pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3.

Subp. 3. Subject matter standard standards. A candidate for licensure as a teacher of adult basic education must complete a preparation program under subpart 2, item C, that includes the candidate’s demonstration of demonstrate the knowledge and skills in items A to I.

A. Organizational and systems structure. A teacher of adult basic education. The candidate must understand adult basic education organizational and system structure, including:

   (1) the history and philosophy of adult basic education including its purposes, mission, and populations to be served;

   (2) federal and state adult basic education legislation, policies, and regulatory agencies including sources of funding, and related services; and

   (3) systems models of delivering adult education programs and services; including eligible providers and distribution of funds;

   (4) types of programming offered, including English language instruction, high school diploma and equivalency options, career and postsecondary preparation, and other basic skills instruction;

   (5) accountability measures, including standardized assessments, learner outcome expectations, and data collection requirements; and

   (6) supports and technical assistance resources available to adult basic education providers.

B. Adult learning theories and teaching practices. A teacher of adult education. The candidate must understand adult learning theories and teaching practices, including:

   (1) characteristics common to all adult learners as well as those common to unique populations;

   (2) contemporary strategies and models for teaching adults; and formative and summative assessment practices that inform instructional planning and goal setting for students;
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(3) formal and informal diagnostic procedures, including self-assessment, for identifying the academic and personal needs of adult learners and how to use this information as the basis for customizing the curriculum so as to meet their needs; application of instructional practices for testing that address the needs of adult learners;

(4) application of instructional strategies and resources for adult learners, including but not limited to those who are incarcerated, survivors of trauma, refugees and immigrants and those with low basic skills, limited formal schooling, and physical or cognitive learning challenges;

(5) instructional planning at the lesson, unit, and course level for basic skills, life skills, academic content (e.g., math, social studies), and career-contextualized instruction; and

(6) disposition and resources to attain the content knowledge and related teaching practices needed to grow professionally as an adult educator.

C. Content and effective practices. A teacher of adult education must understand the content and methods effective practices for teaching reading language and literacy, including:

(1) knowledge of reading processes and instruction including:

(a) orthographic knowledge and morphological grapheme-phoneme knowledge and morpheme relationships within words;

(b) the relationship interrelationships between word recognition and vocabulary knowledge, fluency, and comprehension in understanding text and content materials;

(c) the importance of direct and indirect vocabulary instruction that leads to enhanced general, academic, and domain-specific word knowledge;

(d) the relationships interrelationships between and among comprehension processes related to print processing abilities, motivation, reader’s interest, background knowledge, cognitive abilities, and knowledge of academic discourse, and print and digital text; and

(e) the development of academic language and its impact on learning and, school success, career pathways, and civic engagement; and

(2) the ability to use a wide range of instructional evidence-based practices, approaches, methods, and curriculum print, visual, or digital materials to support reading instruction including:

(a) the appropriate applications of a variety of instructional frameworks that are effective in meeting the needs of readers of varying proficiency levels and linguistic backgrounds in secondary adult education settings;

(b) the ability to scaffold instruction for students who experience comprehension difficulties reading or understanding a variety of texts, as well as an understanding of when and how to gradually remove scaffolds;

(c) selection and implementation of a wide variety of before, during, and after, and repeated reading comprehension strategies that develop reading and metacognitive abilities necessary to access complex text;

(d) the ability to help adult learners develop, deepen, and implement effective vocabulary strategies that help students understand words including broaden their understanding of general, academic, and domain-specific content words;

(e) the ability to develop critical literacy skills by encouraging teaching students to identify and evaluate evidence, make and support inferences, and question texts and analyze texts from multiple viewpoints or
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(f) the ability to identify instructional practices, approaches, and methods to match materials, print and digital, to the cognitive levels of all readers, guided by an evidence-based rationale, which support the developmental, cultural, and linguistic differences of readers; features of complexity within a text and associated challenges in order to inform instruction; and

(g) an understanding of the rationale and instructional use of a wide range of texts and text types within instruction, including informational texts;

(3) understanding the content and effective practices for teaching writing, including:

(a) the stages of the writing process;

(b) the connections between reading and writing;

(c) instruction to build adult learners’ abilities to communicate ideas clearly and effectively to a variety of audiences in a variety of text types, with increasing control over structures at the discourse, sentence, word, and mechanics levels;

(d) how to teach writing contextually to reflect actual uses using authentic materials and situations that build on adult learners’ prior knowledge; and

(e) multiple strategies to assess and provide feedback to student writing; and

(4) understanding the context and effective practices for teaching listening and speaking, including:

(a) the listening process and how to receive, attend to, interpret, and respond appropriately to verbal messages and other cues;

(b) ways of constructing and expressing meaning for participation in formal and informal situations;

(c) how to teach listening and speaking contextually in a variety of work, community, and academic settings using authentic materials and situations that build on adult learners’ prior knowledge;

(d) the ability to develop critical learning skills by teaching adult learners to identify and evaluate evidence in texts, make and support inferences, and question and analyze multiple perspectives; and

(e) how to assist multilingual learners to improve English pronunciation and achieve English proficiency.

D. **Mathematics.** A teacher of adult education must understand the content and methods effective practices for teaching mathematics, including:

(1) mathematical concepts and the procedures and connections between them including: adult numeracy and mathematical thinking and strategies adults need in order to participate fully in their communities and to pursue career and postsecondary opportunities;

(a) basic mathematics processes including addition, subtraction, multiplication, and division;

(b) basic mathematics systems of whole numbers, fractions, decimals, and percentages;

(c) estimation of quantities and the evaluation of the reasonableness of estimates;

(d) systems of measurement and their use; and
(e) constructing, reading, interpreting, and making inferences from tables, charts, and graphs;

(2) mathematical problem-solving techniques and strategies; and characteristics common to adult math learners, including math anxiety, and strategies for instruction that develop learners' skills and confidence;

(3) how to teach mathematics contextually to reflect actual uses using real world materials and situations that build on the adult learner’s prior knowledge; the mathematical thinking processes and proficiencies that ensure strong math learning, including problem solving, reasoning and proof, communication, representation, and connections;

(4) instructional practices for adult learners that develop their ability to conduct math common in consumer, household, citizenship, and workplace contexts; and

(5) disposition and resources to attain the content knowledge and related teaching practices needed to teach adult numeracy, including numbers and ratios, and understand operations, algebra and functions, geometry, probability, and statistical measurement.

F: A teacher of adult education must understand the content and methods for teaching listening and speaking:

(1) the listening process and how to receive, attend to, interpret, and respond appropriately to verbal messages and other cues;

(2) ways of constructing meaning for participation in formal and informal speaking situations so students can organize ideas and use different verbal and nonverbal communication styles;

(3) how to teach listening and speaking contextually to reflect actual uses using real world materials and situations that build on the adult learner’s prior knowledge; and

(4) how to adopt appropriate learning materials and adapt teaching strategies to meet the second language needs of adult learners whose first language is not English.

F: A teacher of adult education must understand the content and methods for teaching writing:

(1) the stages of the writing process;

(2) multiple strategies to assess and respond to student writing;

(3) the principles and formats of communicating thoughts, ideas, information, and messages appropriately and effectively in written English; and

(4) how to teach writing contextually so as to reflect actual uses using real world materials and situations that build on the adult learner’s prior knowledge.

G: A teacher of adult education must understand the content and methods for teaching application skills:

(1) the higher order thinking skills of thinking critically, solving problems, and making decisions;

(2) effective interpersonal and group participation; and

(3) understanding how to learn.

H. Employment and transition skills. A teacher of adult basic education The candidate must understand the content and effective practices for teaching academic, career development and transition skills, and employability skills needed to transition to postsecondary education, career training, the workplace, and deeper community.
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involvement, including:

(1) the culture of the contemporary workplace and the changing nature of job skills; and

(2) the process of accessing information and resources of jobs and training: transition skills, including effective communication, learning strategies, critical thinking, self-management, developing a future pathway, and navigating systems.

(3) the career decision-making process; and

(4) the skills necessary to find and keep a job.

1. A teacher of adult basic education must understand adult teaching and learning:

(1) factors for selecting and techniques for using materials and resources in adult education programming;

(2) formal and informal diagnostic procedures for identifying the academic and personal needs of adult learners and how to use this information to develop competency-based instruction for individuals, small groups, and large groups;

(3) strategies for learners to assess their own progress; and

(4) factors to consider in developing unique curricula for specialized adult populations.

F. Digital literacy. The candidate must understand the content and effective practices for teaching digital literacy skills, including:

(1) development of digital literacy skills needed for adult learners to seek, obtain, and retain employment; successfully complete training and postsecondary education; and participate fully in their communities; and

(2) instruction that enables adult learners to perform tasks on computers and online, including computer basics, essential software skills, and basic online skills, including:

   (a) using technology to communicate in a variety of contexts, including work, school, and community;

   (b) using digital tools to enhance communication and collaborate with others;

   (c) thinking critically about digital resources and using multiple online sources to find, evaluate, and test the validity of information;

   (d) understanding rules and norms around technology use in different contexts; and

   (e) understanding the benefits and risks of online communication in order to act as a responsible digital citizen.

Subp. 3a. Student teaching and field experiences Clinical experiences for candidates completing an initial licensure program. A candidate for licensure to teach adult basic education must apply the standards of effective practice in teaching adult students through a series of formal observations and directed instructional experiences with adults participating in adult basic education programs totaling at least 100 hours and including at least two written evaluations by faculty supervisors.

A candidate completing an initial licensure program to teach adult basic education is exempt from the clinical experience requirements in part 8705.1010, subpart 3, item C (Standard 11). The candidate must complete at least 100 hours of clinical experiences in adult basic education programs that include:
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A. observations with actionable feedback to ensure growth and attainment of standards with a minimum of three observations conducted by the cooperating teacher;

B. observations with actionable feedback to ensure growth and attainment of standards with a minimum of three observations conducted by the supervisor;

C. a minimum of two triad meetings with the cooperating teacher, the supervisor, and the candidate for clear and consistent communication; and

D. at least one written evaluation by the supervisor that addresses the candidate’s ability to apply the standards in this part and apply the standards of effective practice in part 8710.2000 in teaching adult students.

For the purposes of clinical experiences, a candidate completing an initial licensure program for adult basic education and another licensure field must consider the other licensure field as the initial license subject to part 8705.1010, subpart 3, item C (Standard 11), and consider the adult basic education license as an additional license subject to subpart 3b.

Subp. 3b. Clinical experiences for candidates completing an additional licensure program. A candidate completing an additional licensure program is exempt from the clinical experience requirements in part 8705.1010, subpart 3, item E (Standard 13). The candidate must complete at least 80 hours of clinical experiences in adult basic education programs that include:

A. observations with actionable feedback to ensure growth and attainment of standards with a minimum of two observations conducted by the cooperating teacher;

B. observations with actionable feedback to ensure growth and attainment of standards with a minimum of two observations conducted by the supervisor;

C. a minimum of one triad meeting with the cooperating teacher, the supervisor, and the candidate for clear and consistent communication; and

D. at least one written evaluation by the supervisor that addresses the candidate’s ability to apply the standards in this part and apply the standards of effective practice in part 8710.2000 in teaching adult students.

Subp. 4. [See repealer.]

Subp. 5. [Repealed, L 2015 c 21 art 1 s 110]

8710.4100 TEACHERS OF AMERICAN INDIAN LANGUAGE, HISTORY, AND CULTURE.

Subpart 1. Issuance of license authorized. The Professional Educator Licensing and Standards Board shall, under this part and Minnesota Statutes, section 126.49 124D.75, authorize the issuance of a license to teach American Indian language, history, and culture to an applicant who has achieved and demonstrated competence in an American Indian language or knowledge and understanding of American Indian history and culture.

Subp. 2. Scope of practice. A teacher of American Indian language, history, and culture is authorized to teach an American Indian language or an American Indian history and culture to students in kindergarten through grade 12. This part shall not prohibit a school board from employing a person to teach an American Indian language or American Indian history and culture who does not hold a license under this part.

Subp. 3. License requirements for a Tier 3 license. A candidate for licensure An applicant for a Tier 3 license to teach American Indian language, history, and culture shall submit an application that:

A. specifies the American Indian language or history and culture to be taught;
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B. demonstrates that one of the following qualifications is met:

(1) the applicant possesses competence in the American Indian language for which licensure is requested;

(2) the applicant possesses unique qualifications relative to or knowledge and understanding of the American Indian history and culture for which licensure is requested;

(3) the applicant holds 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 verified by a college transcript;

(4) the applicant holds an academic degree approved by the board;

(5) the applicant completed a course of study approved by the board;

(6) the applicant holds a professional license in another state aligned to the license sought, the license is in good standing, and the applicant has two years of teaching experience; or

(7) the applicant has completed a state-approved teacher preparation program aligned to the license sought;

and

B. C. includes certified copies of two resolutions attesting a resolution or letter that:

(1) is prepared by the tribal government governing the tribe or community speaking the language or representing the history and culture for which licensure is requested; and

(2) attests to the applicant’s competence in an American Indian language or the knowledge and understanding of an American Indian history and culture. One of the resolutions must be from the tribal government governing the tribe or community speaking the language or representing the history and culture for which licensure is requested with the second resolution being from one of subitems (1) to (4):

In lieu of a certified copy of a resolution or letter, the applicant may submit an affidavit attesting to the applicant’s competence in an American Indian language or the knowledge and understanding of an American Indian history or culture. The Professional Educator Licensing and Standards Board, in consultation with the Tribal National Education Committee, must evaluate the applicant’s eligibility for a Tier 3 license.

(1) another reservation or business committee serving the tribe or community speaking the language or representing the history and culture for which licensure is requested;

(2) the local Indian education committee serving the tribe or community speaking the language or representing the history and culture for which licensure is requested;

(3) other bodies governing or serving the tribe or community speaking the language or representing the history and culture; or

(4) authorized officials of professional or learned societies, organizations, or institutions who are qualified to assess the applicant’s competence in an American Indian language or the knowledge and understanding of the applicant of the American Indian history and culture.

The resolution shall confirm that the applicant has been assessed and is competent in the language to be taught or possesses knowledge and understanding of the American Indian history and culture to be taught.

Subp. 3a. License requirements for a Tier 4 license. An applicant for a Tier 4 license to teach American Indian language, history, and culture must demonstrate the following:
A. the applicant has three years of teaching experience in Minnesota on a Tier 3 license to teach American Indian language, history, and culture;

B. 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; and

C. the applicant has completed the renewal requirements, including completion of the mandatory professional development topics and clock hours, according to parts 8710.7000 to 8710.7600 and Minnesota Statutes, section 122A.187.

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. Limitations. The Professional Educator Licensing and Standards Board shall not issue a Tier 1 or Tier 2 license to teach American Indian language, history, and culture.

8710.4500 TEACHERS OF HEALTH.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. Licensure requirements. A candidate for licensure to teach health to students in grades 5 through 12 shall:

An applicant seeking a license to teach health must meet the requirements for a license pursuant to parts 8710.0311 to 8710.0314 and Minnesota Statutes, sections 122A.181 to 122A.184.

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Professional Educator Licensing and Standards Board preparation program approved under chapter 8705 leading to the licensure of teachers of health in subpart 3.


Subp. 2b. Additional licensure program. A candidate completing a board-approved additional licensure program for health must demonstrate the content standards set forth in subpart 3.

Subp. 2c. Licensure via portfolio. An applicant seeking an initial license to teach health via portfolio pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3 and a pedagogy portfolio aligned to the standards for effective practice in part 8710.2000.

Subp. 2d. Adding a license via portfolio. An applicant seeking to add a license to teach health pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3.

Subp. 3. Subject matter standard standards. A candidate for licensure as a teacher of health must complete a preparation program under subpart 2, item C, that must include the candidate’s demonstration of knowledge and skills in items A to F.

A. Health education topics. A teacher of health understands behaviors and factors that The candidate must demonstrate competency in the following health education topics and must be able to describe applicable state and federal laws and policies that address these health education topics:

(1) prevent or reduce the risk of accidents, sudden illness, and violent injuries, the use of alcohol, drugs, and
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tobacco:

(2) prevent or reduce the risk of tobacco use or alcohol and other drug abuse; healthy eating;

(3) prevent or reduce the risk of HIV infection and AIDS, sexually transmitted diseases, and unintentional pregnancy; and mental and emotional health, including preventing suicide and preventing and managing conflict, emotional stress, and anxiety for oneself and others in healthy ways;

(4) contribute to sufficient physical activity and promote health-enhancing dietary practices; personal health and wellness, including preventing the spread of contagious diseases;

(5) physical activity;

(6) safety, including recognizing and avoiding risky behavior;

(7) sexual health, including preventing or reducing unintended pregnancy and sexually transmitted disease (STD); and

(8) violence prevention, including recognizing and preventing harassment, sexual and physical abuse, bullying, hazing, fighting, and hate crimes.

B. A teacher of health understands concepts related to health promotion and disease prevention including:

(1) the need for and role of a philosophy of health, health education, and health promotion;

(2) primary, secondary, and tertiary prevention;

(3) components of comprehensive school health programs and interrelationships among components;

(4) behaviors that foster and those that hinder well-being; and

(5) physical, social, emotional, and intellectual factors that influence health.

C. A teacher of health understands how to access valid health information and health-promoting products and services including:

(1) selecting and evaluating the validity of sources of health education information;

(2) identifying and accessing appropriate and cost-effective school and community health services;

(3) identifying and evaluating appropriate lifestyle assessments and health-risk appraisals;

(4) using or developing appropriate data-gathering instruments to include national, state, or district level morbidity, mortality, behavioral risk, and needs assessment data; and

(5) articulating research and public policy regarding health issues.

D. A teacher of health understands health-enhancing behaviors that reduce health risks including:

(1) the short-term and long-term consequences of positive and negative health choices;

(2) the relationship between and among the major health determinants of genetics, environments, health care, and personal behavior;
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(3) the importance of individual responsibility for health; and

(4) strategies to reduce and prevent stress-related health problems.

E. A teacher of health understands the effects of advertising, media, technology, and social norms on health behaviors.

F. A teacher of health understands how to use interpersonal communication skills to enhance health including:

(1) models and strategies for teaching communication skills for expressing needs, wants, and feelings; communicating, care, consideration, and respect of self and others; conflict resolution; and refusal skills; and

(2) strategies for facilitating dialogue related to controversial health issues.

G. A teacher of health understands how to use goal-setting and decision-making skills to enhance health including:

(1) age-appropriate decision-making and goal-setting models;

(2) applying decision-making and goal-setting processes to personal health choices;

(3) the components of and processes for the development and implementation of personal health plans; and

(4) predicting the immediate and long-range impact of health decisions on the individual, family, and the community.

H. A teacher of health demonstrates an understanding of the teaching of health that integrates understanding of health with the understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of health to preadolescent and adolescent students must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(2) understand and apply the research base for and the best practices of middle and high school education;

(3) develop curriculum goals and purposes based on the central concepts of health and know how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students’ schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities; and

(7) understand the role and purpose of co-curricular and extracurricular activities in the teaching and learning process.

B. Foundational skills. The candidate must describe and apply each of the following skills using at least two of the health education topics described in item A:

(1) analyze the influence of family, peers, culture, media, technology, and other factors on health behaviors (INF);
(2) demonstrate the ability to access valid information, products, and services to enhance health (AI);

(3) demonstrate the ability to use interpersonal communication skills to enhance health and avoid or reduce health risks (IC);

(4) demonstrate the ability to use decision-making skills to enhance short-term and long-term health (DM);

(5) demonstrate the ability to use goal-setting skills to enhance health (GS);

(6) demonstrate the ability to practice health-enhancing behaviors and avoid health risks (SM); and

(7) demonstrate the ability to advocate for personal, family, and community health (AV).

C. Planning and instruction. A candidate for licensure as a teacher of health must demonstrate competency in planning and instruction. The candidate must:

(1) design and apply developmentally appropriate short- and long-term plans that are aligned with state academic standards, including plans for assessments;

(2) design and apply individualized instruction for diverse student needs, adding specific accommodations or modifications for all students;

(3) design and apply scaffolded sequential learning experiences that align with short- and long-term objectives and that address the diverse needs of all students;

(4) plan for and manage resources to provide active, fair, and equitable learning experiences;

(5) design developmentally appropriate, engaging instructional strategies and materials that foster a physically and emotionally safe learning environment;

(6) design short- or long-term lessons that use demonstrations, explanations, and instructional cues that are aligned with short- and long-term plan objectives;

(7) design short- or long-term plans that illustrate transitions, routines, and positive behavior management to create and maintain a safe, supportive, and engaging learning environment; and

(8) design short- or long-term plans that include supports for common errors and strategies for feedback.

D. Assessment. A candidate for licensure as a teacher of health must demonstrate competency in assessment. The candidate must:

(1) use assessment data to plan instruction, analyze student learning, and reflect on implementation practices;

(2) provide substantive, constructive, and timely feedback and adjust units and lessons so they meet the diverse learning needs of all students;

(3) select or create formal and informal assessments that measure short- or long-term objectives;

(4) administer formative and summative assessments that monitor student learning; and

(5) complete a reflective cycle to guide decision making based on short- or long-term objectives, student learning, and teacher performance.
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E. **Professionalism.** A candidate for licensure as a teacher of health must demonstrate professional growth. The candidate must:

1. be able to work collaboratively with a variety of stakeholders to meet the diverse needs of all learners and to enhance school health programs;

2. engage in continued professional growth and collaboration in schools or professional organizations;

3. describe strategies for the promotion and advocacy of health education and expanded health education opportunities; and

4. demonstrate an understanding of the short-term and long-term consequences of positive and negative personal health choices.

F. **Reading.** A candidate for licensure as a teacher of health must understand the content and methods for teaching reading including:

1. knowledge of reading processes and instruction including:

   a. the relationships between and among print processing abilities and digital content, motivation, background, and discourse knowledge, cognitive abilities, and reader’s interest and how those relationships impact comprehension; and

   b. the complexities involved in the development of academic language and the impact of that development in school success; and

2. the ability to use a wide range of instructional practices, approaches, methods, and curriculum materials to support reading instruction including:

   a. selection and implementation of a wide variety of before, during, and after reading strategies that develop reading and metacognitive abilities;

   b. the ability to develop and implement effective vocabulary strategies that help students understand words including domain-specific content words;

   c. the ability to develop critical literacy skills by encouraging students to question texts and analyze texts from multiple viewpoints or perspectives; and

   d. the ability to identify instructional practices, approaches, and methods and match materials, both print and digital, to the cognitive levels of all readers, guided by an evidence-based rationale, which support the developmental, cultural, and linguistic differences of readers.

Subp. 3a. **Student teaching and field experiences.** Placements for candidates completing an initial licensure program. A candidate for licensure to teach health must have a broad range of targeted field-based experiences, of a minimum of 100 hours prior to student teaching, that provide opportunities to apply and demonstrate competency of professional dispositions and the required skills and knowledge under this part and part 8710.2000.

Across the combination of student teaching and other field-based placements, candidates completing an initial licensure program must have experiences teaching the content health at both the middle level (grades 5 through 8) and high school level (grades 9 through 12).

For initial teacher licensure, the student teaching period must be a minimum of 12 continuous weeks, full time, face-to-face, in which the candidate is supervised by a cooperating teacher, and evaluated at least twice by qualified faculty supervisors in collaboration with the cooperating teachers.
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Subp. 3b. **Placements for candidates completing an additional licensure program.** Candidates completing an additional licensure program must have experiences teaching health at both the middle level (grades 5 through 8) and high school level (grades 9 through 12).

Subp. 4. [See repealer.]

Subp. 5. [Repealed, L 2015 c 21 art 1 s 110]

8710.4700 TEACHERS OF PHYSICAL EDUCATION.

Subpart 1. **Scope of practice.** A teacher of physical education is authorized to provide to students in kindergarten through grade 12 instruction that is designed to enhance physical growth and development through learning to move and learning through movement.

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

An applicant seeking a license to teach physical education must meet the requirements for a license pursuant to parts 8710.0311 to 8710.0314 and Minnesota Statutes, sections 122A.181 to 122A.184.

A: hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C: show verification of completing a Professional Educator Licensing and Standards Board preparation program approved under chapter 8705 leading to the licensure of teachers of physical education.

Subp. 2a. **Initial licensure program.** A candidate completing a board-approved initial licensure program for physical education must demonstrate the content standards set forth in subpart 3 and the standards for effective practice in part 8710.2000.

Subp. 2b. **Additional licensure program.** A candidate completing a board-approved additional licensure program for physical education must demonstrate the content standards set forth in subpart 3.

Subp. 2c. **Licensure via portfolio.** An applicant seeking an initial license via portfolio pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3 and a pedagogy portfolio aligned to the standards for effective practice in part 8710.2000.

Subp. 2d. **Adding a license via portfolio.** An applicant seeking to add a license to teach physical education pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3.

Subp. 3. **Subject matter standard standards.** A candidate for licensure as a teacher of physical education must complete a preparation program under subpart 2, item C, that must include the candidate’s demonstration of demonstrate the knowledge and skills in items A to E.

A. **Skills.** A teacher of physical education understands and applies the skills necessary to perform varied physical activities including: The candidate must demonstrate competency in:

1. essential elements and sequencing of basic fundamental motor skills, including a minimum of at least two skills in each of the following categories: locomotor, nonlocomotor, and manipulative; and

2. individual, dual, and team activities; lifetime fitness activities; fundamental gymnastics; rhythms and dance; for example, singing games and folk, square, ballroom, creative, contemporary, and modern dance; low organization,
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lead up, and cooperative games; aquatics; aerobics; body mechanics; conditioning exercises; and strength training; a skill representing at least four of the following physical activity categories: games and sports; aquatics; dance and rhythmic activities; fitness activities; outdoor pursuits; and individual-performance activities.

(3) appropriate instructional cues and prompts for basic motor skills and physical activity; and

(4) how to support and encourage learner expression through movement.

B. Foundational knowledge. A teacher of physical education understands disciplinary The candidate must describe and apply content and foundational knowledge of physical activities and well-being, including:

(1) the organic, skeletal, and neuromuscular structures of the human body and how these structures adapt and contribute to physical activity, motor performance, fitness, and wellness common content knowledge for teaching students physical education, including developmentally appropriate motor skills, movement concepts, and movement patterns; situational-specific tactics, strategies, and correct techniques of skill-based performances in a developmentally appropriate manner; and rules and etiquette of activities, games, and sports;

(2) concepts and strategies related to physical activity and fitness specialized content knowledge for teaching students physical education, including skill cues, identifying critical elements, and predicting common errors; planned and developmentally appropriate task progressions; and observed performance as the basis for adjusting learning tasks;

(3) disciplinary concepts and principles to skillful movement and physical activity anatomical and physiological concepts related to skillful movement, physical activity, and fitness for students;

(4) interdisciplinary learning experiences that allow students to integrate knowledge, skills, and methods of inquiry from multiple subject areas motor learning theory and principles related to skillful movement, physical activity, and fitness for students;

(5) organization and administration of physical education programs motor development theory and principles related to fundamental motor skills, skillful movement, physical activity, and fitness for students;

(6) etiquette, sportsmanship, and officiating organization and administration of physical education programs including the role and alignment of district, school, and department missions and goals in program planning and how to develop curriculum goals and purposes based on the central concepts of physical education;

(7) selection and use of appropriate supplies and equipment components of a quality physical education program;

(8) safety issues to consider when planning and implementing instruction individualized instruction for diverse student needs, adding specific accommodations or modifications for all students, including developmental adapted physical education programs;

(9) appropriate emergency procedures; an understanding of how to achieve a health-enhancing level of fitness; and

(10) safety, CPR, and first aid procedures, and prevention and care of injuries; training.

(11) the relationship among physical activity, fitness, and health including developmental adaptive physical education programs;

(12) historical, philosophical, sociological, and psychological factors associated with varied physical activities; and

(13) health-related concepts, concerns, assumptions, debates, processes of inquiry, and personal hygiene central
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to the study of physical activity:

C. Planning and instruction. A teacher of physical education must demonstrate an understanding of the teaching of physical education that integrates understanding of physical education with the understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of physical education to children, preadolescents, and adolescents be able to apply content and foundational knowledge to plan and implement developmentally appropriate learning experiences aligned with state standards and benchmarks through the effective use of resources, accommodations or modifications, technology, and metacognitive strategies to address the diverse needs of all students. The candidate must:

1. understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents design developmentally appropriate short- or long-term plans that are aligned with state academic standards, including plans for assessments;

2. understand and apply the research base for and the best practices of kindergarten and primary, intermediate, and middle and high school education design progressive and sequential learning experiences that align with short- or long-term objectives and that address the diverse needs of all students;

3. understand the benefits and implications of, and how to, promote lifelong physical recreation plan for and manage resources to provide active, fair, and equitable learning experiences;

4. develop curriculum goals and purposes based on the central concepts of physical education and know how to apply design developmentally appropriate, engaging instructional strategies and materials for achieving student understanding of this discipline that foster a physically and emotionally safe learning environment;

5. understand the role and alignment of district, school, and department mission and goals in program planning design individualized instruction for diverse student needs, adding specific accommodations or modifications for all students, including developmental adapted physical education programs;

6. understand the need for and how to connect students’ schooling experiences with everyday life, the workplace, and further educational opportunities design short- or long-term lessons that use demonstrations, explanations, and instructional cues that are aligned with short- and long-term plan objectives;

7. know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities design short- or long-term plans that illustrate transitions, routines, and positive behavior management to create and maintain a safe, supportive, and engaging learning environment; and

8. understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process design short- or long-term plans that include supports for common errors and strategies for feedback.

D. Assessment and reflection. The candidate must:

1. select or create authentic, formal assessments that measure student attainment of short- or long-term objectives in physical education;

2. administer formative assessments that monitor student learning;

3. complete a reflective cycle to guide decision making based on short- or long-term objectives, student learning, and teacher performance;

4. engage in continued professional growth and collaboration in schools or professional organizations; and

5. describe strategies for the promotion and advocacy of physical education and expanded physical education activity opportunities.
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D. E. A candidate for licensure as a teacher of physical education must understand the content and methods for teaching reading including the ability to use a wide range of instructional practices, approaches, methods, and curriculum materials including electronic resources to support reading and writing instruction including:

(1) selection and implementation of a wide variety of before, during, and after reading comprehension strategies that develop reading and metacognitive abilities;

(2) the ability to develop and implement effective vocabulary strategies that help students understand words including domain-specific words; and

(3) the ability to identify instructional practices, approaches, methods, and match materials to the cognitive levels of all readers, guided by an evidence-based rationale, which support the developmental, cultural, and linguistic differences of readers.

Subp. 3a. Student teaching and field experiences. Placements for candidates completing an initial licensure program. A candidate for licensure to teach physical education must have a broad range of targeted field-based experiences, of a minimum of 100 hours prior to student teaching, that provide opportunities to apply and demonstrate competency of professional dispositions and the required skills and knowledge under this part and part 8710.0000.

Across the combination of student teaching and other field-based placements, candidates completing an initial licensure program must have experiences teaching physical education at three levels: kindergarten, prekindergarten and primary level (prekindergarten through grade 4), middle level (grades 5 through 8), and high school level (grades 9 through 12).

For initial teacher licensure, the student teaching period must be a minimum of 12 continuous weeks, full time, face-to-face, in which the candidate is supervised by a cooperating teacher, and evaluated at least twice by qualified faculty supervisors in collaboration with the cooperating teachers.

Subp. 3b. Placements for candidates completing an additional licensure program. Candidates completing an additional licensure program must have experiences teaching physical education at three levels: prekindergarten and the primary level (prekindergarten through grade 4), middle level (grades 5 through 8), and high school level (grades 9 through 12).

Subp. 4. [See repealer.]

Subp. 5. [Repealed, L 2015 c 21 art 1 s 110]

8710.5300 TEACHERS OF SPECIAL EDUCATION: DEVELOPMENTAL ADAPTED PHYSICAL EDUCATION.

Subpart 1. Scope of practice. A teacher of special education: developmental adapted physical education (DAPE) is authorized to provide evaluation and specially designed instruction in physical education to eligible students from prekindergarten through age 21 who have needs in the areas of physical fitness and gross motor fitness, fundamental motor skills and patterns, skills in aquatics, dance, individual and group games, and sports. Teachers must collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized physical education programming as specified in a child’s individualized education program plan (IEP) plan.

Subp. 2. License Licensure requirements. A candidate for licensure as a teacher of special education: developmental adapted physical education to teach students from prekindergarten through age 21 who have needs in the areas of physical fitness and gross motor skills shall:

An applicant seeking a license to teach developmental adapted physical education (DAPE) must meet the requirements for a license pursuant to parts 8710.0311 to 8710.0314 and Minnesota Statutes, sections 122A.181 to
Proposed Rules

122A.184.

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. hold or apply and qualify for a valid Minnesota physical education teaching license;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Professional Educator Licensing and Standards Board preparation program approved under chapter 8705 leading to the licensure of teachers of special education: developmental adapted physical education in subpart 3.

Subp. 2a. **Physical education license required.** An applicant for a DAPE license must hold or apply and qualify for a license to teach physical education.

Subp. 2b. **Additional licensure programs.** A candidate completing a board-approved additional licensure program for developmental adapted physical education must demonstrate the content standards set forth in subpart 3.

Subp. 2c. **Adding a license via portfolio.** An applicant seeking to add a license to teach developmental adapted physical education pursuant to part 8710.0330 must submit a content portfolio aligned to the standards set forth in subpart 3. The applicant must hold or apply and qualify for a license to teach physical education.

Subp. 3. **Subject matter standard standards.** A candidate for licensure as a teacher of special education: developmental adapted physical education must complete a preparation program under subpart 2, item D, that must include the candidate’s demonstration of **demonstrate** the knowledge and skills in items A to E.

A. **Foundational knowledge.** Foundational knowledge. A teacher of special education: developmental adapted physical education understands the foundations of special education services for students with disabilities relating to physical and motor fitness on which to base practice. The teacher must demonstrate knowledge of the The candidate must be able to describe and apply the following:

1. the historical and philosophical foundations, legal bases, and contemporary issues pertaining to the education of students with identified disabilities as the issues apply to developmental adapted physical and motor fitness education;

2. educational definitions, issues related to identification, and eligibility criteria pertaining to developmental adapted physical education for students who have disabilities relating to physical and motor fitness;

3. theoretical foundations and sequences of typical and atypical motor learning, motor development, and motor skills acquisition from birth to adulthood relating to physical and motor fitness psychomotor, cognitive, and socioemotional characteristics of students in the identified disability categories from birth to adulthood in parts 8710.5000 to 8710.5850;

4. special physical education, adapted physical education, movement education, and motor development, including skills in aquatics, dance, games, and individual, group, intramural, and lifetime sports;

5. (4) implications of medical, health, skeletal, and neurological the presence of primary and secondary disability conditions, including cognitive, physical, sensory or neural, social or emotional, and other developmental disorders on motor learning, including typical and atypical development across the life span physical activity participation;

6. principles of anatomical structure, physiology, and kinesiology across the lifespan, including typical and atypical development;

7. impact of single, multiple, coexisting conditions or disabilities on motor functioning and motor skill acquisition; and

8. (5) impact of typical and atypical motor development and function implications of the presence of primary and secondary disability conditions, including cognitive, physical, sensory or neural, social or emotional, and other
Proposed Rules

developmental disorders on the educational, social, and psychological well-being of students; and

(6) accommodations, adaptations, and modifications that lead to competency in at least four of the following physical activities categories: aquatics, dance and rhythm, health-related physical fitness, games and sports (invasion, net and wall, target, and fielding/striking), individual performance, lifetime, or outdoor pursuit activities.

B. Referral, assessment, evaluation, planning, and programming placement. A teacher of special education: developmental adapted physical education understands and applies principles of prevention and intervening early and procedures for The candidate must demonstrate competency in referral, assessment, evaluation, individualized education programs (IEPs), individualized planning, programming, and placement considerations specific to teaching students with disabilities relating to physical and motor fitness in developmental adapted physical education. The teacher candidate must be able to:

(1) explain the responsibilities in the referral process related to physical education for students with disabilities;

(2) analyze physical education screening and referral data for students with disabilities, and explain how to communicate findings to families and educators;

(3) understand, explain the use, limitations, ethical concerns, administration, and interpretation and administrative considerations of formal and informal assessments for students with identified disabilities that impact physical and motor fitness and how to communicate the results to the students, families, educators, and other professionals used to determine eligibility in developmental adapted physical education;

(4) adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of students with disabilities in physical and motor fitness;

(5) apply an understanding of health-related aspects of physical and motor fitness in program planning;

(6) support the selection, acquisition, and use of assistive technology for the development of physical and motor fitness, including physical education hardware and software, adapted and adaptive equipment, and supports for participation and communication;

(7) be able to utilize part 3525.1352 to differentiate Part B-1 and Part B-2 assessments, administer Part B-1 and Part B-2 assessments, interpret assessment results, and communicate the assessment results within the IEP process;

(8) construct the developmental adapted physical education components of the IEP including Present Level of Academic Achievement and Functional Performance; Annual Goals; Short-Term Objectives; Transition Services; Services and Modifications; Supplementary Aids and Services; Program Modifications and Supports for School Personnel; Least Restrictive Environment (LRE) Explanation based on assessment data, student and family priorities, and concerns that incorporate academic and nonacademic goals in physical education;

(9) apply, describe how to organize and share evaluation results to assist the IEP team in selection of determining DAPE eligibility, educational environments, and service options deemed appropriate for addressing individual needs in physical education; and

(10) design individualized program plans that integrate evaluation results, student and family priorities, and concerns that incorporate academic and nonacademic goals in physical education;

(11) describe how to incorporate students with disabilities into statewide and districtwide test programs in physical education through the use of accommodations, adaptations, and modifications.

C. Instructional design, teaching, and ongoing evaluation. A teacher of special education: developmental adapted physical education understands how to use The candidate must demonstrate competency in using individualized education program plans to design, implement, monitor, and adjust instruction for students with disabilities relating to physical and motor fitness in developmental adapted physical education. The teacher candidate must be able to:

(1) design, implement, monitor, and adjust a variety of evidence-based instructional resources, strategies, and techniques, including scientifically based research interventions when available, to implement developmental adapted physical education services;
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(2) explain how to select, acquire, and adapt equipment used for instruction in physical and motor fitness use assistive technology for student learning in developmental adapted physical education, including physical education hardware and software, adapted and adaptive equipment, and supports for participation and communication.

(3) design and adapt learning environments that support students with disabilities in safely to be safe and actively participating in physical and motor fitness developmental adapted physical education.

(4) describe how to communicate with students, using a range of methods and strategies, including students who are nonverbal or have limited verbal expression;

(5) provide students with explain how students with disabilities can use exploration and learning experiences to support their life-long and healthful participation in physical recreation and leisure activities activity;

(6) explain how to develop students’ self-advocacy and life skills relevant to independence, social skills, community and personal living, recreation, leisure, and employment as they relate to physical activity participation; and

(7) explain how to monitor progress, adjust instruction, and evaluate the acquisition of skills related to developmental adapted physical education;

(8) explain the process necessary to make a significant change to an individualized education program plan in part 3525.0210, subpart 41.

D. Communication and collaboration. A teacher of special education: developmental adapted physical education cultivates and maintains positive, collaborative relationships with students, families, other professionals, and the community to support student development and educational progress. The teacher must be able to The candidate must:

(1) collaborate explain collaborative strategies for working with students and their families in making choices-given identified strengths and needs in physical and motor fitness, that impact academic, occupational, and other domains across the life span in developmental adapted physical education based on strengths and needs set forth in the student’s IEP;

(2) access be able to identify and select services, networks, agencies, and organizations relevant to the field of that can support students and their families as well as the developmental adapted physical education program;

(3) identify and coordinate describe educational roles and responsibilities with of individualized education program plan team members and stakeholders in providing educational services that impact physical and motor fitness developmental adapted physical education;

(4) provide and receive consultation and coordinate describe best practices for consulting with related service providers, including occupational therapists and physical therapists, in delivering developmental adapted physical education services; and

(5) collaborate describe best practices for collaborating with students, families, and other service providers, taking into consideration family culture and values, to locate community and state resources for further participation in leisure and recreational activities to facilitate lifelong participation in physical activity.

(6) promote collaborative practices that respect the individual’s and family’s culture and values relative to access to physical education and recreation and leisure options across the life span;

E. Professionalism. The candidate must:

(7) (1) access and evaluate information, research, and emerging practices relevant to the field of developmental adapted physical education through consumer and professional organizations, peer-reviewed journals, and other publications; and

(8) (2) engage in continuing professional development and reflection to increase knowledge and skill and inform instructional practices, decisions, and interactions with students and their families as a special developmental adapted physical educator and inform instructional practices, decisions, and interactions with students and their...
Proposed Rules

families, and

(3) describe strategies for the promotion and advocacy of developmental adapted physical education and expanded physical activity opportunities.

Subp. 3a. Placements for candidates completing a licensure program.

E. Clinical experiences. A teacher of special education: developmental adapted physical education applies the standards of effective practice through a variety of early and ongoing clinical experiences. Across clinical experiences, candidates completing a licensure program must have experiences in teaching students who have needs in the areas of physical fitness and gross motor skills in developmental adapted physical education in prekindergarten and primary (prekindergarten through grade 4), middle level (grades 5 through 8), and high school (grades 9 through 12) settings across a range of service delivery models.

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

REPEALER. Minnesota Rules, parts 8710.0310, subpart 3; 8710.0400; 8710.0550; 8710.3100, subparts 4 and 5; 8710.3310, subpart 4; 8710.3320, subpart 4; 8710.3330, subpart 4; 8710.3340, subpart 4; 8710.3350, subpart 4; 8710.3360, subpart 4; 8710.4000, subpart 4; 8710.4100, subparts 4 and 5; 8710.4500, subpart 4; 8710.4525, subpart 4; 8710.4700, subpart 4; 8710.4725, subpart 4; 8710.4770, subpart 3; 8710.4925, subpart 4; 8710.5300, subparts 4 and 5; 8710.5900, subpart 4; 8710.8010, subpart 4; 8710.8020, subpart 4; 8710.8030, subpart 4; 8710.8040, subpart 4; 8710.8050, subpart 5; 8710.8060, subpart 4; 8710.8070, subpart 4; and 8710.8080, subpart 4, are repealed.

EFFECTIVE DATE. The amendments to Minnesota Rules, parts 8710.2000, 8710.3100, 8710.4000, 8710.4500, 8710.4700, and 8710.5300 are effective July 1, 2024. Minnesota Rules, part 8710.0314, subpart 7, is in effect only for Tier 3 licenses issued after the date of adoption.

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 Department of Agriculture (MDA)
Notice of Comment Period for the Proposed Emerald Ash Borer Quarantine of portions of Carlton and Lake County

The Minnesota Department of Agriculture (MDA) is accepting comments on the current state emergency quarantine for emerald ash borer, *Agrilus planipennis* (Fairemaire), in portions of Carlton and Lake County and the proposed state formal quarantine to be implemented June 14, 2022.

Oral and written comments regarding the proposed regulations will be accepted via email or phone through June 9, 2022. Submit comments to Kimberly Thielen Cremers, Minnesota Department of Agriculture, 625 Robert Street North, St Paul, MN 55155, email: *kimberly.tcremers@state.mn.us*, phone: (651)201-6329.

For more information on emerald ash borer, including a copy of the emergency quarantine, visit the Minnesota Department of Agriculture website at [www.mda.state.mn.us/eab](http://www.mda.state.mn.us/eab).
Official Notices

Department of Human Services (DHS)

Health Care Administration

Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program

This notice is published pursuant to Code of Federal Regulations, title 42, part 447, section 57 (42 CFR § 447.57), which requires publication of advance notice of any amendment to the Medicaid state plan to establish or substantially modify existing premiums or cost sharing for covered services.

Most Medical Assistance enrollees over the age of 21 have cost sharing for certain health care services. Cost sharing for adults age 21 and over is as follows:

- $3.50 monthly individual and family deductible
- $3 copay for non-preventive visits; no copay for mental health visits
- $3 or $1 copay for prescription drugs

American Indians, pregnant women, people in hospice care, and people residing in a nursing or ICF/DD facility are exempt from cost sharing.

Cost sharing does not apply to COVID-19 related services including testing, vaccines, vaccine administration, COVID-19 treatment including specialized treatments or therapies, and treatment of any conditions that may seriously complicate COVID-19. These cost sharing exemptions currently extend through the end of the federal Public Health Emergency. The proposed state plan amendment extends these cost sharing exemptions as required by the American Rescue Plan Act through the last day of the quarter that falls one year after the termination of the federal Public Health Emergency.

For more information, please contact Patrick Hultman at (651) 431-4311 or e-mail: patrick.hultman@state.mn.us.

Department of Human Services (DHS)

Health Care Administration

Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program

This notice is published pursuant to Code of Federal Regulations, title 42, part 447, section 205 (42 CFR § 447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

Effective for payments on or after July 1, 2022, the Department will be allowed, but not required, to mitigate or eliminate shared losses for Integrated Health Partnership (IHP) entities for any month(s) impacted by a federally declared Public Health Emergency. This change would impact payments for performance year 2021 and it is estimated that it would eliminate a total of about $800,000 in shared losses.

For more information, please contact Alley Zoellner at (651) 226-7242 or e-mail: Alexandra.Zoellner@state.mn.us.
Official Notices

Department of Human Services (DHS)
Health Care Administration
Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program

This notice is published pursuant to Code of Federal Regulations, title 42, part 447, section 205 (42 CFR § 447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

Effective July 1, 2022, rates for targeted case management services provided by vendors contracting with counties will be paid according to amounts displayed in the state plan. Payment rates will be adjusted annually and published on the Department’s website 180 days prior to the beginning of each new rate year effective January 1.

For more information, please contact Alley Zoellner at (651) 226-7242 or e-mail: Alexandra.Zoellner@state.mn.us.

Minnesota Pollution Control Agency (MPCA)
Notice of Intent to Reissue a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) General Permit – MNG490000 Nonmetallic Mining/Associated Activities

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) proposes to issue an NPDES/SDS General Permit to cover facilities discharging to waters of the state of Minnesota. This is the reissuance of an existing general permit, which expires at midnight on May 31, 2022. This general permit covers facilities within the boundary of the state of Minnesota that:

a. Discharge stormwater to waters of the state, including groundwater, from the construction sand and gravel, industrial sand, dimension stone, crushed and broken limestone, crushed and broken granite, crushed and broken stone (not elsewhere classified) mining and quarrying areas, asphalt production areas, (including portable asphalt plants), concrete block and brick, concrete products (other than block and brick), and ready-mix concrete, as well as aggregate dredging operations and uncontaminated asphalt and concrete rubble recycling at sites already listed.

b. Discharge mine site dewatering to waters of the state, including groundwater, from construction sand and gravel, industrial sand, dimension stone, crushed and broken limestone, crushed and broken granite, and crushed and broken stone (not elsewhere classified) mining and quarrying areas.

c. Non-stormwater discharges that meet the requirements of this permit and occur at the permitted facilities which do not discharge to surface waters of the state.

The authority to develop and issue a general permit is based Minn. R. 7001.0210 which provides authority to the MPCA to issue a single permit to a category of Permittees that are the same or substantially similar. This single NPDES/SDS permit can apply to numerous facilities and is known as a general permit. This general permit will provide for timely discharge authorization without the delay associated with individual permit issuance procedures and will cover more than two hundred facilities.

The NPDES/SDS general permit includes monitoring and reporting requirements and general conditions consistent with those established for individual permits. Those facilities not currently under consideration for general permit coverage may submit a Notice of Intent to request consideration for coverage.

The Commissioner’s determination that the general permit should be reissued is tentative. Interested persons are invited to submit written comments upon the proposed permit action. The public comment period commences April 25, 2022 and terminates at 4:30 p.m. on May 25, 2022. Any comments received no later than 4:30 p.m. on the last day of the
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, May 18, 2022 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 pandemic 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.

Minnesota Department of Transportation (MnDOT)
Modal Planning and Program Management Division, Office of Transportation System Management
Notice of Public Comment Period for the Revised Public Participation Plan for the 20-Year Minnesota State Highway Investment Plan Update

NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments through June 1st on the Public Participation Plan for the 20-Year Minnesota State Highway Investment Plan Update. The Minnesota State Highway Investment Plan creates a fiscally constrained, performance-based investment direction for the state highway system.

Public engagement is key to ensuring the investment direction reflects Minnesotans’ priorities for investment on the state highway system. The revised Public Participation Plan outlines how MnDOT plans to connect with the public, stakeholders and partners to update the 20-Year Minnesota State Highway Investment Plan.

The Public Participation Plan can be accessed electronically at http://www.minnesotago.org. A hard copy is available by mail with written request to the contact shared below.

Written comments will be accepted through June 1st and should be addressed to:

Josh Pearson
Email: joshua.pearson@state.mn.us
651-366-3773

For more information, contact Josh Pearson at 651-366-3773 or joshua.pearson@state.mn.us, or visit http://www.minnesotago.org. Follow the planning process on Twitter, @MnDOT, or Facebook, www.facebook.com/MnDot.
Executive Orders

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 22-09: Extending the Relief from Regulations for Motor Carriers and Drivers Operating in Minnesota Provided in Executive Order 22-05

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:

On March 25, 2022, the United States Department of Agriculture’s ("USDA") Animal and Plant Health Inspection Service and the Minnesota Board of Animal Health identified the first cases of highly pathogenic avian influenza ("HPAI") in a commercial turkey flock in Meeker County, as well as in a backyard flock in Mower County. In the weeks following the first confirmations, HPAI has been identified at 60 sites and in nearly 20 counties throughout Minnesota. Data compiled by the Minnesota Board of Animal Health indicates that over 2.7 million birds have been impacted by HPAI in our state, including commercial turkeys, breeder hens, egg-laying chickens, and backyard flocks.

The ongoing HPAI outbreak in Minnesota continues to pose a low risk to the public, and there is no food safety concern for consumers.

In 2015, HPAI had a catastrophic effect on Minnesota’s poultry producers and processors, resulting in the loss of approximately 9 million birds. Lessons learned from 2015 have helped us prepare for and respond to this year’s outbreak. For example, we have expanded Minnesota’s Poultry Testing Laboratory, which has played a critical role in enhancing our ability to quickly diagnose and confirm positive cases to prevent the spread of the current virus. Recent data collected from infected sites suggests that the virus is being spread largely by migrating waterfowl, and is infecting wild birds, both of which are changes from the 2015 outbreak.

State officials, congressional members, and I recently traveled to Willmar to speak with poultry producers and farmers who have been directly impacted by the outbreak. With over 660 turkey farms and a production of nearly 40 million birds annually, Minnesota has consistently been ranked the number one turkey producer in the country. Poultry growers and industry associations have requested continued help to support the safe and efficient movement of commodities used in emergency response efforts.

On March 31, 2022, I issued Executive Order 22-05, which provided relief from certain weight restrictions and hours of service requirements for drivers and vehicles transporting HPAI emergency equipment and supplies. On April 7, 2022, the Legislature passed, and I signed into law, a bill to provide $1 million in emergency funding to pay for materials, equipment, and personnel to help with the logistics of euthanizing affected flocks, along with testing and quarantining at farm sites. Executive Order 22-05 expires on April 30, 2022, but the need for relief from certain weight limitations and hours of service requirements continues.

HPAI is a very contagious disease for poultry and can spread from flock to flock within a matter of days. Depopulating infected animals is a key part of the response, along with transporting live uninfected animals to processing facilities, and ensuring that unaffected farms have adequate supplies to support healthy flocks. It is also critical to limit person-to-person interactions and reduce the number of trips that trucks make to or from farm sites. Recent above-average levels of precipitation and unseasonably cold temperatures are contributing factors to the ongoing spread of the virus. Unfortunately, the weather forecast calls for continued wet and cold conditions, which could mean several additional weeks of case growth.
Executive Orders

Minnesota Statutes 2021, sections 169.824, 169.8261, 169.86, 169.865, and 169.87, 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 2021, section 221.0314, subdivision 9, adopts federal safety regulations, including hours of service requirements for drivers. Minnesota Statutes 2021, 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.”

It is critical that we extend the relief provided in Executive Order 22-05 for another 30 days to allow drivers and carriers to continue to help mitigate the impacts and limit the spread of HPAI in Minnesota.

For these reasons, I order as follows:

1. For the purposes of this Executive Order, “HPAI emergency equipment and supplies” includes poultry feed trucks, poultry load-out trailers, poultry feed, materials used exclusively for the composting process of animals that have been depopulated due to HPAI, live poultry, and animal carcasses.

2. For the purposes of this Executive Order, “emergency relief effort” means the transportation of HPAI emergency equipment and supplies.

3. For purposes of this Executive Order, and as defined in Minnesota Statutes 2021, section 221.0269, subdivision 3, paragraph (c), 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 commerce.

4. Pursuant to Minnesota Statutes 2021, section 221.0269, subdivision 1, a state of emergency exists in Minnesota that requires relief from regulations incorporated in Minnesota Statutes 2021, section 221.0314, subdivision 9, pertaining to hours of service for motor carriers and drivers of commercial motor vehicles providing direct assistance to the emergency relief efforts described in this Executive Order.

5. Motor carriers and drivers providing direct assistance to the emergency relief efforts described in this Executive Order are exempted from paragraphs (b) and (c) under the Code of Federal Regulations, title 49, part 395.3, and incorporated in Minnesota Statutes 2021, section 221.0314, subdivision 9, pertaining to hours of service.

6. Nothing in this Executive Order may be construed to relieve motor carriers and drivers providing direct assistance to the emergency relief efforts described in this Executive Order from the requirements under paragraph (a) of the Code of Federal Regulations, title 49, part 395.3, and incorporated in Minnesota Statutes 2021, section 221.0314, subdivision 9, which states, in part, that a driver may drive only 11 hours during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty.

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. A motor carrier operating under the terms of this Executive Order must not 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 must be given at least 10 consecutive hours off duty before the driver is required to return to service.

9. To maintain safety on our public highways, a motor carrier or driver operating under this Executive Order must take a 34-hour restart before the driver has been on duty for 35 or more consecutive days.

10. Upon the expiration of this Executive Order, or when a driver or motor carrier has been relieved of all duty and responsibility to provide direct assistance to the emergency relief efforts, a driver must take at least 34
Executive Orders

consecutive hours off duty.

11. It is also necessary to waive certain weight restrictions for vehicles providing direct assistance to the emergency relief effort. The weight-related regulatory provisions of Minnesota Statutes 2021, sections 169.824, 169.8261, 169.86, 169.865, and 169.87, are temporarily suspended, to the extent that those provisions require a special permit or restrict the overweight movement of HPAI emergency equipment and supplies.

12. Suspension of these weight-related provisions, without the need for a permit, applies only to loads of HPAI emergency equipment and supplies 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 2021, 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.

13. The gross weight tolerances provided in Minnesota Statutes 2021, section 168.013, subdivision 3, paragraph (b), do not apply to loads of HPAI emergency equipment and supplies transported under this Executive Order.

This Executive Order is effective immediately under Minnesota Statutes 2021, section 4.035, subdivision 2, and it will remain in effect until it is rescinded by proper authority or May 29, 2022, whichever occurs first.

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 April 29, 2022.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

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/open-rfp.jsp
State Grants & Loans

Department of Human Services (DHS)
Disability Services Division

Notice of Request for Proposals to Minnesota Counties and Tribal Nations to expand access to Inclusive Childcare for Children with Disabilities

The Minnesota Department of Human Services (DHS or State) is requesting proposals from counties and tribes that will partner with licensed childcare providers to develop and implement a pilot project.

The pilot will address at least one of the four following outcomes areas: 1) increases access to inclusive childcare, 2) increases staff support to children with extra needs, 3) improves staff ability to care for a child with a disability, 4) improves child care facilities.

DHS is seeking proposals for the pilot grant period June 2022 through November 2023.

For more information contact:
Carrie Jakober
Department of Human Services
Disability Services Division
Carrie.Jakober@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 email Emily.Waymire@state.mn.us.

Proposals submitted in response to this Request for Proposals (RFP) must be received through DSD’s online grant management system listed in the RFP no later than 4:00 p.m., Central Time, on May 23, 2022. Late proposals will not be considered. Proposals received via other methods 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 Human Services (DHS)
Disability Services Division

Notice of Request for Proposals to Serve as the Fiscal Host for the Minnesota Inclusion Initiative Grant; increase the Inclusion of Persons with Intellectual and Developmental Disabilities in the Community

The Minnesota Department of Human Services (DHS or State) is requesting proposals to serve as a fiscal host for the Minnesota Inclusion Initiative Grant; developing guidelines, criteria, and procedures for grant awards to develop and organize projects that increase the inclusion of persons with intellectual and developmental disabilities in the community.

DHS is seeking proposals for the grant period 6/30/2022 through 6/30/2024.

For more information contact:
Sharlonda Pierce
Department of Human Services
Disability Services Division
Phone: (651) 431-2849
sharlonda.d.pierce@state.mn.us
State Grants & Loans

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

To obtain this information in a different format, please email Emily.Waymire@state.mn.us.

Proposals submitted in response to this Request for Proposals (RFP) must be received using the Disability Services Division’s (DSD) online grant management system using this link (https://www.grantinterface.com) listed in the RFP no later than 4:00 p.m., Central Time, on May 23, 2022. Late proposals will not be considered. Proposals received via other methods 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 Human Services (DHS)
Economic Assistance and Employment Supports Division (EAESD)

Notice of Request for Proposals to provide Supplemental Nutrition Assistance Program (SNAP) Outreach and Application Assistance

The Minnesota Department of Human Services (DHS or State) is requesting proposals from qualified Responders to provide Supplement Nutrition Assistance Program (SNAP) Outreach and Application Assistance.

DHS is seeking proposals for the grant period October 01, 2022 through September 30, 2024.

For more information contact:

Di Vang
Department of Human Services
Economic Assistance and Employment Supports Division (EAESD)

Email: di.vang@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 email Emily.Waymire@state.mn.us.

Proposals submitted in response to this Request for Proposals (RFP) must be received at the email listed in the RFP no later than 4:00 p.m., Central Time, on May 31, 2022. Late proposals will not be considered. Proposals received via other methods 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.
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.

Minnesota State Colleges and Universities (Minnesota State)
Century College
Request for Qualifications for Construction Manager as Constructor (CM) Services For Air Handling Unit Replacement Project – Century College, East Campus

Notice is hereby given that Statements of Qualifications will be received by Century College, until 3:00 pm, Thursday May 19, 2022, for the purpose of qualifying Construction Manager as Constructor for the Air Handling Unit Replacement Project.

Purpose of this Request for Qualifications
Century College is seeking statements of qualifications from interested, qualified construction management firms, and intends to retain a firm to provide Construction Manager Services for the Air Handling Unit Replacement Project on the Century College East Campus.

The Air Handling Unit Replacement Project will include the demolition and replacement of four air handling units in two rooftop penthouses. The existing dual-duct mixing boxes on floors 1-3 will be replaced with new dual-duct vav boxes.

As each air handling system is converted, the existing pneumatic controls will be removed. New controllers, actuators, and other field devices will be changed to electronic direct digital control.

The existing electrical branch circuits to existing air handling units being replaced shall be disconnected and retained for the new fans. New fans will be fan walls so the existing branch circuits will need to be extended to each of the new fans through the adjustable speed motor drives.
State Contracts

The project also includes new ceilings, new light fixtures and new diffusers and grilles. Modifications will need to be made to the locations of sprinkler heads.

Century College has earmarked Federal HEERF funds for this project. The Cost of Work is anticipated to be $4,500,000. Century College intends to occupy the East Campus through the duration of the project.

A full Request for Qualifications is available online at http://www.minnstate.edu/vendors/index.html under FACILITIES OPPORTUNITIES.

Statements of Qualifications shall be delivered electronically via QuestCDN.

Late responses will not be considered. Fax and e-mail responses will not be considered.

Minnesota State Colleges and Universities System 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.

Department of Employment and Economic Development (DEED)
Notice of Request for Proposals (RFP) to Provide Services to Vocational Rehabilitation Services

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED), Vocational Rehabilitation Services requests proposals for the purpose of providing Job Related Services including but not limited to: Informational Interviewing, Job Coaching, Job Placement and Follow Up, Job Seeking Skills Training, Job Shadowing, Job Tryout, On-the-Job Evaluation, Pre-Employment Transition Services, Benefits Services, Employee Development Services, Independent Living Services, Post-Secondary Supports, Rehabilitation Technology Services, Small Business Services, Social Coaching and Training services. The State anticipates issuing multiple contracts for this work. Work is anticipated to start after July 1, 2022.

It is the goal of this project that individuals with disabilities throughout Minnesota have available to them community resources that DEED will purchase on their behalf so that they may achieve vocational and personal independence. An important aspect of this project is that the pool of resources is sufficient to offer individuals with disabilities a breadth of choices from which to make their informed selection.

COPY REQUEST: To get a copy of the RFP, please go to the DEED contracts webpage at https://mn.gov/deed/about/contracts/open-rfp.jsp or send a written request, by email to:

Kim Babine
Director of Community Partnerships
Kim.Babine@state.mn.us
Telephone 651-259-7349

All requirements and information, as well as proposal delivery instructions are contained in the RFP. Inquiries regarding the RFP may be directed by email to Kim Babine, Director of Community Partnerships Kim.Babine@state.mn.us. An information session will be held on Monday, April 25, 2022 at 9:00 a.m., Central Time (CT), to provide guidance on the RFP, RFP Attachments, Sample Master Contract and Application. Deadline for inquiries is Wednesday April 27, 2022, at 12:00 p.m., CT. Other department personnel are NOT allowed to discuss the RFP with anyone, including responders, before the proposal submission deadline.

Proposals must be emailed to: Kim Babine, Director of Community Partnerships, DEED -VRS at Kim.Babine@state.mn.us. Proposals for initial evaluation must be received by 4:30 p.m., CT, Monday, May 9, 2022. To ensure a contract start date of July 1, 2022, proposals must be received by 4:30 p.m., Monday, May 23, 2022. This Request for Proposals will remain open on the DEED and Department of Administration, Office of State Procurement (OSP) website. RFP responses are still welcome beyond May 23, 2022, and will be considered on an as needed basis. Those RFP proposal responses after May 23, 2022 may result in a contract start date later than July 1, 2022.
State Contracts

All costs incurred in responding to the RFP will be borne by the responder. DEED reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be its own best interest. This RFP does not obligate DEED to award a contract.

Department of Employment and Economic Development (DEED)

Notice of Request for Proposals (RFP) to Vend Services to State Services for the Blind

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED), State Services for the Blind requests proposals for the purpose of providing Adjustment To Blindness and other rehabilitation training, employment-related services, and pre-employment transition services to applicants and eligible blind, visually impaired and DeafBlind customers. The State anticipates issuing multiple contracts for this work. Work is anticipated to start after July 1, 2022.

It is the goal of this project that Minnesota consumers have available to them community resources that DEED will purchase on their behalf so that they may achieve vocational and personal independence. An important aspect of this project is that the pool of resources is sufficient to offer consumers a breadth of choices from which to make their informed selection.

COPY REQUEST: To get a copy of the RFP, please go to the DEED contracts webpage at https://mn.gov/deed/about/contracts/open-rfp.jsp or send a written request, by email to:

Jennifer Beilke, State Program Administrator
State Services for the Blind
2200 University Ave W. Suite 240
St. Paul, MN 55114
SSBContracts.DEED@state.mn.us
Telephone 651-539-2273

All requirements and information, as well as proposal delivery instructions are contained in the RFP. Inquiries regarding the RFP may be directed by email to Jennifer Beilke, State Services for the Blind SSBC11

Proposals must be emailed to: Jennifer Beilke, State Services for the Blind, DEED at SSBCContr

All costs incurred in responding to the RFP will be borne by the responder. DEED reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be its own best interest. This RFP does not obligate DEED to award a contract.

State Board of Investment

Notice of Request for Proposals for a Contact and Document Management Database to Assist the State Board of Investment in Research and Monitoring External Investment Managers

The State Board of Investment (SBI) is soliciting proposals from Data Management Solutions companies to provide centralized storage for notes, reports, contacts, correspondence and other documents. In addition to storage, the system must be easily searchable, help manage email flow and organize the workflow process.
State Contracts

All interested vendors can find the RFP on the State Board of Investment website at [http://mn.gov/sbi](http://mn.gov/sbi). You may also contact the person named below by letter or email to request a copy of the Request For Proposal. For the subject line in the email please use “Contact and Document Management Database RFP”.

Andrew Krech  
Director, Private Markets  
Minnesota State Board of Investment  
60 Empire Drive, Suite 355  
St. Paul, MN 55103  
minn.sbi@state.mn.us

Proposal submissions are due electronically (emailed) no later than 3:00 P.M. Central Time on June 6, 2022. Early submission is encouraged.

**NO PROPOSALS RECEIVED AFTER THAT DATE AND TIME WILL BE CONSIDERED.**

### Minnesota State Lottery  
**Request for Proposals for Sponsorship Agreements**

#### Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

#### Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

1. **Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of $35,000-$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

2. **Enhance Lottery Image** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery’s presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor’s media partners.

3. **Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to [http://www.mnlottery.com/vendorops.html](http://www.mnlottery.com/vendorops.html)

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.
Questions concerning this Solicitation should be directed to:

Jason LaFrenz, Marketing Director
Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
Telephone: (651) 635-8230
Toll-free: 1-888-568-8379 ext. 230
Fax: (651) 297-7496
TTY: (651) 635-8268
E-mail: jasonla@mnlottery.com

Other personnel are not authorized to answer questions regarding this Solicitation.

Response Delivery
All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

Department of Military Affairs
Request for Proposals for Consultant Services for Facility Condition Assessments (FCA) for Department of Military Affairs Minnesota Facilities (Project No. 22122)

PROJECT NAME: Consultant Services for Facility Condition Assessments (FCA) for Department of Military Affairs Minnesota Facilities (Project No. 22122)

DETAILS: The Minnesota Department of Military Affairs is soliciting proposals from interested qualified consultants to provide Facility Condition Assessments (FCA) on MN Army National Guard buildings using the US Army Corps of Engineer (USACE) BUILDER SMS (Sustainment Management System) process. Work is anticipated to start ASAP.

COPY REQUEST: A full Request for Proposal (RFP) is available on the Minnesota National Guard’s website: http://minnesotanationalguard.ng.mil/requests-for-proposal

PROPOSAL DEADLINE: Proposals in response to the Request for Proposals in this advertisement must be received via email not later than 2:00 p.m., Central Time, May 24, 2022. Late proposals will not be considered. Fax and mailed proposals will not be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by 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.
State Contracts

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 2022 Conveyance Systems Upgrades

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2022 Conveyance Systems Upgrades
MAC Contract No.: 106-2-885
Bids Close At: 2:00 p.m. May 17, 2022
Bids Opening At: 3:00 p.m. May 17, 2022 via teleconference
Teleconference Dial In #: +16124056798
Conference ID#: 681090675#

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.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 12%.

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.

Project Labor Agreement: This project is subject to the MAC’s Project Labor Agreement Requirements. A copy or sample of the Project Labor Agreement and Contract Riders will be sent via addendum.

Availability Of Bidding Documents: Bidding documents are on file for inspection at the Minnesota Builders
Non-State Public Bids, Contracts & Grants

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2022 Terminal Building Remediation Program
MAC Contract No.: 106-2-952
Bids Close At: 2:00 p.m. May 17, 2022
Bids Opening At: 3:00 p.m. May 17, 2022 via teleconference
Teleconference Dial In #: +16124056798
Conference ID#: 681090675#

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.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 17%.

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 Bidding Documents: Bidding documents are on file for inspection at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete digital set at http://www.questcdn.com. Bidders may download the complete set of digital bidding documents for $25.00 by entering eBidDoc™ #8182469 in the “Search Projects” page. Contact Quest Construction Data Network at 952-233-1632 or info@questcdn.com for assistance. Hard copy bidding documents will not be made available to Bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on April 25, 2022 at MAC’s web address of https://metroairports.org/doing-business/solicitations.
Non-State Public Bids, Contracts & Grants

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 11%.

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 Bidding Documents: Bidding documents are on file for inspection at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete digital set at http://www.questcdn.com. Bidders may download the complete set of digital bidding documents for $25.00 by entering eBidDoc™ #8185754 in the “Search Projects” page. Contact Quest Construction Data Network at 952-233-1632 or info@questcdn.com for assistance. Hard copy bidding documents will not be made available to bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on April 25, 2022 at MAC’s web address of https://metroairports.org/doing-business/solicitations.

Metropolitan Airports Commission (MAC)
Notice of Call for Bids for 2022 Landside Utility Rehabilitation

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2022 Landside Utility Rehabilitation
MAC Contract No.: 106-3-639
Bids Close At: 2:00 p.m., Tuesday, May 17, 2022
Bid Opening At: 3:00 p.m., Tuesday, May 17, 2022 via teleconference
Teleconference Dial In #: +6124056798
Conference ID #: 681090675#

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.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 7%.

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 Bidding Documents: Bidding documents are on file for inspection at the QuestCDN website indicated below and at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents for personal use may secure a complete digital set at http://www.questcdn.com. Bidders may download the complete set of digital bidding documents for $15.00 by entering eBidDoc™ #8191101 in the “Search Projects” page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy bidding documents will not be made available to Bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on May 2, 2022, at MAC’s web address of https://metroairports.org/doing-business/solicitations.
Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)
Notice of Request for Proposals (RFP) for Shoe Shine Services

The Metropolitan Airports Commission (“MAC”) is requesting proposals from qualified firms interested in operating shoe shine services at the Minneapolis - St. Paul International Airport.

To obtain a copy of the Request for Proposals, please register on the following website and look under Request for Proposal: http://metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.

The RFP is to be released on or about May 2, 2022. The Airport Contact for the RFP is Jake Anderson at 612-713-8756 or RFP@mspmac.org.

A mandatory Pre-Proposal Conference will be held May 16, 2022, at 10:00 a.m. CDT by teleconference. RSVPs for the pre-proposal conference are appreciated by emailing RFP@mspmac.org.

Questions regarding the RFP are due to MAC by email at RFP@mspmac.org no later than 5:00 p.m. CDT on May 23, 2022. Proposals are due on or before 4:00 p.m. CDT on June 16, 2022.