

August 29, 2025

VIA EFILING ONLY

Michelle Hersh Vaught
Steven Rollin
Minnesota Professional Educator
Licensing and Standards Board
1021 Bandana Blvd E Ste 222
Saint Paul, MN 55108
michelle.vaught@state.mn.us
steven.rollin@state.mn.us

**Re: In the Matter of the Proposed Rules Governing School Counseling
Programs and Licensure
CAH 21-9021-37950; Revisor R-4703**

Dear Rule Requestors:

Enclosed herewith and served upon you is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.26** in the above-entitled matter. The Administrative Law Judge has determined there are no negative findings in these rules.

The Court of Administrative Hearings has closed this file and is returning the rule record so that the Minnesota Professional Educator Licensing and Standards Board can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. Please ensure that the Board's signed order adopting the rules is filed with our Court. The Court of Administrative Hearings will request the finalized rules from the Revisor's office following receipt of that order. Our Court will then file the adopted rules with the Secretary of State, who will forward one copy to the Revisor of Statutes, one copy to the Governor, and one to the Board for its rulemaking record. The Board will then receive from the Revisor's office three copies of the Notice of Adoption of the rules.

The Board's next step is to arrange for publication of the Notice of Adoption in the State Register. Two copies of the Notice of Adoption provided by the Revisor's office should be submitted to the State Register for publication. A permanent rule without a hearing does not become effective until five working days after a Notice of Adoption is published in the State Register in accordance with Minn. Stat. § 14.27.

Rule Requestors
August 29, 2025
Page 2

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,

A handwritten signature in black ink that reads "Nichole Sletten". The script is cursive and fluid, with the first name "Nichole" and last name "Sletten" clearly distinguishable.

NICHOLE SLETTEN
Legal Assistant

Enclosure

cc: Legislative Coordinating Commission
Revisor of Statutes

COURT OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW SECTION
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Proposed Rules Governing School Counseling Programs and Licensure	CAH 21-9021-37950 Revisor R-4703
--	-------------------------------------

On August 29, 2025, a true and correct copy of the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.26** was served by electronic mail, unless otherwise indicated below, addressed to the following:

VIA EFILING ONLY

Michelle Hersh Vaught
Steven Rollin
Minnesota Professional Educator
Licensing and Standards Board
1021 Bandana Blvd E Ste 222
Saint Paul, MN 55108
michelle.vaught@state.mn.us
steven.rollin@state.mn.us

VIA EMAIL ONLY

Ryan Inman
Office of the Revisor of Statutes
ryan.inman@revisor.mn.gov
jason.kuenle@revisor.mn.gov
cindy.maxwell@revisor.mn.gov
traci.olinger@revisor.mn.gov

VIA EMAIL ONLY

Legislative Coordinating Commission
lcc@lcc.leg.mn

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules
Governing School Counseling Programs
and Licensure

**ORDER ON REVIEW OF
RULES UNDER
MINN. STAT. § 14.26**

The Minnesota Professional Educator Licensing and Standards Board (Board) is seeking review and approval of the above-entitled rules, which were adopted by the agency pursuant to Minn. Stat. § 14.26 (2024). On August 22 and 26, 2025, the Court of Administrative Hearings (CAH) received the documents that must be filed by the under Minn. Stat. § 14.26 and Minn. R. 1400.2310 (2025). Based upon a review of the written submissions and filings, Minnesota Statutes, Minnesota Rules,

IT IS HEREBY DETERMINED:

1. The Board has the statutory authority to adopt the rules.
2. The rules were adopted in compliance with the procedural requirements of Minnesota Statutes, Chapter 14 (2024), and Minnesota Rules, Chapter 1400 (2025).
3. The record demonstrates the rules are needed and reasonable.

IT IS HEREBY ORDERED THAT:

The rules are **APPROVED**.

Dated: August 29, 2025


KIMBERLY MIDDENDORF
Administrative Law Judge

August 26, 2025

The Honorable Kimberly Middendorf
Administrative Law Judge
Court of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

Re: In the Matter of the Proposed Rules of the Professional Educator Licensing and Standards Board
Governing School Counseling Programs and Licensure, Minnesota Rules, parts 8705.0100,
8705.1010, and 8710.6400

CAH Docket No. 21-9021-37950
Revisor's ID Number 4703

Dear Judge Middendorf:

The Minnesota Professional Educator Licensing and Standards Board requests that the Court of Administrative Hearings review and approve the rules under Minnesota Statutes, section 14.26. Enclosed for your review are revised documents G & H. These documents are required by Court of Administrative Hearings Rules, part 1400.2310. The other documents were submitted to you on August 22, 2025.

- G. Enclosed: The Certificate of Mailing the Notice of Intent to Adopt Rules and the Certificate of Accuracy of the Mailing List.
- H. Enclosed: The Certificate of Additional Notice.

If you have questions or wish to discuss anything with me, please contact me at (651) 539-5991. After you complete your review, please send any correspondence to me at the following address: Steven Rollin, Rulemaking Specialist, at steven.rollin@state.mn.us
Sincerely,



Steven Rollin
Rulemaking Specialist

Exhibit G. Enclosed: The Certificate of Mailing the Notice of Intent to Adopt Rules and the Certificate of Accuracy of the Mailing List.

CERTIFICATE OF MAILING THE DUAL NOTICE TO THE RULEMAKING MAILING LIST

Proposed Amendments to Rules Governing School Counseling Programs and Licensure, Minnesota Rules, part 8705.0100, 8705.1010, and 8710.6400; Revisor's ID Number 4703; CAH Docket Number 21-9021-37950

I certify that on June 2, 2025, at least 33 days before the end of the comment period, I mailed the (1) Dual Notice and (2) the proposed rules by sending an electronic copy via email to all persons and associations on the rulemaking mailing list established by Minnesota Statutes, section 14.14, subdivision 1a.

A handwritten signature in black ink that reads "Steven Rollin". The signature is written in a cursive style with a large, stylized 'S' and 'R'.

Steven Rollin
Rulemaking Specialist

CERTIFICATE OF MAILING THE DUAL NOTICE TO THE RULEMAKING MAILING LIST

Proposed Amendments to Rules Governing School Counseling Programs and Licensure, Minnesota Rules, part 8705.0100, 8705.1010, and 8710.6400; Revisor's ID Number 4703; CAH Docket Number 21-9021-37950

I certify that the list of persons and associations who have requested that their names be placed on the Board's rulemaking mailing list under Minnesota Statutes, section 14.14, subdivision 1a, is accurate, complete, and current as of June 2, 2025.



Steven Rollin
Rulemaking Specialist

Exhibit H. Enclosed: The Certificate of Additional Notice.

CERTIFICATE OF GIVING ADDITIONAL NOTICE OF THE HEARING UNDER THE ADDITIONAL NOTICE PLAN

Proposed Amendments to Rules Governing School Counseling Programs and Licensure, Minnesota Rules, part 8705.0100, 8705.1010, and 8710.6400; Revisor's ID Number 4703; CAH Docket Number 21-9021-37950

I certify that on June 2, 2025, I gave notice of the rules hearing according to the Additional Notice Plan approved by the Court of Administrative Hearings on September 19, 2024. Specifically, I provided notice to all interested parties and distributed the Dual Notice of Hearing in the following way:

PELSB provided electronic notice to the following individuals and organizations:

- Minnesota School Counselor Association
- Minnesota Association of Colleges for Teacher Education (MACTE)
- Minnesota State Colleges and Universities (Minnesota State)
- Minnesota Association of Elementary School Principals
- Minnesota Association of Secondary School Principals
- Minnesota Association of School Administrators (MASA)
- Minnesota School Boards Association (MSBA)
- Minnesota Rural Educator Association (MREA)
- Association of Metro School Districts (ASMD)
- Education Minnesota
- Department of Education (MDE)
- Office of Higher Education (OHE)
- Board of School Administrators (BOSA)
- Tribal Nations Education Committee (TNEC)
- PELSB's rulemaking email list (2,419 email addresses)
- PELSB's Standards and Rules Advisory Committee
- All approved teacher preparation providers in Minnesota

Additionally, PELSB maintained the following webpage dedicated to this rulemaking project [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). Prior to June 2, 2025, PELSB posted the Dual Notice of Hearing, rule draft, and Statement of Need and

Reasonableness. Additionally, PELSB has provided updates and other rulemaking materials since it was created in November 2018.

A handwritten signature in black ink that reads "Steven Rollin". The script is cursive and fluid, with the first name "Steven" and last name "Rollin" clearly distinguishable.

Steven Rollin
Rulemaking Specialist

August 22, 2025

The Honorable Kimberly Middendorf
Administrative Law Judge
Court of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

Re: In the Matter of the Proposed Rules of the Professional Educator Licensing and Standards Board
Governing School Counseling Programs and Licensure, Minnesota Rules, parts 8705.0100,
8705.1010, and 8710.6400

CAH Docket No. 21-9021-37950
Revisor's ID Number 4703

Dear Judge Middendorf:

The Minnesota Professional Educator Licensing and Standards Board requests that the Court of Administrative Hearings review and approve the rules under Minnesota Statutes, section 14.26. Enclosed for your review are the documents required by Court of Administrative Hearings Rules, part 1400.2310, items A to P. Paragraphs A to P of this letter are keyed to items A to P of part 1400.2310. Each paragraph states whether the document is enclosed and, if the document is not enclosed, the reason that the document is not applicable.

- A. Enclosed: The Request for Comments as published in the State Register on September 30, 2024.
- B. Enclosed: Board resolution authorizing rulemaking.
- C. Enclosed: The proposed rules dated May 15, 2025, with the Revisor's certificate of approval.
- D. Enclosed: The Statement of Need and Reasonableness.
- E. Enclosed: The Notice of Intent to Adopt Rules (Dual Notice), as sent and published in the State Register on June 2, 2025.
- F. Not enclosed: A letter from the Chief Administrative Law Judge authorizing the Board to omit the text of the proposed rules from the Notice of Intent to Adopt Rules published in the State Register. This is not enclosed because the Board included the text of the proposed rules with the Notice of Intent to Adopt Rules published in the State Register.
- G. Enclosed: The Certificate of Mailing the Notice of Intent to Adopt Rules and the Certificate of Accuracy of the Mailing List.
- H. Enclosed: The Certificate of Additional Notice.
- I. Enclosed: The Certificate of Mailing the Statement of Need and Reasonableness to the Legislative Reference Library and a copy of the transmittal letter showing that the Board sent the Statement of Need and Reasonableness to the Legislative Reference Library.

- J. Enclosed: All written comments and submissions on the proposed rules that the Board received during the comment period. Note: The Board received zero (0) requests for hearing and zero (0) withdrawals of requests for hearing.
- K. Enclosed: A notice of withdrawal of hearing request, evidence that the Board sent its notice of withdrawal to all persons who requested a hearing, and any responsive comments received. The Board received zero (0) requests for a hearing and zero (0) individuals withdrew a request.
- L. Enclosed: A copy of the adopted rules dated June 4, 2025.
- M. Not enclosed: A notice of adopting substantially different rules that was sent to people or groups who commented during the comment period and evidence that the notice was sent to these persons or groups. This is not enclosed because the Board did not adopt substantially different rules.
- N. Enclosed: The unsigned Order Adopting Rules that complies with the requirements in part 1400.2090.
- O. Not enclosed: A notice of submission of rules to the Court of Administrative Hearings and a copy of a transmittal letter or certificate of mailing the notice of submission of rules to the Court of Administrative Hearings. No people requested notification of the submission of the rules to the Court of Administrative Hearings.
- P. Enclosed: Any other document or evidence to show compliance with any other law or rule that the Board is required to follow in adopting these rules. These are:
 - P.1. Enclosed: The Certificate of Sending Notice to Legislators per Minnesota Statutes, section 14.116, and a copy of the transmittal letter.
 - P.2. Enclosed: A copy of the memorandum dated April 1, 2025, from the Department of Management and Budget, evaluating the fiscal impact and benefits of the proposed rule changes on local governments.
 - P.3. Not enclosed: The certificate showing compliance with Minnesota Statutes, section 14.111, regarding farming operations. This requirement was addressed in the SONAR.
 - P.4. Not enclosed: The compliance cost determination required by Minnesota Statutes, section 14.127. This requirement was addressed in the SONAR.
 - P.5. Not enclosed: The analysis and determination about whether local ordinance adoption is required and effective date required by Minnesota Statutes, section 14.128. This requirement was addressed in the SONAR.
 - P.6. Not enclosed: Other Minnesota Statutes that apply only to some rulemakings - none known. All requirements were addressed in the SONAR.
 - P.7. Enclosed: The Board's response to the written comments and submissions on the proposed rules that the Board received during the comment period.

If you have questions or wish to discuss anything with me, please contact me at (651) 539-5991. After you complete your review, please send any correspondence to me at the following address: Steven Rollin, Rulemaking Specialist, at steven.rollin@state.mn.us
Sincerely,

A handwritten signature in black ink that reads "Steven Rollin". The script is fluid and cursive, with the first name "Steven" and last name "Rollin" clearly distinguishable.

Steven Rollin
Rulemaking Specialist

Exhibit A. The Request for Comments as published in the State Register on September 30, 2024.

MINNESOTA STATE REGISTER

MONDAY, SEPTEMBER 30, 2024

VOLUME 49, NUMBER 14

PAGES 353 - 372



Minnesota State Register

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

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

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

Printing Schedule and Submission Deadlines

Vol. 49 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#15	Monday 7 October	Noon Tuesday 1 October	Noon Thursday 26 September
#16	Monday 14 October	Noon Tuesday 8 October	Noon Thursday 3 October
#17	Monday 21 October	Noon Tuesday 15 October	Noon Thursday 10 October
#18	Monday 28 October	Noon Tuesday 22 October	Noon Thursday 17 October

PUBLISHING NOTICES: We need to receive your submission ELECTRONICALLY in Microsoft WORD format. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit ELECTRONICALLY in Microsoft WORD, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$13.50 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 6/10s of a page in the State Register, or \$81. About 1.5 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the State Register. Contact editor with questions (651) 201-3204, or e-mail: sean.plemmons@state.mn.us.

SUBSCRIPTION SERVICES: E-mail subscriptions are available by contacting the editor at sean.plemmons@state.mn.us. Send address changes to the editor or at the Minnesota State Register, 50 Sherburne Avenue, Suite 309, Saint Paul, MN 55155.

SEE THE Minnesota State Register free at website: <https://mn.gov/admin/bookstore/register.jsp>

- Minnesota State Register: Online subscription – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via E-mail.
- Single issues are available electronically via PDF for free.
- "Affidavit of Publication" includes a notarized "Affidavit" and a copy of the issue: \$15.00.

Governor: Tim Walz
(651) 201-3400

Attorney General:
Keith Ellison (651) 296-3353

Department of Administration
Commissioner:
Tamar Gronvall
(651) 201-2560

Minnesota State Register
Editor: Sean Plemmons
(651) 201-3204
sean.plemmons@state.mn.us

Lieutenant Governor:
Peggy Flanagan
(651) 201-3400

Auditor: Julie Blaha
(651) 296-2551

Secretary of State: Steve Simon
(651) 296-2803

Communications and Planning
Division: Curtis Yoakum
(651) 201-2771

Copyright © 2024 Communications Division, Department of Administration, State of Minnesota.
USPS Publication Number: 326-630 (ISSN: 0146-7751)

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>

Minnesota Legislative Information

Senate Public Information Office

(651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
<https://www.senate.mn/>

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<http://www.mncourts.gov>

House Public Information Services

(651) 296-2146
State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
<https://www.federalregister.gov/>

Minnesota Rules: Amendments and Additions.....356

Exempt Rules

Department of Labor and Industry

Adopted Exempt Permanent Rules Relating to Workers' Compensation; 2024 Adjustments to Relative Value Fee Schedule Conversion Factors in Minnesota Rules, Chapter 5221..... 357

Official Notices

Department of Commerce

Division of Financial Institutions

REQUEST FOR COMMENTS for Possible Rules Governing Virtual-currency Customer Disclosures, Minnesota Rules, 2675.8500 and 2675.8510; Revisor's ID Number R-04895..... 358

Minnesota Management & Budget

Budget Services Division

Notice of Rate for Provider Tax Research Credit 359

Professional Educator Licensing and Standards Board

REQUEST FOR COMMENTS for Possible Permanent Rules Relating to School Counseling Programs and Licensure, *Minnesota Rules*, 8705.0100, 8705.0400, 8705.1010 and 8710.6400; Revisor's ID Number RD4703; Docket Number 21-9021-37950 360

Teachers Retirement Association

Board of Trustees

Notice of Special Meeting 361

State Grants & Loans

Department of Employment and Economic Development (DEED)

Notice of Grant Opportunity 361

Department of Human Services

Contracts and Legal Compliance Division

Notice of Changes to Grant Request for Proposal noticing in the State Register for the Department of Human Services 361

State Contracts

Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: ADA Upgrades for Tunnel between Capitol Building to State Office Building (Cap-SOB) (RECS Project # 02CP0143) (SDSB Project # 24-15)..... 362

Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: New State Patrol Headquarters (RECS Project # 07XX0002) – (SDSB Project # 24-16)..... 363

Office of the Attorney General

Request For Qualifications For Outside Counsel Services Relating To: Defending Tort Claims Resulting From Motor Vehicle Accidents (Or Pursuing Related Subrogation Interests) On Behalf Of The State Of Minnesota, Primarily The Department Of Administration ("Department") 363

Minnesota State Colleges and Universities (Minnesota State)

Notice of Bid and Contracting Opportunities 366

Winona State University (WSU)

Request for Qualifications for Construction Manager at Risk (CM@risk) Services for the 2023 Center for Interdisciplinary Collaboration, Engagement & Learning (CICEL) 366

Minnesota Competency Attainment Board

Request for Proposal for Salary Structure Benchmark and Compensation Study 366

Department of Employment and Economic Development (DEED)

Notice of Request for Proposals (RFP) for Shovel Ready Program Consultant for the State of Minnesota 367

Minnesota Department of Transportation (MnDOT)

Office of Maintenance

Notice of Availability of Request for Qualifications (RFQ) for Construction Manager as Constructor for District 1 Virginia Headquarters Campus Redevelopment Project 367

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting 368

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

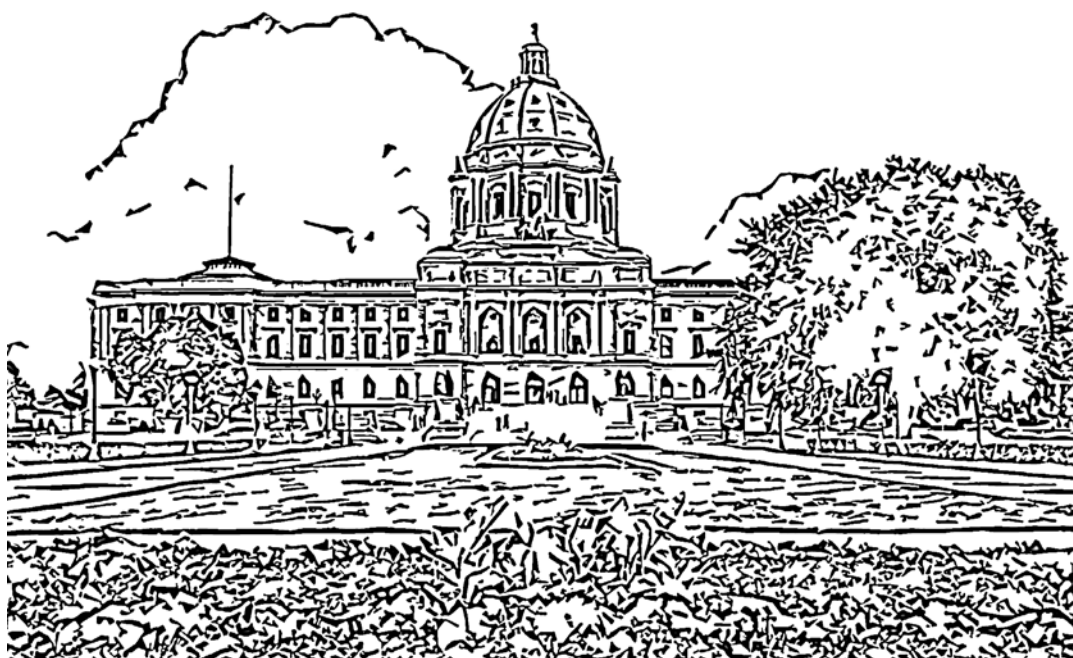
Notice of Call for Bids for 2024 Electrical & Ground Power Substation Replacement..... 369

Notice of Call for Bids for 2024 GO/Campus Building Rehab & Emergency Communication Center Updates..... 370

Notice of Call for Bids for 2024 Sump Pump Controls..... 371

Notice of Call for Bids for 2024 Runway 12R-30L Glycol Forcemain Environmental Improvements 371

Front Cover Artwork: *A dog, attempting to enjoy the last of summer, jumps off a dock to fetch a stick on Shallow Lake, near Nevis, Minn.*
Photo by Sean Plemmons



Minnesota Rules: Amendments and Additions

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

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

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

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

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 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

Volume 49 - Minnesota Rules

(Rules Appearing in Vol. 48 Issues #27-52 are
in Vol. 48, #52 - Monday 24 June 2024)

Volume 49, #14

Monday 1 July - Monday 30 September

Board of Accountancy

1105.2000, .2560, .3000 (adopted)93

Board of Cosmetologist Examiners

2105.0145, .0183 (adopted exempt)77

Department of Education

3501 (proposed)109

Department of Health

4605 (adopted)329

Department of Labor and Industry

1305.3114 (proposed expedited)279

5220 (proposed)313

5205.0010 (proposed exempt)327

5221.4020 (adopted exempt)357

Department of Natural Resources

6262; 6266 (expedited emergency)5

6232.4800 (expedited emergency)8

6262.0800 (adopted expedited)10

6212; 6264; 6270 (adopted expedited)45

6262.0200 (proposed expedited)125

6266.0500 (proposed expedited)136

6230; 6240 (expedited emergency)141

6230; 6234; 6236 (expedited emergency)150

6232 (expedited emergency)197

6234.0300; 6237.0400, .0550 (expedited emergency)284

6232.2550 (expedited emergency)285

Nursing Home Workforce Standards Board

5200 (expedited)191

Department of Public Safety

7522 (proposed)171

Racing Commission

7869; 7873; 7877; 7883; 7884; 7891; 7897 (proposed)61

Department of Revenue

8125.1301 (proposed)72

Department of Transportation

8810.8000, .8200, .8300, .8400 (adopted)279

Workers' Compensation Court of Appeals

9800 (proposed)316

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the State Register. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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.

Department of Labor and Industry

Adopted Exempt Permanent Rules Relating to Workers' Compensation; 2024 Adjustments to Relative Value Fee Schedule Conversion Factors in Minnesota Rules, Chapter 5221

5221.4020 DETERMINING FEE SCHEDULE PAYMENT LIMITS.

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

Subp. 1b. Conversion factors and maximum fee formulas.

[For text of item A, see Minnesota Rules]

B. The conversion factors for services, articles, and supplies included in parts 5221.4030 to 5221.4061 are as provided in Minnesota Statutes, section 176.136, subdivision 1a, as follows:

[For text of subitems (1) to (12), see Minnesota Rules]

- (13) for dates of service from October 1, 2022, to September 30, 2023, the conversion factors are:

[For text of units (a) to (c), see Minnesota Rules]

- (d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$52.00; and

- (14) for dates of service from October 1, 2023, to September 30, 2024, the conversion factors are:

[For text of units (a) to (c), see Minnesota Rules]

- (d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$52.27; and

Exempt Rules

(15) for dates of service from October 1, 2024, to September 30, 2025, the conversion factors are:

(a) for medical/surgical services identified by procedure codes described in part 5221.4030, subpart 3:
\$67.52;

(b) for pathology and laboratory services identified by procedure codes described in part 5221.4040, subpart 3: \$61.39;

(c) for physical medicine and rehabilitation services identified by procedure codes described in part 5221.4050, subpart 2d: \$60.64; and

(d) for chiropractic services identified by procedure codes described in part 5221.4060, subpart 2d: \$52.54.
[For text of subparts 1c to 4, see Minnesota Rules]

EFFECTIVE DATE. The amendments to part 5221.4020, subpart 1b, are effective for services provided on or after October 1, 2024.

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.

Department of Commerce

Division of Financial Institutions

REQUEST FOR COMMENTS for Possible Rules Governing Virtual-currency Customer Disclosures, Minnesota Rules, 2675.8500 and 2675.8510; Revisor's ID Number R-04895

Subject of Rules. The Minnesota Department of Commerce requests comments on its possible rules governing virtual-currency customer disclosures. The Department is considering rules that will determine the time and form for required customer disclosures related to virtual currency business activity and additional disclosures reasonably necessary to protect consumers as required by Minnesota Statutes, sections 53B.72(a) and 53B.31, subd. 2. Possible rules will, at a minimum, address the following topics:

- (1) the point in time when disclosures must be given;
- (2) what constitutes a clear and conspicuous manner of disclosure;
- (3) the format required for disclosures;
- (4) the acknowledgment and receipt requirements of the disclosures; and
- (5) other topics related to virtual-currency customer disclosures as time allows.

Persons Affected. The rules would likely affect money transmitter licensees who conduct virtual-currency business activity, as well as customers who receive these disclosures.

Statutory Authority. Minnesota Statutes, section 53B.72(a), requires the Department to adopt rules for the time and form for disclosure. Minnesota Statutes, section 53B.31, subd. 2 also grants the Department authority to adopt regulations to implement Minnesota Statutes Chapter 53B.

Official Notices

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing from September 30, 2024, until 4:30 p.m. on November 29, 2024. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department does not plan to appoint an advisory committee to comment on the possible rules.

The Department is also interested in whether local governments might be required to adopt or amend an ordinance or other regulation to implement these rules and therefore requests that local governments provide us with relevant information about their ordinances.

Rules Drafts. The Department does not anticipate that a draft of the rules will be available before the publication of the proposed rules.

Agency Contact Person. Requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to:

Mark Hastie
Minnesota Department of Commerce
85 7th Place East, St. Paul, MN 55101
Telephone number (651) 539-1720
Email address: mark.hastie@state.mn.us

Questions and written comments on the possible rules should be submitted via the Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: September 25, 2024

Mark Hastie, Non-Depository Director
Department of Commerce
Financial Institutions Division

Minnesota Management & Budget

Budget Services Division

Notice of Rate for Provider Tax Research Credit

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes* 295.53, Subdivision 4a and 4a(e), the research tax credit for companies subject to the gross earnings tax under *Minnesota Statutes* 295.52 shall be 0.5 percent of revenues for patient services used to fund expenditures for qualifying research conducted by an allowable research program in calendar year 2025.

For additional information, please call Josh Riesen, Executive Budget Coordinator, at (651) 201-8025.

Erin Campbell
Commissioner

Official Notices

Professional Educator Licensing and Standards Board

REQUEST FOR COMMENTS for Possible Permanent Rules Relating to School Counseling Programs and Licensure, *Minnesota Rules*, 8705.0100, 8705.0400, 8705.1010 and 8710.6400; Revisor's ID Number RD4703; Docket Number 21-9021-37950

Subject of Rules. The Professional Educator Licensing and Standards Board (PELSB) requests comments on its possible amendments to rules governing school counseling programs and licensure in Minnesota. The Board is considering rule amendments to:

- Require school counseling programs in Minnesota to hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) rather than require these programs to obtain state approval through PELSB by meeting state-specific standards.
- Upon approval, allow providers to create a school counseling program tailored to candidates who already hold a master's degree, which would allow these candidates to be recommended for licensure as a school counselor without obtaining an additional master's degree;
- Expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners; and
- Create a number of pathways by which a licensed school counselor, who holds a restricted license, would be able to expand the scope of their license to the full scope.

Persons Affected. The amendment to and repeal of existing rules would likely affect all school counseling preparation programs in Minnesota and the candidates completing those preparation programs, as well as the students and schools those candidates will eventually serve.

Statutory Authority. *Minnesota Statutes*, section 122A.09, subdivision 9, requires the Board to adopt rules to for teacher licensure, including relating to the grade levels a licensed educator may teach. *Minnesota Statutes*, section 122A.091, subdivision 1, requires the board to adopt rules to approve teacher preparation programs.

Public Comment. Interested persons or groups may submit proposals, comments, or information on the possible rules in writing or orally until 4:30 p.m. on December 6, 2024, to the agency contact person. The public is also advised that depending upon the comments received the PELSB may withdraw the proposed rules. The Board does not contemplate appointing an advisory committee to comment on the possible rules. The public is welcomed and encouraged to comment and make proposals for the amendments.

Rules Drafts. The Board has drafted the possible rules amendments. A draft is available for review online at <https://mn.gov/pelsb/board/rulemaking/school-counseling/>.

Agency Contact Person. Written or oral comments, questions, rule proposals, and requests for more information on these possible rule changes should be directed to:

Steven Rollin, Rulemaking Specialist
Professional Educator Licensing and Standards Board
1021 Bandana Blvd E., Saint Paul, MN 55108
(651) 539-5991
PELSB.rules@state.mn.us

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge if and when a proceeding to adopt rules is started. The Board is required to submit to the judge only those written comments received in response to the rules after they are proposed. If

you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: September 30, 2024

Signed by: Dr. Yelena Bailey, Executive Director

Teachers Retirement Association Board of Trustees Notice of Special Meeting

Notice is hereby given that the Board of Trustees will hold a special meeting on Thursday, October 3, 2024 at 10:00 a.m. in Room 414. The purpose of the meeting will be for the board to determine the process for appointing the new executive director of the Teachers Retirement Association. The meeting will be held in the Teachers Retirement Association office at 60 Empire Drive, Room 414, Saint Paul, Minnesota, 55103. Board members may participate in the meeting by electronic means.

The public may monitor the meeting electronically from a remote site as set out on the Teachers Retirement Association's website, which can be found at www.minnesotatara.org.

State Grants & Loans

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

SEE ALSO: Office of Grants Management (OGM) at: <https://mn.gov/admin/citizen/grants/>

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>

Department of Human Services Contracts and Legal Compliance Division Notice of Changes to Grant Request for Proposal noticing in the State Register for the Department of Human Services

The Minnesota Department of Human Services (DHS) will no longer publish individual grant RFP notices to the State Register effective March 27, 2023. The RFPs and RFIs can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) website: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>.

State Grants & Loans

The RFPs and RFIs do not obligate the State to complete the work contemplated in the respective notices. The State reserves the right to cancel solicitations. All expenses incurred in responding to the RFPs and RFIs 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, Office of State Procurement (OSP) Website. Interested vendors are encouraged to monitor the P/T Contract Section of the OSP Website at <https://mn.gov/admin/osp> 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 Office of State Procurement strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised; \$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.

Contact the Office of State Procurement at: (651) 296-2600

Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: ADA Upgrades for Tunnel between Capitol Building to State Office Building (Cap-SOB) (RECS Project # 02CP0143) (SDSB Project # 24-15)

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

A full Request for Proposals is available on the Minnesota Department of Administration's website at <https://mn.gov/admin/government/construction-projects/sdsb/projects/> (click SDSB Project #24-15).

A mandatory informational meeting will be held on Tuesday, October 1, 2024, at 1:00pm CT at the Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 [meet in first floor public access conference room 116C]. The meeting will include a tour of the proposed project areas and a review of the scope of work.

Any questions should be directed to Mrs. Heather Nelson at heather.a.nelson@state.mn.us. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **October 3, 2024, no later than 2:00 p.m. Central Time**.

Proposals must be delivered to SDSB.Proposals.ADM@state.mn.us not later than **Monday October 14, 2024, by 12:00 noon CT**. Late responses will not be considered.

The Department of Administration 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 Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: New State Patrol Headquarters (RECS Project # 07XX0002) – (SDSB Project # 24-16)

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

A full Request for Proposals is available on the Minnesota Department of Administration's website at <https://mn.gov/admin/government/construction-projects/sdsb/projects/> (click SDSB Project #24-16).

A mandatory informational meeting will be held on October 9, 2024, at 1:00 pm CT, virtually. Meeting access can be requested from Cindy Dillahunty cindy.dillahunty@state.mn.us by October 9, 2024, by 9:00 am.

Any questions should be directed to Mrs. Heather Nelson at heather.a.nelson@state.mn.us. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **October 14, 2024**, no later than **noon** Central Time.

Proposals must be delivered to SDSB.Proposals.ADM@state.mn.us not later than **Monday October 21, 2024, by 12:00 noon CT**. Late responses will not be considered.

The Department of Public Safety 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.

Office of the Attorney General

Request For Qualifications For Outside Counsel Services Relating To: Defending Tort Claims Resulting From Motor Vehicle Accidents (Or Pursuing Related Subrogation Interests) On Behalf Of The State Of Minnesota, Primarily The Department Of Administration ("Department")

SUBMITTALS DUE BY 4:00 P.M. (Central time) on October 15, 2024

Please email submittals to RFQ.response@ag.state.mn.us

I. INTRODUCTION

The Department of Administration and the Attorney General's Office seeks to engage outside counsel to defend tort claims that arise out of motor vehicle accidents for the State.

The State of Minnesota is self-insured and therefore must defend itself from personal injury and wrongful death claims related to motor vehicle accidents. The State refers approximately 4-12 cases a year to outside counsel.

In order to ensure that the State is getting the highest quality legal service at the most reasonable rates, and that all law firms who wish to perform this work are able to compete for it, the AGO is issuing this RFQ as an open solicitation for all law firms to provide legal services in these tort claim matters. Ideally, the AGO would like to consolidate its work with one or two firms.

The review of qualifications and the possible engagement resulting from this RFQ may not be exclusive and the AGO reserves the right to assign defense work to more than one firm. In responding to this solicitation, it is understood by all proposers that the AGO and the reserves the right to select none, any, or all proposers whom the AGO deems to be in the State's best interest. The AGO is not required to submit this work to a competitive bidding process, nor must it retain the lowest bidder. Any possible engagement letter following this RFQ will depend on the proposals received in

State Contracts

response to this RFQ.

The anticipated engagement letter will be for a period of three years.

II. AGO CONTACT INFORMATION

This RFQ is being released by the AGO, which is also the sole point of contact during the review process. Any Special Attorney appointment[s] resulting from this RFQ will be administered by the AGO. The contract administrators are Marianne Ellis, Manager of Outside Counsel at the AGO, and Liz Kramer, Solicitor General. If additional information is necessary to interpret the requirements of this RFQ, please direct questions to RFQ.response@ag.state.mn.us.

III. CONDITIONS OF SUBMITTING RESPONSES

Proposers responding to this RFQ understand that the following conditions apply to any proposal:

A. **RESPONSE PREPARATION.** The minimum qualifications stated in Section IV and the submission content stated in section V of this RFQ are mandatory. Failure by a respondent to respond to a specific requirement can be the basis for elimination from consideration during the comparative evaluation.

B. **RESPONSE SUBMISSION/ DEADLINE.** Response(s) should be provided in Adobe (pdf) format and submitted by email to the address on the cover of this RFQ by no later than 4:00PM (Central Time) on **October 15, 2024**. No responses submitted after this deadline will be accepted.

C. **INCURRING COSTS.** The AGO is not liable for any cost incurred by respondents in replying to this RFQ.

D. **ORAL INTERVIEWS AND FURTHER INFORMATION.** While not planned at this time, the AGO reserves a right to schedule and conduct an oral interview with any or all the respondents to this RFQ. The AGO also reserves the right to request additional data or a presentation in support of any or all proposals at any time.

E. **PROPRIETARY INFORMATION.** Any restrictions on the use of data contained within a response must be clearly stated in the response itself. Information deemed proprietary submitted in response to this RFQ will be handled in accordance with applicable State data practices law.

F. **ACCEPTANCE OF TERMS.** The proposer has reviewed and understands the RFQ process and requirements as stated in this RFQ.

G. **CONTROL BY ATTORNEY GENERAL.** The identified matter shall be strictly controlled by the Attorney General. The Attorney General shall retain control of all aspects of the representation.

H. **NO ENDORSEMENT.** Selection as outside counsel does not constitute an endorsement by the State of Minnesota or the AGO. A chosen firm may not promote or advertise its designation without permission of the AGO.

I. **RESERVED RIGHTS.** The AGO reserves the right to reject any and all proposals received in response to this RFQ when determined to be in the State's best interest, and to waive minor noncompliance in a proposal. The AGO further reserves the right to make such investigations as deemed necessary as to the qualifications of any and all firms submitting proposals in response to this RFQ. If all proposals are rejected or if the AGO, at any time, deems the number of qualified firms receiving designation on the Special Counsel Eligible List as the result of this RFQ to be insufficient to meet the potential needs for the identified matter, the AGO reserves the right to re-solicit proposals. Nothing in this RFQ is intended to limit or constrain the discretion of the AGO in exercising any authority, duty, prerogative, or power established or recognized by the Constitution, statutes, executive orders, regulations, case law, or other applicable law.

J. **FEES.** Attorney fees and costs for the identified matter will be paid by Department of Administration. Proposals should include information concerning the hourly rates, fees, and costs of the proposer. Invoices must be submitted for review and approval on at least a monthly basis. Additional requirements and terms of payment will be negotiated prior to appointment of any proposer.

K. COSTS. Allowable costs will be determined by a retainer fee agreement and/or special attorney appointment.

IV. RFQ PROCESS AND REQUIRED QUALIFICATIONS

A. MINIMUM QUALIFICATIONS. At a minimum, firms submitting a proposal in response to this RFQ should have substantial experience defending auto accident claims and should have not current anticipated conflict of interests with representation of the State in the matter.

B. EVALUATION CRITERIA. Responses to this RFQ meeting the minimum qualifications will be evaluated based on the following criteria:

- General Quality of Response
- Qualifications of Firm Attorneys
- Experience of Firm within Specific Area of Identified Matter
- Fee proposal
- Cost proposal
- Minimum of Ethical and Business Conflicts

The AGO reserves the right to consider other factors if it deems the information relevant to the evaluation and selection process.

C. LEGISLATIVE ADVISORY COMMISSION APPROVAL MAY BE NEEDED. Proposers should be aware that Minn. Stat § 8.065 requires notice to the Legislative Advisory Commission of certain outside counsel hires, and the Commission has a right to make a recommendation on the hire.

V. SUBMITTAL CONTENT.

Responses must address all the questions and requests in this section. Please also include a cover letter with an executive summary of the proposal.

A. CONTACT NAME. Name, phone number and email address of individual or individuals responsible for this RFQ response who may be contacted in the event of questions or notification. The proposer also should identify the individual who would be designated as the contact person with the AGO for billings and special attorney appointment[s] administration in the case of retention.

B. GENERAL FIRM QUALIFICATIONS. Provide or identify the following information about the firm:

1. The firm's experience with defending auto accident cases or similar torts especially for public entities.
2. The firm's hiring, training, retention, and advancing of traditionally underrepresented attorneys within their firm (including women, lawyers of color, and the LGBTQ+ community), especially in the area of the identified matter.
3. Any agency or department of the State of Minnesota represented by the firm during the last five years. For each matter, provide the name of the State agency or department, and a description of the matter.
4. The firm's professional liability insurance coverage. Specify the type of malpractice or errors and omissions insurance that the firm carries and the limits of coverage.

C. QUALIFICATIONS AND EXPERIENCE OF PARTICULAR ATTORNEYS. The proposal should identify the specific attorneys likely to be assigned to perform the requested legal services. For each of these attorneys, provide or identify the following:

1. A professional resume.
2. Their experience handling matters in the area of the identified matter and other indications of expertise (writing articles, giving presentations, etc.)
3. Hourly rate or example(s) of any other rates that you would like the AGO to consider (flat fee, capped/collared arrangements), and metrics for diligence of timely and accurate time entry.

State Contracts

D. ACTUAL OR POTENTIAL CONFLICTS OF INTEREST. State whether any attorneys within the firm represent any clients or interests adverse to any entity of the State, including lawsuits, administrative proceedings, other legal actions, or lobbying activities. Without violating your duty of confidentiality, the proposal should describe the nature of any such representation. The proposal also must indicate whether any other activities of the firm potentially pose a conflict of interest, or the appearance of a conflict of interest, in representation of the State in litigation of the identified matter. The firm should immediately advise the AGO in writing of any real or possible conflicts that arise after the submission of the proposal.

Minnesota State Colleges and Universities (Minnesota State) Notice of Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for contract opportunities for goods and services on its Vendor and Supplier Opportunities website (<https://www.minnstate.edu/vendors/index.html>). Minnesota State may add new public notices to the website daily and post for the time 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 email the Minnesota State Procurement Unit at Sourcing@MinnState.edu.

Minnesota State Colleges and Universities (Minnesota State) Winona State University (WSU) Request for Qualifications for Construction Manager at Risk (CM@risk) Services for the 2023 Center for Interdisciplinary Collaboration, Engagement & Learning (CICEL)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Winona State University, Winona, Minnesota, is seeking construction management services for demolition of two existing buildings and new construction of a net-zero energy building project. CICEL will seek the International Living Future Institute's Living Building Challenge Core Green Building and Zero Energy Certification and be the first net-zero energy facility in the Minnesota State System.

A full Request for Qualifications (RFQ) is available on the Minnesota State QuestCDN interface, <https://qcp.questcdn.com/cdn/posting/?projType=&group=70464&provider=70464>

A mandatory informational meeting and tour is scheduled for 1:00 – 3:00 PM, Wednesday, October 2, 2024, in Oak Room #223/224 of the Krysko Commons, at Winona State University.

Proposals must be received electronically, through QuestCDN, not later than **12:00 Noon, Thursday, October 24, 2024**. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota Competency Attainment Board Request for Proposal for Salary Structure Benchmark and Compensation Study

The Minnesota Competency Attainment Board is using a competitive selection process to select a vendor to conduct a salary structure benchmark and compensation study.

The request for proposal does not obligate the MN Competency Attainment Board to award a contract or complete the project and we reserve the right to cancel the solicitation if it is in our best interest.

Interested vendor submissions shall be received by the Minnesota Competency Attainment Board no later than 11:59PM CST, October 11, 2024. Electronic proposal submissions may be sent to Allison Holbrook at allison.holbrook@mncab.us with the subject line titled: "Request for Proposal - Salary Structure Benchmark and Compensation Study". All written proposal submissions must be sent to the following address:

Allison Holbrook C/O RFP Proposal
Minnesota Judicial Branch
25 Dr. Rev Martin Luther King Jr Blvd
G-08
St. Paul, MN 55115

A complete copy of the Request for Proposal may be found on the Minnesota Competency Attainment Board website at www.mn.gov/cab.

Department of Employment and Economic Development (DEED) Notice of Request for Proposals (RFP) for Shovel Ready Program Consultant for the State of Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development is soliciting proposals for the purpose of seeking a qualified contractor to prepare Shovel Ready Certification sites. The Request for Proposals (RFP) is available at: <https://mn.gov/deed/about/contracts/>

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 Colleen Eddy, Metro Business Development Manager, at colleen.eddy@state.mn.us. Deadline for inquiries is October 2, 2024, at 4:30 p.m. Central Time. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

Proposals must be emailed to: Colleen Eddy, Metro Business Development Manager, Minnesota Department of Employment and Economic Development at colleen.eddy@state.mn.us. Proposals must be received NO later than **4:30 p.m. Central Time, October 14, 2024**; late responses 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) Office of Maintenance

Notice of Availability of Request for Qualifications (RFQ) for Construction Manager as Constructor for District 1 Virginia Headquarters Campus Redevelopment Project

The State of Minnesota (State), through its Department of Transportation, Office of Maintenance, Building Services Section, is requesting qualification proposals to evaluate and select a Construction Manager as Constructor for the MnDOT District 1 Virginia Headquarters Campus Redevelopment Project, in accordance with *Minnesota Statute 16C.34*.

A full RFQ is available on MnDOT's Consultant Services website at www.dot.state.mn.us/consult/notices.html. Project Name: "**Request for Qualifications (RFQ) for Construction Manager as Constructor for District 1 Virginia Headquarters Campus Redevelopment Project**". MnDOT Contract Number **1057391**. To be considered for selection and a contract, response must be submitted by the date and time indicated in the RFQ. If you have any questions regarding this advertisement, or are having problems viewing the RFQ on the Consultant Services Web Page, you may contact:

State Contracts

Ashley Duran, Contract Administrator
Email: Ashley.duran@state.mn.us

A Mandatory Pre-Response Conference is scheduled for Tuesday October 1, 2024, at 11:00 AM CDT. An authorized representative from the Prime Respondent must attend this meeting. Failure to attend will eliminate Respondent from consideration.

Respondents are not required to declare their status as potential construction managers at the time of the Pre-Response Conference. Attendance at this conference does not require a qualifications submission.

Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate MnDOT to complete the work contemplated in this notice, and MnDOT reserves the right to cancel this RFQ. All expenses incurred in responding to this notice shall be borne by the responder.

Note: RESPONSES WILL BE DUE ON OCTOBER 15, 2024, AT 2:00PM CENTRAL TIME.

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting

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

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

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

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

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

Non-State Public Bids, Contracts & Grants

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

Besides the following listing, readers are advised to check: <https://mn.gov/admin/osp> as well as the Office of Grants Management (OGM) at: <https://mn.gov/admin/citizen/grants/>.

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2024 Electrical & Ground Power Substation Replacement

Airport Location:	Minneapolis-St. Paul International Airport
Project Name:	2024 Electrical & Ground Power Substation Replacement
MAC Contract No.:	106-2-1047
Bids Close At:	2:00 PM on October 15, 2024
Bid Opening Conference Call:	3:00 PM on October 15, 2024
Teleconference Dial In #:	1-612-405-6798
Conference ID #:	897 927 742#

Notice To Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

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.

Project Labor Agreement: This project is subject to the MAC's Project Labor Agreement requirements. A copy of the Project Labor Agreement and Contract Riders are included in Appendix B.

Availability Of Construction Documents: Plans and specifications are available at QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room.

Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDocTM #9315068 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

Non-State Public Bids, Contracts & Grants ==

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 23, 2024, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2024 GO/Campus Building Rehab & Emergency Communication Center Updates

Airport Location:	Minneapolis-St. Paul International Airport
Project Name:	2024 GO/Campus Building Rehab & Emergency Communication Center Updates
MAC Contract No.:	106-3-702
Bids Close At:	2:00 PM on October 15, 2024
Bid Opening Conference Call:	3:00 PM on October 15, 2024
Teleconference Dial In #:	1-612-405-6798
Conference ID #:	897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 13%.

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 available for inspection at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at <https://www.questcdn.com>. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9281948 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 30, 2024, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

— Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2024 Sump Pump Controls

Airport Location: Minneapolis-St. Paul International Airport – Terminal 1
Project Name: 2024 Sump Pump Controls
MAC Contract No.: 106-3-686
Bids Close At: 2:00 PM on October 15, 2024
Bid Opening Conference Call: 3:00 PM on October 15, 2024
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 6%

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 at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room.

Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9206291 in the “Search Projects” page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will ONLY be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 30, 2024, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2024 Runway 12R-30L Glycol Forcemain Environmental Improvements

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2024 Runway 12R-30L Glycol Forcemain Environmental Improvements
MAC Contract No.: 106-1-359
Bids Close At: 2:00 PM on October 15, 2024
Bid Opening Conference Call: 3:00 PM on October 15, 2024
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Non-State Public Bids, Contracts & Grants ==

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Targeted Group Businesses: (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 13%.

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

Availability of Construction Documents: Plans and specifications are at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9315062 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will ONLY be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 30, 2024, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).



MINNESOTA STATE REGISTER
THE SOURCE FOR RULES THAT MATTER TO YOU



Exhibit B. Enclosed: Board resolution authorizing rulemaking.

Certificate of the Minnesota Professional Educator Licensing and Standards Board

Resolution Authorizing Rulemaking

**Proposed Amendment to Rules Governing School Counseling Programs and Licensure,
Minnesota Rules, 8705.0100, 8705.1010, and 8710.6400
Revisor ID R-4703**

WHEREAS, the Minnesota Professional Educator Licensing and Standards Board is responsible for maintaining licensure standards for teacher preparation providers, teachers, and related service providers in Minnesota.

WHEREAS, Minnesota Statutes 122A.18 authorizes the Board to license teachers, including school counselors.

WHEREAS, Minnesota Statutes 122A.09, subdivision 9, authorizes the Board to adopt rules to implement requirements and processes for licensure, to approve teacher preparation programs, and relating to the grade levels that a licensed teacher may teach.

Subd. 9. Professional Educator Licensing and Standards Board must adopt rules.

(a) The Professional Educator Licensing and Standards Board must adopt rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.187, 122A.188, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, and 122A.29.

(c) The board must adopt rules relating to the grade levels that a licensed teacher may teach.

WHEREAS, I, Brian Rappe, certify that I am a member and the Chair of the Minnesota Professional Educator Licensing and Standards Board, a board authorized under the laws of the State of Minnesota; that the following is a true, complete, and correct copy of a resolution that the Professional Educator Licensing and Standards Board adopted at a properly convened meeting on July 16, 2021; that a quorum was present; and that a majority of those present voted for the resolution, which has not been rescinded or modified.

THEREFORE, the Board resolved the following:

1. The Executive Director of the Board is authorized and directed to sign and to give the notice for Request for Comment on the proposed rule changes. The Executive

Director must give this notice to all persons who have registered their names with the Board for that purpose. The Executive Director must also publish the notice in the State Register. Furthermore, the Executive Director is authorized and directed to do anything else needed to complete this notice.

2. The Executive Director of the Board is authorized and directed to sign and to give the Notice of the Board's Intent to Adopt Rules. The Executive Director must give this notice to all persons who have registered their names with the Board for that purpose. The Executive Director must also publish the notice in the State Register. Furthermore, the Executive Director is authorized and directed to do anything else needed to complete this notice.
3. If there are fewer than 25 outstanding hearing requests, the Executive Director of the Board is authorized and directed to sign the Order Adopting Rules and to do anything else needed to adopt these rules without a hearing.
4. If there are 25 or more outstanding hearing requests, the Executive Director of the Board is authorized and directed to act as the Board's representative at the hearing and do anything else needed to adopt these rules with a hearing. This includes authority to sign the Order Adopting Rules if there are no modifications to the rules other than modifications approved by the Board.

July 16, 2021

Date



Brian Rappe, Chair

**Exhibit C. Enclosed: The proposed rules dated May 15,2025,
with the Revisor's certificate of approval.**

Professional Educator Licensing and Standards Board

Proposed Permanent Rules Relating to School Counseling Programs and Licensure

8705.0400 SCHOOL COUNSELING PROGRAMS.

Subpart 1. Accreditation or approval required. To prepare individuals for licensure as a school counselor under part 8710.6400, a school counseling program based in Minnesota must hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) or be approved to recommend candidates for licensure pursuant to subpart 2.

Subp. 2. State-approved school counseling programs.

A. A school counseling program may seek approval to recommend candidates for licensure who have completed a portion or subset of the program that is accredited by CACREP. To be approved, the program must comply with subitems (1) to (4).

(1) The program must obtain board approval of its program model before recommending candidates for licensure.

(2) The program must have a documented enrollment policy that includes an enrollment requirement that a candidate hold a master's degree in counseling or a related area. A related area is defined as a profession closely related to counseling or the school context, and must be commensurate with the clinical preparation and experience of professional counselors.

(3) The program must have a documented process for evaluating the candidate's prior experiences in order to determine gaps in coursework and clinical experience, including whether the candidate has completed coursework aligned to CACREP's common core areas of foundational knowledge and whether the candidate has had clinical experiences equivalent to the CACREP practicum.

(4) The program must ensure the candidate completes at least 600 total clinical experience hours, including a minimum of 240 hours of direct service with students. The program may evaluate a candidate's prior experiences to determine whether to waive up to 150 of the clinical experience hours. The program may not waive direct service hours.

B. The board may grant approval for a term of up to eight years to align approval with the CACREP accreditation cycle.

Subp. 3. **Notice required.** A program must notify the board if its CACREP accreditation status changes or if it makes changes to its program model.

8710.6400 SCHOOL COUNSELOR.

Subpart 1. **Scope of practice.** A school counselor is authorized to provide to ~~kindergarten~~ prekindergarten through grade 12 students school counseling services that focus on the promotion of ~~preventive and educational strategies to enhance the cognitive, emotional, and behavioral development; effective decision-making skills; and resiliency capabilities of students~~ the academic, career, and personal and social development of all students through data-informed school counseling programs.

[For text of subpart 1a, see Minnesota Rules]

Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part 8710.0312 must be issued to a school counselor if the requirements of this subpart are met.

A. The applicant must:

(1) hold a master's degree in counseling; or

(2) hold a baccalaureate degree and:

(a) be enrolled in an accredited a school counselor program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Programs, with no less than 24 semester credit hours in

3.1 school-counseling-specific coursework or content, including introduction to the field,
3.2 counseling skills, and ethical standards; and ~~must~~

3.3 (b) verify to the board in writing a plan of study of full- or part-time
3.4 enrollment to achieve licensure within three years.

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

3.6 *[For text of subpart 1c, see Minnesota Rules]*

3.7 Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part
3.8 8710.0313 must be issued to a school counselor if the applicant:

3.9 A. holds a master's degree ~~or the equivalent in school counseling~~ from a college
3.10 or university that is regionally accredited by the association for the accreditation of colleges
3.11 and secondary schools; and

3.12 B. shows verification of having completed a school counselor preparation program
3.13 approved by the state where the program resides or the Council for the Accreditation of
3.14 Counseling and Related Educational Services Programs.

3.15 *[For text of subpart 2a, see Minnesota Rules]*

3.16 Subp. 3. [See repealer.]

3.17 Subp. 4. [Repealed, 25 SR 805]

3.18 Subp. 5. **License renewal.** ~~A school counselor license issued under subpart 2 or 2a~~
3.19 ~~shall be renewed according to the rules of the Professional Educator Licensing and Standards~~
3.20 ~~Board governing professional licensure. It is the responsibility of an individual seeking~~
3.21 renewal of a Tier 3 or Tier 4 license to comply with licensure requirements in part 8710.7100
3.22 and to submit the application, appropriate verification, and other supporting materials to
3.23 the local continuing education or relicensure committee, in accordance with procedures and
3.24 due dates established by the committee under part 8710.7200.

4.1 Subp. 6. [See repealer.]

4.2 Subp. 7. **Restrictions and expansions.**

4.3 A. An applicant whose school counseling preparation or experience does not align
4.4 to a currently approved Minnesota license, but for which past rules have been adopted, and
4.5 who meets all other requirements of subpart 2, must be issued a Tier 3 or 4 license restricted
4.6 to the scope of the applicant's content training or experience.

4.7 B. An applicant with preparation or experience within two grade levels of a
4.8 currently approved Minnesota licensure scope must be granted the full scope of the Minnesota
4.9 license.

4.10 C. Upon request and at the time of application or renewal, an applicant who holds
4.11 a Tier 3 or 4 license that is restricted or limited in scope must be granted the full scope of
4.12 a currently approved Minnesota license when the applicant:

4.13 (1) has two years of experience as a licensed school counselor within two
4.14 grade levels of a currently approved Minnesota licensure scope; or

4.15 (2) has completed a school counseling clinical experience within two grade
4.16 levels of a currently approved Minnesota licensure scope.

4.17 **REPEALER.** Minnesota Rules, parts 8705.1010, subpart 7; and 8710.6400, subparts 3
4.18 and 6, are repealed.

4.19 **EFFECTIVE DATE.** Part 8705.0400, subpart 1, is effective July 1, 2026. A program may
4.20 choose to meet this requirement before July 1, 2026.

Office of the Revisor of Statutes

Administrative Rules



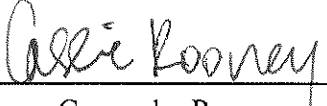
TITLE: Proposed Permanent Rules Relating to School Counseling Programs and Licensure

AGENCY: Professional Educator Licensing and Standards Board

REVISOR ID: R-4703

MINNESOTA RULES: Chapters 8705 and 8710

The attached rules are approved for
publication in the State Register



Cassandra Rooney
Senior Assistant Revisor

Exhibit D. Enclosed: The Statement of Need and Reasonableness.

Minnesota Professional Educator Licensing and Standards Board

STATEMENT OF NEED AND REASONABLENESS (SONAR)

Possible Amendment of Rules Governing School Counseling Programs and Licensure

Revisor's ID 4703



ALTERNATIVE FORMAT

Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make a request, contact:

Steven Rollin
Professional Educator Licensing and Standards Board
1021 Bandana Blvd. E., Suite 222
St. Paul, MN 55108-5111
Phone: (651) 539-5991 | Fax: (651) 642-0708
Email: PELSB.rules@state.mn.us

TABLE OF CONTENTS

ALTERNATIVE FORMAT	2
GLOSSARY	4
ACRONYMS.....	4
APPLICABLE LAWS	4
INTRODUCTION	5
BACKGROUND	5
STATUTORY AUTHORITY.....	6
PUBLIC PARTICIPATION	6
REGULATORY ANALYSIS	9
PERFORMANCE-BASED RULES.....	11
TEACHER SUPPLY AND DEMAND	12
ADDITIONAL NOTICE	12
CONSULTATION WITH MMB ON LOCAL GOVERNMENT IMPACT	13
DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION.....	14
COST OF COMPLYING FOR SMALL BUSINESS OR CITY	14
LIST OF WITNESSES.....	14
RULE-BY-RULE ANALYSIS	14
LIST OF EXHIBITS.....	19
CONCLUSION	20

GLOSSARY

Candidate: The individual working towards licensure

Preparation program: Training provided to candidates for the purposes of obtaining licensure in Minnesota

ACRONYMS

PELSB: Professional Educator Licensing and Standards Board

CACREP: Council for the Accreditation of Counseling and Related Education Programs

APPLICABLE LAWS

Minn. Stat. chapter 122A: State statutes governing teacher licensure and teacher preparation in Minnesota (including school counselors).

Minn. R. 8705.0400: State rule that establishes and approves programs for teaching school counseling.

Minn. R. 8710.6400: State rule that establishes the standards for school counseling licensure.

INTRODUCTION

The Board is considering changing the way school counselor licensure programs are approved in Minnesota.

History of school counselor program approval and school counselor licensure

- In 1989, the state legislature transferred authority from the State Board of Education to the State Board of Teaching to license school counselors and school nurses (See Minnesota Statutes, section 125.05, subd. I and the 1989 amendments to Minnesota Statutes, section 125.03; [14 S.R. 2300](#))
- In June 1990, the Board of Teaching adopted rules governing the licensure of school counselors. (See [14 S.R. 2989](#))
- It's not clear if this is when the Board of Teaching first adopted rules "approving" school counseling programs.
- In 1993, the state legislature repealed [Minn. R. 8700.8190](#), [Minn. R. 8700.8060](#), and Minn. R. 8070 (effective August 1, 1996), which detailed the approval of Minnesota IHE's that prepared school counselors for licensure. (See [L 1993, chapter 224, article 12, sections 39 and 41](#))
- It's not clear "why" the legislature repealed these rules.
- In 1998, the Board of Teaching conducted a major rule overhaul and adopted Minn. R. 8710.6400, which governs the licensure of school counselors (effective September 1, 2001). (See [23 S.R. 1928](#) and 25 S.R. 805)
- Between 2001 and 2018, the "school counselor" rule (Minn. R. 8710.6400) remained largely unchanged.
- In 2018, PELSB adopted rule changes to implement tiered licensure, including changes to Minn. R. 8710.6400.

BACKGROUND

The Professional Educator Licensing and Standards Board was created by the state legislature in 2017, when the legislature combined the work of the Board of Teaching (BOT) and the Minnesota Department of Education's Licensing Division (Laws of Minnesota 2017, 1st Spec. Sess. chapter 5, article 3). PELSB is governed by a 13-member board and is tasked with:

- Licensing teachers in Minnesota (Minn. Stat. 122A.09, subd. 4 (2019))
- Establishing and maintaining teacher licensure standards and requirements (Minn. Stat. 122A.09, subd. 9 (2019))
- Establishing and enforcing the Teacher Code of Ethics (Minn. Stat. 122A.09, subd. 1 (2019))
- Approving teacher preparation providers and programs to prepare candidates in Minnesota. (Minn. Stat. 122A.092 (2019))

During the 2017 First Special Session, the state legislature enacted major reforms to teacher licensure in Minnesota. Notably, a tiered licensure scheme was created. The tiered licensure

scheme includes four tiers of licensure and establishes several different means by which an individual can become a licensed teacher.

STATUTORY AUTHORITY

The Board's statutory authority to adopt the rules is stated in Minnesota Statutes:

Minn. Stat. 122A.09, subdivision 9 (a) – (c), provides:

- a. The Professional Educator Licensing and Standards Board must adopt rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.187, 122A.188, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, and 122A.29.
- b. The board must adopt rules relating to fields of licensure, including a process for granting permission to a licensed teacher to teach in a field that is different from the teacher's field of licensure without change to the teacher's license tier level.
- c. The board must adopt rules relating to the grade levels that a licensed teacher may teach.

Minn. Stat. 122A.092, subdivision 1, provides:

The board must adopt rules to approve teacher preparation programs, including alternative teacher preparation programs under section 122A.2451, nonconventional programs, and Montessori teacher training programs.

2017 Minn. Laws 1st Spec. Sess. 5, art. 12, sec. 20 provides:

TRANSFER OF POWERS.

- d. The Professional Educator Licensing and Standards Board must review all rules adopted by the Board of Teaching and amend or repeal rules not consistent with statute. The Professional Educator Licensing and Standards Board must review all teacher preparation programs approved by the Board of Teaching to determine whether the approved programs meet the needs of schools in Minnesota.

Under these statutes, the Board has the necessary statutory authority to adopt the proposed rules.

PUBLIC PARTICIPATION

The Professional Educator Licensing and Standards Board sought public participation for this rulemaking through a number of different means. Throughout the course of this rulemaking, PELSB:

- Solicited comments by publishing a request for comments in the State Register (more information below);

- Utilized a webpage to provide updates and share relevant documents (see [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board](#));
- Utilized GovDelivery, an email platform, to share updates and relevant documents with the over 1,600 individuals subscribed to PELSB’s rulemaking listserv; and,
- Provided updates to its board members and the public during board meetings.

Request for Comments

PELSB published a Request for Comments (RFC) on a number of possible amendments to the rules relating to school counseling programs and licensure in the State Register on September 30, 2024 (49 SR 360, available at [Minnesota State Register Volume 49 Number 14](#)).

This notice was also posted to PELSB’s webpage dedicated to this rulemaking and was sent electronically to all individuals registered to receive rulemaking updates, as well as a number of other individuals and organizations that are potentially impacted by the proposed changes (totaling over 2,500 email recipients).

During this initial comment period, PELSB received 9 written comments. Comments were submitted by a number of stakeholders, including teacher preparation providers, school districts, teachers, and education advocacy organizations.

Board participation

On December 20, 2024, the Board chair appointed a subcommittee, comprised of three board members, tasked with reviewing stakeholder input and approving changes to draft rule language. This subcommittee met to review public comments and to approve changes to the draft rule changes. The subcommittee reported out to the Board on January 8, 2025, with two proposed changes based on comments received. All Board meetings are open to the public and drafts of the proposed rule changes were also made publicly available through Board minutes and presentations.

Additionally, the Board also has an advisory committee – the Standards and Rules Advisory Committee - comprised of several stakeholder organizations, which is responsible for providing input on Board policy considerations. These committee meetings are open to the public.

Table 1: Board participation

Date	Meeting type	Summary
May 14, 2021	Board meeting	Report and recommendation made to the Board to consider rulemaking changes

Date	Meeting type	Summary
June 18, 2021	Board meeting	Discussion or recommendation to open rulemaking
July 16, 2021	Board meeting	Unanimous vote to authorize rulemaking
March 17, 2022	Board meeting	Updated rule draft coming later this spring
April 8, 2022	Board meeting	After a brief delay to allow three discretionary variances from school counseling programs to move forward and be reviewed by the board, PELSB staff hope to bring a first draft for board review later this summer.
May 13, 2022	Board meeting	PELSB staff asked to research the possibility of adding in school psychologists as part of the rulemaking.
October 14, 2022	Board meeting	Staff are finalizing a draft that will be released along with a request for comments.
November 18, 2022	Board meeting	PELSB staff met with the MN School Psychologist Association and recommended to the board to postpone adding school psychologist licensing changes to this rulemaking project. Proposed request for comments will be released later this winter.
October 11, 2024	Board meeting	PELSB staff released a request for comments on the rule.
November 15, 2024	Board meeting	PELSB staff requested that three board members review comments on the rulemaking
January 17, 2025	Board meeting	After reviewing the nine comments on the proposed rule, the board subcommittee recommended two amendments.
February 21, 2025	Board meeting	The board adopted the subcommittee's recommended changes.

REGULATORY ANALYSIS

Minnesota Statutes, section 14.131, sets out eight factors for a regulatory analysis that must be included in the SONAR. Paragraphs (1) through (8) below quote these factors and then give the agency's response.

“(1) a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule”

The following classes of persons will be affected by the proposed rules:

- Minnesota school counselor training programs;
- Minnesota school counselor candidates who are currently non-school counselors;
- Minnesota school districts; and,
- Students and families.

The classes that will bear the costs of the proposed rules include:

- Minnesota school counselor training programs, including the teacher educators that lead these programs, as these programs will be responsible for ensuring programmatic updates are made to implement the new rules for school counselors;
- Minnesota school counselor candidates who are currently non-school counselors, as they will have to pay for any “fill-in courses” to achieve their school counseling license; and,
- Minnesota school districts, as they may have to provide training in pre-kindergarten counseling for school counselors.
- The classes that will benefit from the proposed rules include:
- Minnesota school counselor training programs, as they would enroll school counselor candidates who are currently non-school counselors;
- Minnesota school counselor candidates who are currently non-school counselors, as they would have a shorter path to becoming school counselors;
- Minnesota school districts, as they are better able to find school counselors, and they will have school counselor licensure extensions into pre-kindergarten; and,
- Students and families, as they will be able to have trained school counselors for their grade level.

“(2) the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues”

While PELSB does not anticipate that other agencies will have costs associated with the implementation and enforcement of the proposed rules, PELSB anticipates that there will be costs and anticipated effects on state revenue for PELSB, itself.

Table 3: Probable costs to PELSB

Proposed rule change	Probable costs and any anticipated effect on state revenue
Tiered licensure rules	Nominal costs to update application forms and tiered licensure materials
School Counselor Preparation Programs	School Counselor preparation providers will be required to update their programs to align with any adopted rule changes. PELSB is responsible for approving programs. While PELSB relies on a volunteers (the Program Review Panel), PELSB will need additional meetings to review all updated programs, where mileage and/or small stipends may be provided to panel members.

“(3) a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule”

The Board is not aware of any alternative methods to update the licensure standards that would be less intrusive than filling in school counseling licensure standards to the national standards of CACREP.

Additionally, the extension of the school counselor license to allow flexibility in grade level provides a cost-effective method of retaining school counseling staff.

Finally, the expansion of the school counselor license to the pre-kindergarten grade level formalizes what is already in place for many elementary schools.

“(4) a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule”

The Board is not aware of any alternative methods to updating licensure standards without entering into rulemaking.

“(5) the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals”

Board-approved school counselor licensure programs will bear the costs for complying with the proposed rule. Each provider will need to evaluate their existing licensure programs to determine whether their programs meet new standards. For some programs, this may mean revising, adding, or deleting courses for licensure candidates. For others, the new standards are already embedded into their programs. The time for review and the scope of the changes will vary between the programs across the state.

Similarly, school districts will bear the costs of training school counselors regarding pre-kindergarten counseling.

“(6) the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals”

The primary costs and consequences of not adopting the proposed rules are the potential impact on students, families, and future school counselors. For example, school counselors will be fully licensed to counsel at the pre-kindergarten level.

Additionally, school counselors will have the flexibility to work up to two grade levels beyond their licensed level. Otherwise, school counselors with a 7-12 license would have to get a full PreK-12 license to continue if their school changes grades to include 6th grade.

Finally, non-school counselors who have master’s degrees that are very close to a masters in school counseling would not have to repeat courses to gain eligibility for a school counseling license.

“(7) an assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference”

There are no known differences between the proposed rule and existing federal regulations.

“(8) an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule. . . . ‘[C]umulative effect’ means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules. Cumulative effects can result from individually minor but collectively significant rules adopted over a period of time.”

The Board is proposing these rules and amendments to improve and clarify the licensing standards for school counselors. The proposed changes do not establish overlapping requirements with other state and federal requirements. The cumulative effect of the proposed changes to licensure standards in combination with state and federal requirements around education is a higher quality education for all of Minnesota’s students.

PERFORMANCE-BASED RULES

Minnesota Statutes, sections 14.002 and 14.131, require that the SONAR describe how the agency, in developing the rules, considered and implemented performance-based standards that emphasize superior achievement in meeting the agency’s regulatory objectives and maximum flexibility for the regulated party and the agency in meeting those goals.

Throughout this rulemaking effort, the Board has sought to develop rules that help support an educational system that ensures all Minnesota students have high quality counselors in their schools. The Board has proposed rules that would streamline and/or clarify the application and

renewal process for school counselors; update license-specific standards; and remove barriers for candidates completing licensure programs in school counseling.

The Board believes the proposed rules strengthen Minnesota's license-specific standards, which will translate to Minnesota's school counselors being even better prepared for the first day in the school. The Board believes the proposed standards are performance-based to the extent possible because the proposed rules streamline or remove barriers for teachers seeking a license (replacing outdated or moot old standards). This is especially seen in the Board's proposed changes to the school counselor license, while still ensuring the foundational knowledge and skills remain the underpinning of all programs.

TEACHER SUPPLY AND DEMAND

Minnesota Statutes, section 122A.09, subdivision 9 (e) requires the Board to include a description of a proposed rule's probable effect on teacher supply and demand in the statement of need and reasonableness.

School counselors are in the related services category for teacher licensure. The changes in licensure-specific standards for school counselors clarify, update, and simplify the standards to be met. This should increase candidates for school counseling licensure with reduced requirements and streamlined placement opportunities. The supply of school counselors should grow by allowing counselors in fields other than school counseling to fill in courses to obtain their school counseling license.

By allowing school counselors flexibility in grade level assignments, they will be able to switch grade levels if the school changes its grade levels. That will allow maximum supply of school counselors for school districts.

ADDITIONAL NOTICE

This Additional Notice Plan was reviewed by the Office of Administrative Hearings and approved in a letter by Administrative Law Judge Kimberly Middendorf on September 19, 2024. PELSB's Notice Plan includes:

Electronic notice: On the same date that the Request for Comments was published in the *State Register*, PELSB electronically provided notice to the following individuals and/or organizations:

- Minnesota School Counselor Association
- Minnesota Association of Colleges for Teacher Education (MACTE)
- Minnesota State Colleges and Universities (Minnesota State)
- Minnesota Association of Elementary School Principals
- Minnesota Association of Secondary School Principals
- Minnesota Association of School Administrators (MASA)
- Minnesota School Boards Association (MSBA)

- Minnesota Rural Educator Association (MREA)
- Association of Metro School Districts (ASMD)
- Education Minnesota (Minnesota’s union representing over 86,000 teachers and related service providers, school support staff, and higher education faculty)
- Department of Education (MDE)
- Office of Higher Education (OHE)
- Board of School Administrators (BOSA)
- Tribal Nations Education Committee (TNEC)

Additionally, the Board provided all notices to individuals and organizations registered to receive communications through the following listservs:

- Rulemaking listserv (2,419 email addresses)
- Standards and Rules Advisory Committee (27 email addresses)
- All approved teacher preparation providers in Minnesota (31 email addresses)
 - This includes all providers with school counseling licensure programs (Alfred Adler Graduate School, Capella University, Minnesota State University – Mankato, Minnesota State University – Moorhead, St. Cloud State University, University of Minnesota – Twin Cities, Walden University, and Winona State University).

Finally, the Board created a webpage dedicated to this rulemaking project. Drafts, updates, and key documents will be posted to this webpage throughout the rulemaking process. On the same date that the Request for Comments was published in the State Register, PELSB posted its Request for Comments on this webpage. This webpage is available at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\) \(mn.gov\)](https://www.pelsb.mn.gov).

PELSB’s Additional Notice Plan includes the use of a webpage dedicated to this rulemaking project. Drafts, updates, and key documents will be posted to this webpage throughout the rulemaking process.

Finally, our Notice Plan did not include notifying the Commissioner of Agriculture because the rules do not affect farming operations per Minnesota Statutes, section 14.111.

CONSULTATION WITH MMB ON LOCAL GOVERNMENT IMPACT

As required by Minnesota Statutes, section 14.131, PELSB will consult with Minnesota Management and Budget (MMB) by sending MMB copies of the documents that are sent to the Governor’s Office for review and approval on the same day that the documents are sent to the Governor’s Office. PELSB will consult with MMB before publishing the Notice of Intent to Adopt. The documents will include:

- the Governor’s Office Proposed Rule and SONAR Form;
- the proposed rules; and

- the SONAR.

PELSB will submit a copy of the cover correspondence and any response received from Minnesota Management and Budget to OAH at the hearing or with the documents it submits for ALJ review.

DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION

As required by Minnesota Statutes, section 14.128, subdivision 1, PELSB has considered whether these proposed rules will require a local government to adopt or amend any ordinance or other regulation in order to comply with these rules. PELSB has determined that they do not because the proposed rules pertain to school counseling licensure and preparation, and do not pertain to local governments. Compliance with these rules falls solely on approved school counselor preparation providers, license applicants, licensed school counselors, and school districts seeking to hire. Enforcement of these rules falls solely on the Board.

COST OF COMPLYING FOR SMALL BUSINESS OR CITY

Agency Determination of Cost

As required by Minnesota Statutes, section 14.127, PELSB has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small business or small city. PELSB has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed \$25,000 for any small city or small business.

LIST OF WITNESSES

If these rules go to a public hearing, the board anticipates that the following organizations will have one or more representatives testify on the proposed rules:

1. Yelena Bailey, PELSB Executive Director
2. Steven Rollin, PELSB Rulemaking Specialist

RULE-BY-RULE ANALYSIS

This section describes each rule change or proposed repeal of obsolete, unnecessary, or duplicative rules.

8705.0400. School Counselor [New Rule].

Subpart 1. Accreditation or approval required.

PELSB proposes the following new rule, Minn. R. 8710.0400, subpart 1:

Subpart 1. Accreditation or approval required. To prepare individuals for licensure

as a school counselor under part 8710.6400, a school counseling program based in Minnesota must hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) or be approved to recommend candidates for licensure pursuant to subpart 2.

PELSB is seeking to require school counseling programs in Minnesota to hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) rather than require these programs to obtain state approval through PELSB by meeting state specific standards.

Subpart 2. State-approved school counseling programs.

PELSB proposes the following new rule, Minn. R. 8705.0400, subpart 2:

Subp. 2. State-approved school counseling programs.

A. A school counseling program may seek approval to recommend candidates for licensure who have completed a portion or subset of the program that is accredited by CACREP. To be approved, the program must comply with subitems (1) to (4).

(1) The program must obtain board approval of its program model before recommending candidates for licensure.

(2) The program must have a documented enrollment policy that includes an enrollment requirement that a candidate hold a master's degree in counseling or a related area. A related area is defined as a profession closely related to counseling or the school context, and must be commensurate with the clinical preparation and experience of professional counselors.

(3) The program must have a documented process for evaluating the candidate's prior experiences in order to determine gaps in coursework and clinical experience, including whether the candidate has completed coursework aligned to CACREP's common core areas of foundational knowledge and whether the candidate has had clinical experiences equivalent to the CACREP practicum.

(4) The program must ensure the candidate completes at least 600 total clinical experience hours, including a minimum of 240 hours of direct service with students. The program may evaluate a candidate's prior experiences to determine whether to waive up to 150 of the clinical experience hours. The program may not waive direct service hours.

B. The board may grant approval for a term of up to eight years to align approval with the CACREP accreditation cycle.

PELSB is proposing to, upon approval, allow providers to create a school counseling program tailored to candidates who already hold a master's degree, which would allow these candidates to be recommended for licensure as a school counselor without obtaining an additional master's degree.

Subpart 3. Notice Required.

PELSB proposes the following new rule, Minn. R. 8705.0400, subpart 3:

Subp. 3. **Notice required.** A program must notify the board if its CACREP accreditation status changes or if it makes changes to its program model.

8710.6400. School Counselor.

Subpart 1. Scope of Practice.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 1:

Subpart 1. **Scope of practice.** A school counselor is authorized to provide to ~~kindergarten~~ prekindergarten through grade 12 students school counseling services that focus on the promotion of ~~preventive and educational strategies to enhance the cognitive, emotional, and behavioral development; effective decision-making skills; and resiliency capabilities of students~~ the academic, career, and personal and social development of all students through data-informed school counseling programs.

PELSB is seeking to expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners. Many school districts already have pre-kindergarten students, and this change will match. PELSB has previously adopted a resolution for this expanded scope for a number of license areas ([Certificate of the Minnesota Professional Educator Licensing and Standards Board](#)).

Subpart 1b. Requirements for Tier 2 license.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 1b:

Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part 8710.0312 must be issued to a school counselor if the requirements of this subpart are met.

A. The applicant must:

(1) hold a master's degree in counseling; or

(2) hold a baccalaureate degree and:

(a) be enrolled in an accredited a school counselor program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Programs, with no less than 24 semester credit hours in school-counseling-specific coursework or content, including introduction to the field, counseling skills, and ethical standards; and must

(b) verify to the board in writing a plan of study of full- or part-time enrollment to achieve licensure within three years.

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

[For text of subpart 1c, see Minnesota Rules]

Subpart 2. Requirements for Tier 3 license.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 2:

Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part 8710.0313 must be issued to a school counselor if the applicant:

A. holds a master's degree ~~or the equivalent in school counseling~~ from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools; and

B. shows verification of having completed a school counselor preparation program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational ~~Services~~ Programs.

[For text of subpart 2a, see Minnesota Rules]

Subpart 3. Subject matter standard.

PELSB proposes to repeal Minn. R. 8710.6400, subpart 3, which contains the subject matter standards that board-approved programs were required to meet in order to prepare candidates for licensure.

Subpart 5. License renewal.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 5:

Subp. 5. **License renewal.** ~~A school counselor license issued under subpart 2 or 2a shall be renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure. It is the responsibility of the individual seeking the renewal of a Tier 3 or Tier 4 license to comply with licensure requirements in part 8710.7100 and to submit the application, appropriate verification, and other supporting materials to the local continuing education or relicensure committee, in accordance with procedures and due dates established by the committee under 8710.7200~~

Subpart 6. Effective date.

PELSB proposes to repeal Minn. R. 8710.6400, subpart 6, which contains the effective date for the requirements for licensure as a school counselor.

Subpart 7. Restrictions and expansions.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 7:

Subpart 7. Restrictions and expansions.

A. An applicant whose school counseling preparation or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of subpart 2, must be issued a Tier 3 or 4 license restricted to the scope of the applicant's content training or experience.

B. An applicant with preparation or experience within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license.

C. Upon request and at the time of application or renewal, an applicant who holds a Tier 3 or 4 license that is restricted or limited in scope must be granted the full scope of a currently approved Minnesota license when the applicant:

(1) has two years of experience as a licensed school counselor within two grade levels of a currently approved Minnesota licensure scope; or

(2) has completed a school counseling clinical experience within two grade levels of a currently approved Minnesota licensure scope.

REPEALER. Minnesota Rules, parts 8705.1010, subpart 7; and 8710.6400, subparts 3 and 6, are repealed.

EFFECTIVE DATE. Part 8705.0400, subpart 1, is effective July 1, 2025. A program may choose to meet this requirement before July 1, 2025.

PELSB proposes to create pathways by which a licensed school counselor, who holds a restricted license (i.e., older licenses that cover grades K-6 or 7-12 instead of the current K-12 license), would be able to expand the scope of their license.

LIST OF EXHIBITS

In support of the need for and reasonableness of the proposed rules, the Board anticipates that it will enter the following exhibits into the hearing record:

Exhibit A: The Request for Comments, as published in the State Register on September 30, 2024

Exhibit B: Not included – a petition for rulemaking

Exhibit C-1: A draft of the proposed rule changes, dated February 13, 2025

Exhibit C-2: The Revisor’s certificate of approval

Exhibit D: The Statement of Need and Reasonableness (SONAR)

Exhibit E-1: The Notice of Intent to Adopt Rules without a Hearing, as mailed

Exhibit E-2: The Notice of Intent to Adopt Rules, as published in the State Register on [Date TBD]

Exhibit F: Not included - a letter from the Chief Administrative Law Judge authorizing the Board to omit the text of the proposed rules from the Notice of Intent to Adopt Rules published in the State Register

Exhibit G -1: Certificate of Mailing the Notice of Intent to Adopt Rules

Exhibit G-2: Certificate of Accuracy of the Mailing List

Exhibit H: Certificate of Additional Notice

Exhibit I: Certificate documenting that the Board sent a copy of the SONAR to the Legislative Reference Library (LRL)

Exhibit J: All written comment and submission on the proposed rule changes that the Board received during the comment period

Exhibit K: Not included - Other documents to demonstrate compliance with other laws and rules [as necessary]

Exhibit K-1: Board resolution authorizing rulemaking, dated July 16, 2021

Exhibit K-2: Not included - Notice to Close Comment Period, as published in the State Register

Exhibit K-3: Certificate of Notifying Legislators of Publication of Notice of Intent to Adopt Rule

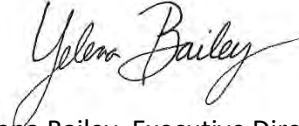
Exhibit K-4: Consultation with Minnesota Management and Budget (MMB)

CONCLUSION

Based on the foregoing, the proposed rules are both needed and reasonable.

March 14, 2025

Date

A handwritten signature in black ink, reading "Yelena Bailey". The signature is fluid and cursive, with the first name "Yelena" and last name "Bailey" clearly distinguishable.

Yelena Bailey, Executive Director

Exhibit E. Enclosed: The Notice of Intent to Adopt Rules (Dual Notice), as sent and published in the State Register on June 2, 2025.

4703 Rulemaking Update

On June 2, 2025, PELSB published a notice in the *State Register* announcing its intent to adopt changes to the rules relating to school counseling programs and licensure (Minnesota Rules 8705.0100, 8705.1010, and 8710.6400 ([Professional Educator Licensing and Standards Board - MN Rules](#))). The notice, referred to as the Dual Notice, is available in full below and in the *State Register* ([Minnesota State Register / Minnesota.gov](#)).

Proposed Changes

PELSB is proposing changes to how it approves Minnesota-based school counseling programs. PELSB is also proposing to allow providers to enroll candidates in a subset of their program for candidates who already hold a master's degree in a related area. Finally, PELSB is proposing to allow two grade levels of flexibility for counseling licenses as needed. A draft of the proposed changes is available on PELSB's webpage and in the *State Register*.

Comment Period

The Notice triggers a comment period that will run from June 2, 2025, until July 8, 2025, at 4:30 p.m. Written comments can be in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and sent to PELSB.rules@state.mn.us. More details about how to submit a comment is available below or in the *State Register*.

Hearing

If 25 or more individuals submit valid written requests for a hearing on the rules, the Board will hold a virtual hearing on August 6, 2025, starting at 10:00 a.m. More details about how to submit a valid written request for a hearing and how to participate in the hearing, if one is held, is available below and in the *State Register*.

More Information

Please see the Dual Notice (below) and PELSB's webpage ([School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)) for more information about this rulemaking, including hearing details, a draft of the most recent version of proposed rules, the Statement of Need and Reasonableness (SONAR), and additional information about the rulemaking process.

Dual Notice

Minnesota Professional Educator Licensing and Standards Board

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number 4703; OAH Number 21-9021-37950

Proposed Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.0400, 8705.1010 and 8710.6400

Introduction. The Professional Educator Licensing and Standards Board (Board) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on July 8, 2025, the Board will hold a virtual public hearing on the proposed rule changes. An Administrative Law Judge will conduct the hearing starting at 10:00 a.m. on August 6, 2025, as detailed below. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after July 8, 2025, and before August 6, 2025.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing on August 6, 2025 at 10:00 a.m. The hearing will continue until 5:00 p.m. or until all interested persons have been heard, whichever occurs first. Administrative Law Judge Kimberly Middendorf is assigned to conduct the hearing. Judge Middendorf's Legal Assistant, William Moore, can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7900 and fax 651-539-0310 or William.t.moore@state.mn.us.

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

Enter <https://minnesota.webex.com>

Meeting number (access code): 2485 760 3011

Password: PyraDPH2r27

For audio connection only, join the hearing by phone:

Call: 1-415-655-0003 (US Toll)

Access code: 2485 760 3011

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is:

Steven Rollin
Professional Educator Licensing and Standards Board
1021 Bandana Blvd. E., Suite 222
St. Paul, MN 55108-5111
Phone: (651) 539-5991
Email: PELSB.rules@state.mn.us

Subject of Rules and Statutory Authority. The Professional Educator Licensing and Standards Board is proposing changes to the rule part governing school counseling programs and licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 122A.09, subdivision 9, paragraphs (a) through (c) and 122A.092, subdivision 1. A copy of the proposed rules is published in the *State Register* and available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). A free copy of the rules is available upon request from Steven Rollin at the contact information listed above.

Comments. You have until 4:30 p.m. on July 8, 2025, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. 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.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on July 8, 2025. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Cancellation of Hearing. The Board will cancel the hearing scheduled for August 6, 2025, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also contact Steven Rollin at the contact information listed above after July 8, 2025, to find out whether the hearing will be held.

Hearing Procedure. If the Board holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the Board and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative Hearings strongly encourages all persons submitting comments and responses to do so using the Administrative Hearings' Rulemaking eComments website, <https://minnesotaoah.granicusideas.com/discussions>. If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile addressed to Judge Middendorf at the address or facsimile number listed in the Notice of Hearing section above.

All comments or responses received will be available for review at the Professional Educator Licensing and Standards Board or on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes 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. You may review or obtain copies for the cost of reproduction (if any) by contacting Steven Rollin at the contact information listed above. The SONAR is also available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

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

Modifications. The Board might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Board or presented at the hearing. 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 in the rulemaking process.

Adoption Procedure if No Hearing. If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, 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 that the Administrative Law 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 the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Date: June 2, 2025

Signed by: _____
Yelena Bailey, Executive Director

MINNESOTA STATE REGISTER

MONDAY, JUNE 2, 2025
VOLUME 49, NUMBER 49
PAGES 1307 - 1328



Minnesota State Register

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

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

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

Printing Schedule and Submission Deadlines

Vol. 49 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#50	Monday 9 June	Noon Tuesday 3 June	Noon Thursday 29 May
#51	Monday 16 June	Noon Tuesday 10 June	Noon Thursday 5 June
#52	Monday 23 June	Noon Tuesday 17 June	Noon Thursday 12 June
#53	Monday 30 June	Noon Tuesday 24 June	Noon Thursday 19 June

PUBLISHING NOTICES: We need to receive your submission ELECTRONICALLY in Microsoft WORD format. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit ELECTRONICALLY in Microsoft WORD, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$13.50 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 6/10s of a page in the State Register, or \$81. About 1.5 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the State Register. Contact editor with questions (651) 201-3204, or e-mail: sean.plemmons@state.mn.us.

SUBSCRIPTION SERVICES: E-mail subscriptions are available by contacting the editor at sean.plemmons@state.mn.us. Send address changes to the editor or at the Minnesota State Register, 50 Sherburne Avenue, Suite 309, Saint Paul, MN 55155.

SEE THE Minnesota State Register free at website: <https://mn.gov/admin/government/data-info/register.jsp>

- Minnesota State Register: Online subscription – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via E-mail.
- Single issues are available electronically via PDF for free.
- "Affidavit of Publication" includes a notarized "Affidavit" and a copy of the issue: \$15.00.

Governor: Tim Walz
(651) 201-3400

Attorney General:
Keith Ellison (651) 296-3353

Department of Administration
Commissioner:
Tamar Gronvall
(651) 201-2560

Minnesota State Register
Editor: Sean Plemmons
(651) 201-3204
sean.plemmons@state.mn.us

Lieutenant Governor:
Peggy Flanagan
(651) 201-3400

Auditor: Julie Blaha
(651) 296-2551

Secretary of State: Steve Simon
(651) 296-2803

Communications and Planning
Division: Curtis Yoakum
(651) 201-2771

Copyright © 2025 Communications Division, Department of Administration, State of Minnesota.
USPS Publication Number: 326-630 (ISSN: 0146-7751)

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/government/data-info/register.jsp>

Minnesota Legislative Information

Senate Public Information Office

(651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
<https://www.senate.mn/>

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<http://www.mncourts.gov>

House Public Information Services

(651) 296-2146
State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
<https://www.federalregister.gov/>

Minnesota Rules: Amendments and Additions.....1310

Proposed Rules

Professional Educator Licensing and Standards Board (PELSB)

Proposed Permanent Rules Relating to School Counseling Programs and Licensure;
DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25
or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for
Hearing Are Received; Revisor's ID Number 4703; OAH Number 21-9021-37950.....1311

Official Notices

Minnesota State Agricultural Society (Minnesota State Fair)

Board of Managers Meeting Notice..... 1316

Office of Emergency Medical Services

Notice of Completed Application - North Memorial Health Ambulance (McGregor) -
Application to provide Part-Time Advanced Life Support Ambulance Service..... 1316

Minnesota Pollution Control Agency

Watershed Division

Notice of Availability of the Draft Big Fork River Watershed Restoration and Protection
Strategies Update Report (Report) and Request for Comment..... 1317

Teachers Retirement Association

Board of Trustees

Notice of Meeting 1318

State Grants & Loans

Department of Employment and Economic Development (DEED)

Notice of Grant Opportunity 1318

Minnesota Department of Human Services

Notice of Grant Opportunities 1318

Department of Labor and Industry

Request for proposals for Labor Education Advancement Program (LEAP) Grant
2026..... 1318

State Contracts

Department of Administration

Real Estate and Construction Services

Notice of Availability of Request for Qualifications (RFQ) for Construction Manager at
Risk for ADA Upgrade Tunnel Between Capitol Building and State Office Building... 1319

Minnesota State Colleges and Universities (Minnesota State)

Notice of Bid and Contracting Opportunities 1320

Minnesota West Community & Technical College

Notice of Request for 2 Welding Cobots (One to Jackson and One to Granite Falls).... 1320

Minnesota Historical Society (MNHS)

Request for Bids for the Shops Building Roof Rehabilitation – Historic Fort Snelling. 1321

Minnesota Lottery

Request for Proposals for Minnesota State Lottery Sponsorship Agreements 1322

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting 1323

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2024 Concourse G Infill - Pod 2-3 P2 1324

Notice of Call for Bids for 2025 Energy Savings Program 1325

Notice of Call for Bids for 2025 Airfield Thermoplastic Markings..... 1325

Notice of Call for Bids for 2024 Photovoltaic System Improvements 1326

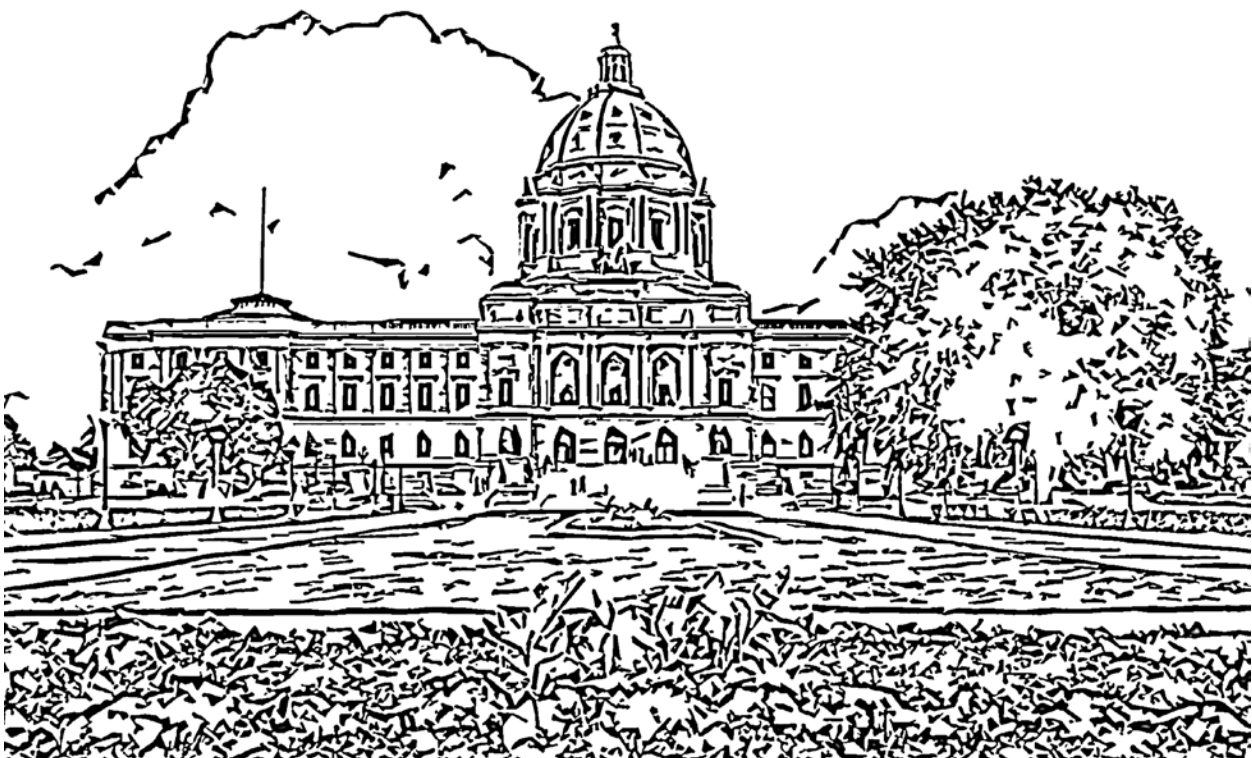
Notice of Call for Bids for 2025 Terminal 2 Landside Office Remodel..... 1327

Notice of Call for Bids for 2025 Tunnel-Bridge Miscellaneous Modifications 1328

Request for Qualifications for Mechanical, Electrical, Plumbing, and Technology (MEPT)

Design Continuing Consultant Services 1328

Front Cover Artwork: A sunset shines at the end of a former railroad tunnel running underneath Ely's Peak in Duluth, Minn.
Photo by Sean Plemmons



Minnesota Rules: Amendments and Additions

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

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

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

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

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 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

Volume 49 - Minnesota Rules

(Rules Appearing in Vol. 49 Issues #1-27 are
in Vol. 49, #27 - Monday 30 December 2024)

Volume 49, #49

Monday 6 January - Monday 2 June

Office of Cannabis Management

9810 (adopted)779, 1143

Department of Commerce

2675.8500, .8510 (proposed)893

4501.0100; 4511.0100, .0200, .1100 (adopted)979

Department of Education

3501.0750 (adopted expedited)1123

Office of Emergency Medical Services

4690.8300 (proposed expedited)1082

Department of Health

4731 (adopted)529, 1193

4725 (adopted)477, 1261

Department of Human Services

9543; 9555 (proposed repealer)1075

Department of Labor and Industry

5208.1500 (adopted exempt)923, 1053

1305.3114 (adopted expedited)279, 963

Department of Natural Resources

6230; 6236; 6240 (expedited emergency)899

6262.0100 (proposed expedited)963

6264.0400 (proposed exempt)995

6262.0300 (proposed expedited)1078

6264.0400 (expedited emergency)1193

6264.0400 (expedited emergency)1197

6232 (expedited emergency)1239

Professional Educator Licensing and Standards Board

8705.0100, .0400, .1010; 8710.6400 (proposed)1311

Minnesota Racing Commission

7883.0100 (adopted)1123

Department of Revenue

8175.0100 (adopted exempt)1151

Secretary of State

8290 (proposed)1283

Workers' Compensation Court of Appeals

9800 (adopted)316, 1107

Proposed Rules

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

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

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

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

Professional Educator Licensing and Standards Board (PELSB) Proposed Permanent Rules Relating to School Counseling Programs and Licensure; DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor’s ID Number 4703; OAH Number 21-9021-37950

Proposed Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.0400, 8705.1010 and 8710.6400

Introduction. The Professional Educator Licensing and Standards Board (Board) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on July 8, 2025, the Board will hold a virtual public hearing on the proposed rule changes. An Administrative Law Judge will conduct the hearing starting at 10:00 a.m. on August 6, 2025, as detailed below. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after July 8, 2025, and before August 6, 2025.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board

Proposed Rules

will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing on August 6, 2025 at 10:00 a.m. The hearing will continue until 5:00 p.m. or until all interested persons have been heard, whichever occurs first. Administrative Law Judge Kimberly Middendorf is assigned to conduct the hearing. Judge Middendorf's Legal Assistant, William Moore, can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7900 and fax 651-539-0310 or William.t.moore@state.mn.us.

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

Enter <https://minnesota.webex.com>

Meeting number (access code): 2485 760 3011

Password: PyraDPH2r27

For audio connection only, join the hearing by phone:

Call: 1-415-655-0003 (US Toll)

Access code: 2485 760 3011

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is:

Steven Rollin
Professional Educator Licensing and Standards Board
1021 Bandana Blvd. E., Suite 222
St. Paul, MN 55108-5111
Phone: (651) 539-5991
Email: PELSB.rules@state.mn.us

Subject of Rules and Statutory Authority. The Professional Educator Licensing and Standards Board is proposing changes to the rule part governing school counseling programs and licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 122A.09, subdivision 9, paragraphs (a) through (c) and 122A.092, subdivision 1. A copy of the proposed rules is published in the *State Register* and available on the Board's website at ***School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board (PELSB)***. A free copy of the rules is available upon request from Steven Rollin at the contact information listed above.

Comments. You have until 4:30 p.m. on July 8, 2025, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. 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.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on July 8, 2025. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Proposed Rules

public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Cancellation of Hearing. The Board will cancel the hearing scheduled for August 6, 2025, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also contact Steven Rollin at the contact information listed above after July 8, 2025, to find out whether the hearing will be held.

Hearing Procedure. If the Board holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the Board and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative Hearings strongly encourages all persons submitting comments and responses to do so using the Administrative Hearings' Rulemaking eComments website, <https://minnesotaoah.granicusideas.com/discussions>. If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile addressed to Judge Middendorf at the address or facsimile number listed in the Notice of Hearing section above.

All comments or responses received will be available for review at the Professional Educator Licensing and Standards Board or on the Board's website at *School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board (PELSB)*. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes 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.

You may review or obtain copies for the cost of reproduction (if any) by contacting Steven Rollin at the contact information listed above. The SONAR is also available on the Board's website at *School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board (PELSB)*.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

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

Modifications. The Board might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Board or presented at the hearing. 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 in the rulemaking process.

Adoption Procedure if No Hearing. If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board will submit the rules and supporting documents to the Office of Administrative Hearings for

Proposed Rules

a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, 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 that the Administrative Law 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 the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Date: June 2, 2025

Signed by: Yelena Bailey, Executive Director

8705.0400 SCHOOL COUNSELING PROGRAMS.

Subpart 1. **Accreditation or approval required.** To prepare individuals for licensure as a school counselor under part 8710.6400, a school counseling program based in Minnesota must hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) or be approved to recommend candidates for licensure pursuant to subpart 2.

Subp. 2. State-approved school counseling programs.

A. A school counseling program may seek approval to recommend candidates for licensure who have completed a portion or subset of the program that is accredited by CACREP. To be approved, the program must comply with subitems (1) to (4).

(1) The program must obtain board approval of its program model before recommending candidates for licensure.

(2) The program must have a documented enrollment policy that includes an enrollment requirement that a candidate hold a master's degree in counseling or a related area. A related area is defined as a profession closely related to counseling or the school context, and must be commensurate with the clinical preparation and experience of professional counselors.

(3) The program must have a documented process for evaluating the candidate's prior experiences in order to determine gaps in coursework and clinical experience, including whether the candidate has completed coursework aligned to CACREP's common core areas of foundational knowledge and whether the candidate has had clinical experiences equivalent to the CACREP practicum.

(4) The program must ensure the candidate completes at least 600 total clinical experience hours, including a minimum of 240 hours of direct service with students. The program may evaluate a candidate's prior experiences to determine whether to waive up to 150 of the clinical experience hours. The program may not waive direct service hours.

B. The board may grant approval for a term of up to eight years to align approval with the CACREP accreditation cycle.

Subp. 3. **Notice required.** A program must notify the board if its CACREP accreditation status changes or if it makes changes to its program model.

Proposed Rules

8710.6400 SCHOOL COUNSELOR.

Subpart 1. **Scope of practice.** A school counselor is authorized to provide to ~~kindergarten prekindergarten~~ through grade 12 students school counseling services that focus on the promotion of ~~preventive and educational strategies to enhance the cognitive, emotional, and behavioral development; effective decision-making skills; and resiliency capabilities of students~~ the academic, career, and personal and social development of all students through data-informed school counseling programs.

[For text of subpart 1a, see Minnesota Rules]

Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part 8710.0312 must be issued to a school counselor if the requirements of this subpart are met.

A. The applicant must:

- (1) hold a master's degree in counseling; or
- (2) hold a baccalaureate degree and:

(a) be enrolled in an accredited a school counselor program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Programs, with no less than 24 semester credit hours in school-counseling-specific coursework or content, including introduction to the field, counseling skills, and ethical standards; and must

(b) verify to the board in writing a plan of study of full- or part-time enrollment to achieve licensure within three years.

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

[For text of subpart 1c, see Minnesota Rules]

Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part 8710.0313 must be issued to a school counselor if the applicant:

A. holds a master's degree ~~or the equivalent in school counseling~~ from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools; and

B. shows verification of having completed a school counselor preparation program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Services Programs.

[For text of subpart 2a, see Minnesota Rules]

Subp. 3. [See repealer.]

Subp. 4. [Repealed, 25 SR 805]

Subp. 5. **License renewal.** ~~A school counselor license issued under subpart 2 or 2a shall be renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure. It is the responsibility of an individual seeking renewal of a Tier 3 or Tier 4 license to comply with licensure requirements in part 8710.7100 and to submit the application, appropriate verification, and other supporting materials to the local continuing education or relicensure committee, in accordance with procedures and due dates established by the committee under part 8710.7200.~~

Subp. 6. [See repealer.]

Proposed Rules

Subp. 7. Restrictions and expansions.

A. An applicant whose school counseling preparation or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of subpart 2, must be issued a Tier 3 or 4 license restricted to the scope of the applicant's content training or experience.

B. An applicant with preparation or experience within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license.

C. Upon request and at the time of application or renewal, an applicant who holds a Tier 3 or 4 license that is restricted or limited in scope must be granted the full scope of a currently approved Minnesota license when the applicant:

(1) has two years of experience as a licensed school counselor within two grade levels of a currently approved Minnesota licensure scope; or

(2) has completed a school counseling clinical experience within two grade levels of a currently approved Minnesota licensure scope.

REPEALER. Minnesota Rules, parts 8705.1010, subpart 7; and 8710.6400, subparts 3 and 6, are repealed.

EFFECTIVE DATE. Part 8705.0400, subpart 1, is effective July 1, 2026. A program may choose to meet this requirement before July 1, 2026.

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 State Agricultural Society (Minnesota State Fair) Board of Managers Meeting Notice

The Minnesota State Agricultural Society board of managers will meet at 9 a.m. Friday, June 6 on the State Fairgrounds. The session will open with a meeting of the board's sales committee. A general business meeting will follow. The Society is the governing body of the Minnesota State Fair. Please email fairinfo@mnstatefair.org with any questions.

The 2025 Minnesota State Fair runs Aug. 21 - Labor Day, Sept. 1.

Office of Emergency Medical Services Notice of Completed Application - North Memorial Health Ambulance (McGregor) - Application to provide Part-Time Advanced Life Support Ambulance Service

PLEASE TAKE NOTICE that the Office of Emergency Medical Services (hereinafter OEMS) has received a completed application from **North Memorial Health Ambulance (McGregor), McGregor, Minnesota**, for a new license to provide Part-Time Advanced Life Support (ALS).

NOTICE IS HEREBY GIVEN that, pursuant to Minnesota Statutes section 144E.11, subdivision 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the OEMS **within 30 days or by July 1, 2025, 4:30 p.m.**

Written recommendations or comments opposing the application should be sent to: Dylan Ferguson, Director, OEMS, 335 Randolph Avenue, Suite 170, Saint Paul, Minnesota 55102. If no more than five comments opposing the application are received during the comment period, and the OEMS approves the application, the applicant will be exempt from a contested case hearing, pursuant to Minnesota Statutes section 144E.11, subdivision 4(a). If more than five comments in opposition to the application are received during the comment period, or the OEMS denies the application, the applicant may immediately request a contested case hearing or may try to resolve the objections of the public and/or the OEMS within 30 days, pursuant to Minnesota Statutes section 144E.11, subdivision 5(a)(b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing, one will be scheduled and notice of the hearing given pursuant to Minnesota Statutes section 144E.11, subdivision 5(c)-(e).

Date: May 27, 2025

Dylan Ferguson, Director

Minnesota Pollution Control Agency

Watershed Division

Notice of Availability of the Draft Big Fork River Watershed Restoration and Protection Strategies Update Report (Report) and Request for Comment

The MPCA produced this Report to set pollution reduction goals and strategies for the watershed, and is requesting written comments during the public comment period:

- Public comment period begins: June 2, 2025
- Public comment period ends: July 2, 2025

Comments may be submitted to the MPCA by the two methods below:

1. Online at www.pca.state.mn.us/publiccomments
2. U.S. Mail to the following address:

Minnesota Pollution Control Agency
c/o Lindsey Krumrie
525 S Lake Ave, Ste 400
Duluth, MN 55802-2362

The draft Report is available for review on the *MPCA's Public Notice Page*

Official Notices

Teachers Retirement Association

Board of Trustees

Notice of Meeting

The Minnesota Teachers Retirement Association Board of Trustees will hold a meeting on Wednesday, June 11, 2025 at 9:30 a.m. in Room 414, 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.

The public may monitor the meeting electronically from a remote site as set out on the Teachers Retirement Association's website, which can be found at www.minnesotatra.org.

State Grants & Loans

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

SEE ALSO: Office of Grants Management (OGM) at: <https://mn.gov/admin/citizen/grants/>

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>

Minnesota Department of Human Services

Notice of Grant Opportunities

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS) places notice of any available grant opportunities on the DHS Grant Requests for Proposals website: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>.

Department of Labor and Industry

Request for proposals for Labor Education Advancement Program (LEAP) Grant 2026

Apprenticeship Minnesota at the Department of Labor and Industry (DLI) announces the availability of grant funding for the operation of Labor Education Advancement Programs (LEAP) in Minnesota under Minnesota Statutes § 178.11 and Minnesota Rules Chapter 5227. The available funding is up to \$1,003,432, with a grant period of performance of September 1, 2025, or the date the contract is fully executed, whichever occurs later, until March 31, 2027. Grants will be awarded on a competitive basis.

Objective

This grant funding is to facilitate the participation and/or retention of people of color, Indigenous people, and women in registered apprenticeship programs through various means, including outreach, education, assessment, preparation,

support services, instruction, training, placement, and retention activities.

People of color, Indigenous people, and women are traditionally underrepresented in registered apprenticeship programs. A goal of this funding is to introduce those groups of people to registered apprenticeship as a viable career opportunity, enroll them into registered apprenticeship programs, and support their retention in those programs.

Eligibility

Proposals will be accepted from community-based and nonprofit organizations, including 501(c)3 and 501(c)5 organizations, and Minnesota Tribal governments as defined in Minnesota Statutes § 10.65, serving the grant focus populations. **The deadline to submit a written proposal to the Department of Labor and Industry is no later than 12:00 p.m., Central Daylight Time, June 27, 2025.**

Application process

Information about this grant, eligibility, proposal requirements and deadlines is available online at <https://www.dli.mn.gov/grants>. Contact Lyla Brown, DLI, at lyla.brown@state.mn.us with questions or for technical assistance.

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, Office of State Procurement (OSP) Website. Interested vendors are encouraged to monitor the P/T Contract Section of the OSP Website at <https://mn.gov/admin/osp> 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 Office of State Procurement strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised; \$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.

Contact the Office of State Procurement at: (651) 296-2600

Department of Administration

Real Estate and Construction Services

Notice of Availability of Request for Qualifications (RFQ) for Construction Manager at Risk for ADA Upgrade Tunnel Between Capitol Building and State Office Building

NOTICE IS HEREBY GIVEN that the State of Minnesota Department of Administration, represented by Real Estate and Construction Services Division (RECS), is seeking Construction Manager at Risk to provide services for ADA Upgrades for the Tunnel Between Capitol Building and State Office Building located in St. Paul, MN.

A full Request for Qualifications is available on the Department of Administration's website at <https://mn.gov/admin/osp/vendors/solicitations-and-contract-opportunities/> click "Virtual Plan Room – Construction Contracts". Project Name "RECS RFQ CMR ADA Upgrade Tunnel Between Cap-SOB", QUESTCDN Project Number: 9678950, RECS Project Number: 02CP0143. To be considered for selection and a contract, responses must be submitted by the date and time indicated in the RFQ.

State Contracts

Firms must Pre-Register for the Mandatory Pre-Qualifications Submittal/Proposal Meeting by 3:00 p.m. CDT, Tuesday, June 17, 2025. A **Mandatory** Pre-Qualifications Submittal/Proposal Meeting is scheduled for Wednesday, June 18, 2025, at 2:00 p.m. CDT. Questions regarding this RFQ must be received by 3:00 p.m. CDT, Monday, June 23, 2025. Project questions will be taken by Samantha Hicks at samantha.hicks@state.mn.us.

Responses must be received by the Real Estate and Construction Services, Department of Administration, Samantha Hicks no later than Thursday, July 10, 2025, by 12:00 noon CDT. Late responses will not be accepted.

The Department of Administration, Real Estate and Construction Services Division 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. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota State Colleges and Universities (Minnesota State) Notice of Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for contract opportunities for goods and services on its Vendor and Supplier Opportunities website (<https://www.minnstate.edu/vendors/index.html>). Minnesota State may add new public notices to the website daily and post for the time 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 email the Minnesota State Procurement Unit at Sourcing@MinnState.edu.

Minnesota State Colleges and Universities (Minnesota State) Minnesota West Community & Technical College Notice of Request for 2 Welding Cobots (One to Jackson and One to Granite Falls)

- 6 axis heavy duty industrial UL/UE rated welding arm for GMAW applications
- Teach pendant, smart pendant, and direct teach buttons
- Min 54" reach
- 22 lb payload capacity
- .002" repeatability
- Cobot runs on 240 volt single phase power
- Optional external positioner for 7th axis
- Must work with Miller, Lincoln and Fronius Welding Power Sources

Minimum 3' x 6' workstation/weld station table

- .0625" holes in a 2" grid pattern for fixturing weldments
- Casters for mobility

Fixture kit for 5/8" holes in workstation/weld table

- (including round stops, right angle brackets, straight edge stops, ball locking bolts, sliding bessey style clamps, locking pliers inserta clamps, etc)

Provide two bids:

- One with no welding power source; customer supplies welding power source.

AND

- One with one of three choices below:
 - Miller DeltaWeld 350
 - 951000142
- OR
 - Lincoln 300C
 - K4934-1
- OR
 - Fronius TPS 320i
 - FRM49,0400,0057
- Include cost of offline programming package as an optional item
- Include cost of delivery and training to Jackson, MN and Granite Falls, MN

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minnesota West Community and Technical College, is requesting proposals for a welding cobot with delivery preferred by August 15, 2025.

To receive a copy of the proposal, please email craig.peters@mnwest.edu

Proposals must be sealed with a notation on the outside of the envelope stating: Bid for Welding Cobot – DELIVER IMMEDIATELY

Mail or delivered (faxes and email will not be accepted) sealed proposals must be delivered no later than June 20, 2025 by 2:00pm.

Minnesota West Community & Technical College
Attn: Craig Peters
401 West St Suite 0115, Jackson, MN 56143
(507) 847-7942

PROPOSAL CLOSE DATE is June 20, 2025 at 2:00 pm CST

Minnesota Historical Society (MNHS)

Request for Bids for the Shops Building Roof Rehabilitation – Historic Fort Snelling

The Minnesota Historical Society (MNHS) is soliciting bids from qualified contractors (Contractor) to work collaboratively with MNHS to provide all materials, labor, equipment, and supplies to replace the roof on the Shops Building at Historic Fort Snelling (Site) as indicated on Project Documents.

The Request for Bid and other documents are available by contacting Mary Green Toussaint, Contract and Purchasing Manager, Minnesota Historical Society, by email only: mary.green-toussaint@mnhs.org

There will be a **MANDATORY** pre-proposal meeting for all interested parties on **Tuesday, June 10, 2025, at 2 p.m. Local Time at the Historic Fort Snelling Visitor Center, 200 Tower Avenue St. Paul, Minnesota 55111**

All bids must be received by Mary Green Toussaint, Contract and Purchasing Manager, mary.green-toussaint@mnhs.org, no later than **2 p.m. Local Time Monday, June 23, 2025** There will be no public bid opening. Late proposals will not be considered.

State Contracts

Minnesota Lottery

Request for Proposals for Minnesota State Lottery Sponsorship Agreements

Description of Opportunity

The Minnesota State Lottery ("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.

The Minnesota Lottery finds sponsorship opportunities in two ways. First, the Minnesota Lottery marketing staff locates and approaches potential sponsors to negotiate directly. Second, the Minnesota Lottery accepts incoming potential sponsors through this proposal process. Employing both strategies allows the Minnesota Lottery to find the best sponsorship opportunities, including opportunities that are not already known by staff. Both strategies are evaluated using the same criteria.

If you feel your organization, event, sports team, or other opportunity is a good fit for the Minnesota Lottery to sponsor, we encourage you to prepare and submit a proposal.

Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

1. Maximize Lottery Visibility - the event, sports team, or venue sponsorship proposal should draw a large number of attendees (typically 20,000 or more) whose demographics match the Lottery's target audience. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults, ages 25-64, with a household income of \$75,000+ and an educational background of some college or higher. The Lottery does not market to those under the age of 18, and events with large numbers of children present are generally not accepted. Attendance numbers, on-site signage availability, sales and engagement opportunities, and media exposure are critical components that will be evaluated in the proposal. List and define all assets, value, and benefits that the Lottery would receive as part of the sponsorship, such as PR inclusions, social media posts, prize support, promotional activities, and signage.
2. Enhance Lottery Image - the event, sports team, or venue should be a reputable, safe, and well-run event and organization that enhances the Lottery's brand. The Lottery's presence should fit well within the lineup of other sponsors and participants. The Lottery is interested in sponsorships that can promote Lottery products, 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 or other sponsorship partners.
3. Provide Promotional Extensions - the event, sports team, or venue proposal should offer exciting, value-added ways to interact with attendees and have opportunities to motivate attendees, listeners, and viewers to participate in and purchase Lottery games. The proposal must include staffing support, 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 RFP Evaluation Form, are to be met. To view or print copies of the Request for Proposal go to <https://www.mnlottery.com/vendors/>

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

Questions concerning this Solicitation must specify "Sponsorship RFP" in the email subject line or address of a USPS envelope, and should be directed to:

Purchasing
Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
Email: purchasing@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.

Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting

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

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

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

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

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

Non-State Public Bids, Contracts & Grants

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

Besides the following listing, readers are advised to check: <https://mn.gov/admin/osp> as well as the Office of Grants Management (OGM) at: <https://mn.gov/admin/citizen/grants/>.

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2024 Concourse G Infill - Pod 2-3 P2

Airport Location:	Minneapolis-St. Paul International Airport
Project Name:	2024 Concourse G Infill - Pod 2-3 P2
MAC Contract No.:	106-2-1109
Bids Close At:	2:00 PM on June 17, 2025
Bid Opening Conference Call:	3:00 PM on June 17, 2025
Teleconference Dial-In #:	1-612-405-6798
Conference ID #:	897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 1%.

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

Availability of Construction Documents: Plans and specifications are available at QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9678938 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will ONLY be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

— Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2025 Energy Savings Program

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2025 Energy Savings Program
MAC Contract No.: 106-2-1082
Bids Close At: 2:00 PM on June 18, 2025
Bid Opening Conference Call: 3:00 PM on June 18, 2025
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 5%.

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

Availability Of Construction Documents: Plans and specifications are available at QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9660531 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2025 Airfield Thermoplastic Markings

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2025 Airfield Thermoplastic Markings
MAC Contract No.: 106-1-387
Bids Close At: 2:00 PM on June 18, 2025
Bid Opening Conference Call: 3:00 PM on June 18, 2025
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

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 2%.

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

Availability of Construction Documents: Plans and specifications are available at QuestCDN Online as indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9683141 in the “Search Projects” page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will ONLY be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on June 2, 2025, at MAC’s web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2024 Photovoltaic System Improvements

Airport Location:	Minneapolis-St. Paul International Airport
Project Name:	2024 Photovoltaic System Improvements
MAC Contract No.:	106-3-715
Bids Close At:	2:00 PM on June 18, 2025
Bid Opening Conference Call:	3:00 PM on June 18, 2025
Teleconference Dial In #:	1-612-405-6798
Conference ID #:	897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN’s website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 2%.

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

Availability of Construction Documents: Plans and specifications are at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9674645 in the “Search Projects” page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project,

— Non-State Public Bids, Contracts & Grants

bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on June 2, 2025, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2025 Terminal 2 Landside Office Remodel

Airport Location:	Minneapolis-St. Paul International Airport
Project Name:	2025 Terminal 2 Landside Office Remodel
MAC Contract No.:	106-3-726
Bids Close At:	2:00 PM on June 18, 2025
Bid Opening Conference Call:	3:00 PM on June 18, 2025
Teleconference Dial In #:	1-612-405-6798
Conference ID #:	897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 13%.

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

Availability of Construction Documents: Plans and specifications are on file for inspection at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ # 9708238 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on June 2, 2025, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

Non-State Public Bids, Contracts & Grants ==

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2025 Tunnel-Bridge Miscellaneous Modifications

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2025 Tunnel-Bridge Miscellaneous Modifications
MAC Contract No.: 106-3-731
Bids Close At: 2:00 PM on June 17, 2025
Bid Opening Conference Call: 3:00 PM on June 17, 2025
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 10%.

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

Availability Of Construction Documents: Plans and specifications are available from QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #9683140 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

Metropolitan Airports Commission (MAC)

Request for Qualifications for Mechanical, Electrical, Plumbing, and Technology (MEPT) Design Continuing Consultant Services

The Metropolitan Airports Commission (MAC) is requesting Statements of Qualifications (SOQs) from firms interested in providing Mechanical, Electrical, Plumbing, and Technology (MEPT) Design Continuing Consultant Services for work at the MAC buildings. The selected firm(s) will work closely with MAC staff and others as determined. All submittals must be received by MAC prior to 4:00 pm on Monday June 23rd, 2025. For a copy of the RFQ, please go to the following link: <https://metroairports.bonfirehub.com/>. Direct questions to MAC solicitations portal or Chris Roy Director of Airport Development Project Delivery, Metropolitan Airports Commission, 6040 28th Ave. S., Minneapolis, MN 55450. Phone: 612.409.1180 or email chris.roy@mspmac.org.



Exhibit F. Not enclosed: A letter from the Chief Administrative Law Judge authorizing the Board to omit the text of the proposed rules from the Notice of Intent to Adopt Rules published in the State Register. This is not enclosed because the Board included the text of the proposed rules with the Notice of Intent to Adopt Rules published in the State Register.

Exhibit G. Enclosed: The Certificate of Mailing the Notice of Intent to Adopt Rules and the Certificate of Accuracy of the Mailing List.

From: [Minnesota Professional Educator Licensing and Standards Board](#)
To: [Dyer, Laura \(PELSB\)](#); [Custer, Caren \(She/Her/Hers\) \(PELSB\)](#); [Sandler, Michelle \(PELSB\)](#); [Vaught, PELSB, Michelle H \(PELSB\)](#); [Reck, Tyra N \(PELSB\)](#); [Oswald, Katherine \(PELSB\)](#); [Miller, Melissa A \(PELSB\)](#); [Doan, Erin \(PELSB\)](#); [Busta, Emily \(MDE\)](#); [Rollin, Steven \(He/Him/His\) \(PELSB\)](#); [Ryan.educ, Rachael \(MDE\)](#); [Odell, Debby \(She/Her/Hers\) \(PELSB\)](#); [Younce, Hanna \(PELSB\)](#); [Zaloker, Maria \(PELSB\)](#); [Chino, Tanwaporn \(PELSB\)](#); [Boulanger, Grant \(He/Him/His\) \(PELSB\)](#); [Jeffrey, Stacy A \(PELSB\)](#); [Bailey, Yelena \(She/Her/Hers\) \(PELSB\)](#)
Subject: Courtesy Copy: R4703 Rulemaking Update - Dual Notice
Date: Monday, June 2, 2025 11:40:24 AM

This is a courtesy copy of an email bulletin sent by Steven Rollin.

This bulletin was sent to the following groups of people:

Subscribers of 4703 Additional Notice Plan, Board Members, Board Staff, or Rulemaking (3929 recipients)

Minnesota Professional Educator Licensing and Standards Board



R-4703 Rulemaking Update

On June 2, 2025, PELSB published a notice in the *State Register* announcing its intent to adopt changes to the rules relating to school counseling programs and

licensure (Minnesota Rules 8705.0100, 8705.1010, and 8710.6400 ([Professional Educator Licensing and Standards Board - MN Rules](#))). The notice, referred to as the Dual Notice, is available in full below and in the *State Register* ([Minnesota State Register / Minnesota.gov](#)).

Proposed Changes

PELSB is proposing changes to how it approves Minnesota-based school counseling programs. PELSB is also proposing to allow providers to enroll candidates in a subset of their program for candidates who already hold a master's degree in a related area. Finally, PELSB is proposing to allow two grade levels of flexibility for counseling licenses as needed. A draft of the proposed changes is available on PELSB's webpage and in the *State Register*.

Comment Period

The Notice triggers a comment period that will run from June 2, 2025, until July 8, 2025, at 4:30 p.m. Written comments can be in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and sent to PELSB.rules@state.mn.us. More details about how to submit a comment is available below or in the *State Register*.

Hearing

If 25 or more individuals submit valid written requests for a hearing on the rules, the Board will hold a virtual hearing on August 6, 2025, starting at 10:00 a.m. More details about how to submit a valid written request for a hearing and how to participate in the hearing, if one is held, is available below and in the *State Register*.

More Information

Please see the Dual Notice (below) and PELSB's webpage ([School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)) for more information about this rulemaking, including hearing details, a draft of the most recent version of proposed rules, the Statement of Need and Reasonableness (SONAR), and additional information about the rulemaking process.

Dual Notice

Minnesota Professional Educator Licensing and Standards Board

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number 4703; OAH Number 21-

9021-37950

Proposed Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.0400, 8705.1010 and 8710.6400

Introduction. The Professional Educator Licensing and Standards Board (Board) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on July 8, 2025, the Board will hold a virtual public hearing on the proposed rule changes. An Administrative Law Judge will conduct the hearing starting at 10:00 a.m. on August 6, 2025, as detailed below. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after July 8, 2025, and before August 6, 2025.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing on August 6, 2025 at 10:00 a.m. The hearing will continue until 5:00 p.m. or until all interested persons have been heard, whichever occurs first. Administrative Law Judge Kimberly Middendorf is assigned to conduct the hearing. Judge Middendorf's Legal Assistant, William Moore, can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7900 and fax 651-539-0310 or William.t.moore@state.mn.us.

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

Enter <https://minnesota.webex.com>

Meeting number (access code): 2485 760 3011

Password: PyraDPH2r27

For audio connection only, join the hearing by phone:

Call: 1-415-655-0003 (US Toll)

Access code: 2485 760 3011

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is:

Steven Rollin

Professional Educator Licensing and Standards Board

1021 Bandana Blvd. E., Suite 222

St. Paul, MN 55108-5111

Phone: (651) 539-5991

Email: PELSB.rules@state.mn.us

Subject of Rules and Statutory Authority. The Professional Educator Licensing and Standards Board is proposing changes to the rule part governing school counseling programs and licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 122A.09, subdivision 9, paragraphs (a) through (c) and 122A.092, subdivision 1. A copy of the proposed rules is published in the *State Register* and available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). A free copy of the rules is available upon request from Steven Rollin at the contact information listed above.

Comments. You have until 4:30 p.m. on July 8, 2025, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. 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.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on

July 8, 2025. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Cancellation of Hearing. The Board will cancel the hearing scheduled for August 6, 2025, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also contact Steven Rollin at the contact information listed above after July 8, 2025, to find out whether the hearing will be held.

Hearing Procedure. If the Board holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the Board and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative

Hearings strongly encourages all persons submitting comments and responses to do so using the Administrative Hearings' Rulemaking eComments website, <https://minnesotaoah.granicusideas.com/discussions>. If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile addressed to Judge Middendorf at the address or facsimile number listed in the Notice of Hearing section above.

All comments or responses received will be available for review at the Professional Educator Licensing and Standards Board or on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes 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.

You may review or obtain copies for the cost of reproduction (if any) by contacting Steven Rollin at the contact information listed above. The SONAR is also available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

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

Modifications. The Board might modify the proposed rules, either as a result of

public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Board or presented at the hearing. 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 in the rulemaking process.

Adoption Procedure if No Hearing. If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, 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 that the Administrative Law 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 the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Date: June 2, 2025

Signed by: Yelena Bailey, Executive Director

Update your subscriptions, modify your password or email address, or stop subscriptions at any time on your [Subscriber Preferences Page](#). You will need to use your email address to log in. If you have questions or problems with the subscription service, please visit subscriberhelp.govdelivery.com.

This service is provided to you at no charge by [Minnesota Professional Educator Licensing and Standards Board](#).

From: [Minnesota Professional Educator Licensing and Standards Board](#)
To: [Rollin, Steven \(He/Him/His\) \(PELSB\)](#)
Subject: Bulletin Detail Report: R4703 Rulemaking Update - Dual Notice
Date: Monday, June 2, 2025 3:40:24 PM

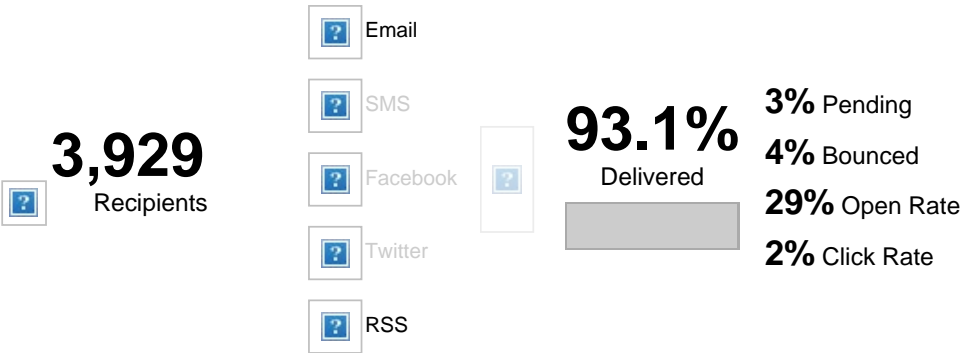
Having trouble viewing this email? [View this report in your account.](#)

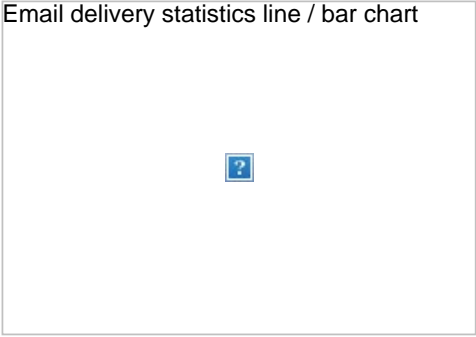


Report Generated: 06/02/2025 03:40 PM CDT

This report automatically generates after a bulletin is sent. [View the Bulletin Detail Report online](#) to see the most recent performance metrics for this bulletin.

Subject: R4703 Rulemaking Update - Dual Notice
Sent: 06/02/2025 11:40 AM CDT
Sent By: steven.rollin@state.mn.us
Sent To: Subscribers of 4703 Additional Notice Plan, Board Members, Board Staff, or Rulemaking



Email Delivery Stats		
Email delivery statistics line / bar chart 	Minutes	Cumulative Attempted
	3	97%
	5	97%
	10	97%
	30	97%
	60	97%
	120	97%

Delivery Metrics - Details	Bulletin Analytics
3,929 Total Sent	1,550 Total Opens
3,657 (93%) Delivered	1,062 (29%) Unique Opens
100 (3%) Pending	95 Total Clicks
172 (4%) Bounced	81 (2%) Unique Clicks
0 (0%) Unsubscribed	11 # of Links

Delivery and Performance							
Channel	Progress	Percent Delivered	Number of Recipients	Number Delivered	Opened / Unique	Bounced / Failed	Unsubscribed
Email Bulletin	Sending...	93.1%	3,929	3,657	1062 / 29.0%	172	0
SMS Message	Delivered	0.0%	0	0	n/a	0	n/a

Bulletin Link Overview		
Link URL	Unique Clicks	Total Clicks
https://mn.gov/pelsb/board/rulemaking/school-counseling/	30	39
https://www.revisor.mn.gov/rules/agency/8627332	29	32
https://mn.gov/admin/bookstore/register.jsp	7	9
https://subscriberhelp.govdelivery.com/	5	5
https://public.govdelivery.com/accounts/MNPELSB/subscriber/new?preferenc...	5	5
https://minnesotaoah.granicusideas.com/discussions	3	3
https://subscriberhelp.granicus.com/	3	3
https://mn.gov/pelsb/	0	0

Need more reports? [Additional reporting is available in your account.](#) If you want additional information on reporting, please visit the [reporting help menu](#).

Want to learn more about these metrics and the best practices for improving results? Contact your dedicated Client Success Consultant! Not sure who that is? Send us an email at support@granicus.com and we'll help you find out.



STAY CONNECTED:



This email was sent by GovDelivery Communications Cloud · 707 17th Street, Suite 4000 · Denver, Colorado 80202

Exhibit H. Enclosed: The Certificate of Additional Notice.

September 19, 2024

VIA EMAIL ONLY

Steven Rollin
Michelle Hersh Vaught
Rule Requestor
Minnesota Professional Educator Licensing
and Standards Board
1021 Bandana Blvd E Ste 222
Saint Paul, MN 55108
steven.rollin@state.mn.us
Michelle.vaught@state.mn.us

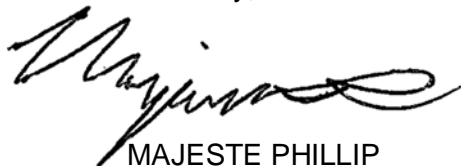
**Re: *In the Matter of the Proposed Rules Governing School
Counseling Programs and Licensure*
OAH 21-9021-37950; Revisor R-4073**

Dear Parties:

Enclosed herewith and served upon you please find the **ORDER ON REVIEW
OF ADDITIONAL NOTICE PLAN** in the above-entitled matter.

If you have any questions regarding this matter, please contact William Moore at
(651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



MAJESTE PHILLIP
Legal Assistant

Enclosure

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules
Governing School Counseling Programs
and Licensure

**ORDER ON REVIEW OF
ADDITIONAL NOTICE PLAN**

This matter came before Administrative Law Judge Kimberly Middendorf upon the Minnesota Professional Educator Licensing and Standards Board's (Board) request for review of its Additional Notice Plan. The Board seeks a legal review of its materials under Minn. R. 1400.2060 (2023).

The Board plans to notify:

- All persons who have registered to be on the Board's rulemaking mailing list;
- Minnesota School Counselor Association;
- Minnesota Association of Colleges for Teacher Education (MACTE);
- Minnesota State Colleges and Universities (Minnesota State);
- Minnesota Association of Elementary School Principals;
- Minnesota Association of Secondary School Principals;
- Minnesota Association of School Administrators (MASA);
- Minnesota School Boards Association (MSBA);
- Minnesota Rural Educator Association (MREA);
- Association of Metro School Districts (ASMD);
- Education Minnesota;
- Department of Education (MDE);
- Office of Higher Education (OHE);
- Board of School Administrators (BOSA); and

- Tribal Nations Education Committee (TNEC).

In addition, the Board represents it will provide all notices to individuals and organizations registered to receive communications through its rulemaking listserv, the Standards and Rules Advisory Committee, and all approved teacher preparation providers in Minnesota. Finally, the Board has created a dedicated webpage for the proposed rulemaking that will be updated throughout the process.

Based upon a review of the Additional Notice Plan,

IT IS HEREBY ORDERED THAT:

The Additional Notice Plan is **APPROVED**.

Dated: September 19, 2024


KIMBERLY MIDDENDORF
Administrative Law Judge

Exhibit I. Enclosed: The Certificate of Mailing the Statement of Need and Reasonableness to the Legislative Reference Library and a copy of the transmittal letter showing that the Board sent the Statement of Need and Reasonableness to the Legislative Reference Library.

**CERTIFICATE OF MAILING THE STATEMENT OF NEED AND REASONABLENESS TO THE
LEGISLATIVE REFERENCE LIBRARY**

Proposed Amendments to the Rules Governing School Counseling Programs and Licensure

Revisor's ID 4703

I certify that on August 18, 2025, I submitted an electronic copy of the Statement of Need and Reasonableness to the Legislative Reference Library via email to sonars@lrl.leg.mn. I mailed this copy to comply with Minnesota Statutes, sections 14.131 and 14.23. A copy of the cover letter is attached to this Certificate.



Steven Rollin
Rulemaking Specialist

Rollin, Steven (He/Him/His) (PELSB)

From: MN_PELSB Rules
Sent: Monday, August 18, 2025 11:00 AM
To: sonars@lrl.leg.mn; Chris Steller
Subject: PELSB Rulemaking SONAR; Revisor's ID 4703; In the Matter of Proposed Amendments to the Rules of the Professional Educator Licensing and Standards Board Governing School Counseling Programs and Licensure
Attachments: 4703 Exhibit D SONAR (School Counseling) 031425 POST.pdf

Dear Legislative Reference Library:

Attached is the Statement of Need and Reasonableness (SONAR) for PELSB's rulemaking project regarding school counseling programs and licensure.

Please let me know if you have any questions.

Steven Rollin
Rulemaking Specialist

Professional Educator Licensing and Standards Board
1021 Bandana Blvd. E., Suite 222
Saint Paul, MN 55108-5111
(651) 539-5991

Pronouns: He/Him/His

Exhibit J. Enclosed: All written comments and submissions on the proposed rules that the Board received during the comment period. Note: The Board received zero (0) requests for hearing and zero (0) withdrawals of requests for hearing.



PROFESSIONAL EDUCATOR
LICENSING AND STANDARDS BOARD

Pre-Hearing Comments

R-4703



Proposed Amendments to the Rules Governing
School Counseling Programs and Licensure

COMMENT PERIODS

Dual Notice:
June 2, 2025 -
July 8, 2025

Request for Comments:
September 20, 2024 -
December 6, 2024

Table of Contents

Comment 1: Erica Hinson

Comment 2: Michele Milan

Comment 3: Thomas Mitchell, PhD, Assistant Professor, Minnesota State University – Mankato

Comment 4: Jenny Arneson, MSW, LGSW, Legislative Consultant, MN Coalition of Licensed Social Workers

Comment 5: Jenny Gunderman, Chief Operating Officer, Council for Accreditation of Counseling and Related Educational Programs (CACREP)

Comment 6: Dr. Marguerite Ohrtman, Program Coordinator and Director of School Counseling, University of Minnesota

Comment 7: Taryn Akgul, Ed.D., LPC, LAC, Assistant Professor/Program Coordinator – Minnesota State University Moorhead

Comment 8: Matthew Alan Ryg, PhD, MAPL, Political Organizer, Education Minnesota

Comment 9: Lauren Schwen (same comment sent twice)

Comment 10: Kristan Pfarr

Comment 11: Tricia Wright, MS, LPSC, School Counselor K-6, Lonsdale Elementary, Tri-City United Public Schools ISD 2905

Comment 12: Travis Gjerner, School Counselor, Scandia Elementary

Rollin, Steven (He/Him/His) (PELSB)

From: Erica Hinson <Erica.Hinson@epicstaffinggroup.com>
Sent: Monday, June 2, 2025 3:36 PM
To: MN_PELSB Rules
Subject: FW: R4703 Rulemaking Update - Dual Notice

You don't often get email from erica.hinson@epicstaffinggroup.com. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hi there,

Will you please update me with the outcome of the hearing or if there is a cancellation of the hearing?

Thank you,

From: Minnesota Professional Educator Licensing and Standards Board <pelsb@public.govdelivery.com>
Sent: Monday, June 2, 2025 12:41 PM
To: Theresa McKay <Theresa.McKay@epicstaffinggroup.com>
Subject: R4703 Rulemaking Update - Dual Notice

EXTERNAL E-MAIL This message came from outside of the organization. **DO NOT click on links or open attachments unless you know the content is safe.** Report all suspicious emails using "Report To Sophos" button.



R-4703 Rulemaking Update

On June 2, 2025, PELSB published a notice in the *State Register* announcing its intent to adopt changes to the rules relating to school counseling programs and licensure (Minnesota Rules 8705.0100, 8705.1010, and 8710.6400 ([Professional Educator Licensing and Standards Board - MN Rules](#))). The notice, referred to as

Rollin, Steven (He/Him/His) (PELSB)

From: Michele Milan <michelemilan215@gmail.com>
Sent: Monday, June 2, 2025 12:28 PM
To: MN_PELSB Rules
Subject: regarding school counseling

You don't often get email from michelemilan215@gmail.com. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hello PELSB,

I like that you are being more flexible. I have a bachelor's in Psychology (1989) and was able to do counseling with various non-profits at the time. Now I have a Master's in Education, with a 7-12 SS license, I have been teaching for 25 years.

I would like to be a school counselor but at 59 years old, I didn't want to pay 50k+ dollars for a 2nd Master's in order to be qualified (it's required to take 60 more credits).

For all the differentiation and personalization, I have done in my job, it was crushing, that with all my experience, I had to do the same thing as a 23 year old, who may not have taught a class or worked with the students, yet they would be able to be qualified to do school counseling.

I encourage you to think of people like me who have been teaching and could laterally move to a different position (keeping experienced people in schools), with a reasonable amount of classes or even taking a test.

Two things I would encourage thinking about:

1. School counselors should know how to do a class (for example, in social emotional learning, how to enroll in Naviance (or other college planning software) or how the brain learns, etc and it should be an expectation. Afterall, they are in a school, and should understand both student and teacher perspectives.

2. There should be a way that experience counts for something. Otherwise, it feels like higher education is a money-making gate keeper. Possibly a test (Counseling related) , or criteria that is flexible, like has Master's in education and can take 12 credits to brush up counseling skills. I liked that North Dakota University had online classes for certificates with people who already had a Master's. CACREP keeps it so that 60 credits are required. So I support the decision to not have this requirement.

I appreciate the work that you have put into this and I'm glad it's moving to be flexible.

Thanks,
Michele Milan

Rollin, Steven (He/Him/His) (PELSB)

From: Mitchell, Thomas M <thomas.mitchell.2@mnsu.edu>
Sent: Friday, December 6, 2024 1:44 PM
To: MN_PELSB Rules
Subject: Public Comment: RD4703

You don't often get email from thomas.mitchell.2@mnsu.edu. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Mr. Rollin,

Greetings! I recently joined the school counseling program faculty at MSU Mankato. Prior to arriving at MSU, I served for two decades in various Virginia school counseling positions—at the school level and the leadership level. My background includes creating and revising policies at the school district level. I appreciate this opportunity to offer feedback on the proposed rule changes relating to school counseling programs and licensure. In short, these changes seem well-conceived to me. However, I would like to offer more specific feedback regarding each item and one suggested change:

1. Require school counseling programs in Minnesota to hold accreditation from CACREP rather than require these programs to obtain state approval through PELSB by meeting state-specific standards.

Although this update makes sense and aligns PELSB regulatory language with (CACREP) school counseling program best practices, I suggest including language that allows PELSB the flexibility to approve non-CACREP programs under certain circumstances by special request. If CACREP institutes unexpected program requirements or fails to adapt quickly to changing market conditions, including 'special request' or 'exception' language will allow PELSB the flexibility to continue approving school counselor candidates for licensure from programs in Minnesota without going through the full legislative process to update this language.

2. Upon approval, allow providers to create a school counseling program tailored to candidates who already hold a master's degree, which would allow these candidates to be recommended for licensure as a school counselor without obtaining an additional master's degree

This seems like a good suggestion. I look forward to brainstorming and developing pathways to licensure for candidates who already hold a master's degree in counseling or a related specialty area.

3. Expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners

We are already expected to teach content that addresses the needs of pre-kindergarteners in our programs. This seems like a straightforward change that reduces school counselor and school district liability. Thanks for this.

4. Create a number of pathways by which a licensed school counselor, who holds a restricted license, would be able to expand the scope of their license to the full scope.


Again, this seems like a straightforward update that provides flexibility for individuals with unique credentials. I don't believe many professionals will access the opportunity, but it makes sense to have it.

Thanks for the work you're doing. I look forward to collaborating--

Tom Mitchell, PhD | Assistant Professor
Department of Counseling and Student Personnel
Minnesota State University, Mankato
507.389.5658

The College of Education is a community engaged in anti-racist, anti-oppressive practices striving to advance social justice and equitable outcomes leading to measurable growth.



 [Book time to meet with me](#)

Rollin, Steven (He/Him/His) (PELSB)

From: Arneson, Jennifer <jarneson.naswmn@socialworkers.org>
Sent: Friday, December 6, 2024 7:06 AM
To: MN_PELSB Rules
Subject: Comments Relating to School Counseling Programs and Licensure
Attachments: MSSWA Feedback on School Counselor Changes.pdf

You don't often get email from jarneson.naswmn@socialworkers.org. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Attached you will find comments from the MN Coalition of Licensed Social Workers on *Possible Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.0400, 8705.1010 and 8710.6400; Revisor's ID Number RD4703; Docket Number 21-9021-37950.*

Thank you.

Sincerely,

Jenny Arneson, MSW, LGSW (she/her)

Legislative Consultant

MN Coalition of Licensed Social Workers:

[National Association of Social Workers, MN Chapter](#)

[MN School Social Workers Association](#)

[MN Society for Clinical Social Work](#)

[MN Hmong Social Workers' Coalition](#)

[MN Association of Black Social Workers](#)

[MN Nursing Home Social Workers Association](#)

651-293-1935 x3

c: 612-201-2685

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

Comments on Proposed Rules Relating to School Counseling Programs and Licensure

The Coalition of Licensed Social Workers is comprised of multiple professional social work organizations including:

- Minnesota School Social Workers Association
- National Association of Social Workers, MN Chapter
- Minnesota Society for Clinical Social Work
- Minnesota Nursing Home Social Workers Association
- Minnesota Association of Black Social Workers
- Minnesota Hmong Social Workers' Coalition

We offer the following comments on [the proposed rules relating to school counseling programs and licensure](#):

Proposal 1: To prepare individuals for licensure as a school counselor under part 8710.6400, a school counseling program based in Minnesota must hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP).

Social Work Comments: Social work programs are regulated by the Council of Social Work Education; we are supportive of this shift for school counselors.

Proposal 2: A school counseling program may seek approval to recommend candidates for licensure who have completed a portion or subset of the program that is accredited by CACREP. The program must: (1) obtain approval of its model before recommending candidates for licensure; (2) must have a documented enrollment policy that includes an enrollment requirement that a candidate hold a master's degree in counseling or a related area; (3) have a documented process for evaluating the candidate's prior experiences . . . ; (4) ensure the candidate completes at least 600 total clinical experience hours, including a minimum of 240 hours of direct service with students. The program may evaluate a candidate's prior experiences to determine whether to waive up to 150 of the clinical experience hours. The program may not waive direct service hours.

Social Work Comments: We urge definition of "related area," as master programs vary considerably by degree. Allowing candidates to be recommended for licensure as a school counselor without obtaining an additional master's degree should be clearly defined and reserved for those completing very similar coursework. For example, social work master programs only offer advanced standing to candidates with a bachelor's in social work.

Proposal 3: A school counselor is authorized to provide to ~~kindergarten~~ prekindergarten through grade 12 students school counseling services that focus on the promotion of ~~preventive and educational strategies to enhance the cognitive, emotional, and behavioral development; effective decision-making skills; and resiliency capabilities of students~~ the academic, career, and

personal and social development of all students through data-informed school counseling programs.

Social Work Comments: Social workers seek to understand how accredited counseling programs will be adjusting their curriculum to ensure that the expanded scope of practice to prekindergarten is accompanied by expanded speciality training.

It is best practice to ensure that practitioners have access to specialist training. For example, per the Council on Social Work Education, a "master's program in social work prepares students for specialized practice" ([EPAS, pg 18, 2022](#)). This may include deeper training in child development, play therapy, or diagnostic tools for early childhood. Furthermore, advanced social work degree programs guarantee foundational social work knowledge in the person-in-environment and systems theory along with human development through psychology and biology courses.

We note and appreciate that these proposed rule changes are more narrow in scope than the proposals in [HF4512](#). We believe that mental health practice ought to be cross-referenced with [MN Chapter 245j](#).

Proposal 4: Licensing restrictions and expansions.

Social Work Comments: No comments.

Rollin, Steven (He/Him/His) (PELSB)

From: cacrep <cacrep@cacrep.org>
Sent: Tuesday, December 3, 2024 1:29 PM
To: MN_PELSB Rules
Subject: CACREP's Comments on Minn. R. 8705.0100
Attachments: Minnesota Letter.pdf

You don't often get email from cacrep@cacrep.org. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Please find attached a comment letter.

Jenny Gunderman

Chief Operating Officer

Council for Accreditation of Counseling and Related Educational Programs (CACREP)

500 Montgomery Street, Suite 350, Alexandria, VA 22314

P: 703.535.5990 | W: www.cacrep.org



CACREP is a recognized accrediting agency by the Council for Higher Education Accreditation (CHEA) and holds full membership status with the Association of Specialized and Professional Accreditors (ASPA) and the International Network of Quality Assurance Agencies in Higher Education (INQAAHE).

DISCLAIMER: This email message is intended only for the personal use of the recipient(s) named above. This message may contain information that is privileged and confidential. If you are not an intended recipient, or the agent responsible for delivering it to the intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by email and delete the original message.



Council for Accreditation of Counseling and Related Educational Programs

500 Montgomery Street, Suite 350 • Alexandria, VA 22314 • (703) 535-5990 • www.cacrep.org

December 3, 2024

Re: Proposed Changes to Minn. R. 8705.0100, .0400, .1010, .6400

To Steven Rollin
Professional Educator Licensing and Standards Board

Dear Mr. Rollin,

The Council for Accreditation of Counseling and Related Educational Programs (CACREP) is reaching out to offer our comment on the proposed amendments to Minn. R. 8705.0100, .0400, .1010, and .6400.

CACREP is the leading national accrediting body for Professional Counselor preparation programs. We accredit programs in the specialized practice areas of Addiction Counseling, Career Counseling, Mental Health Counseling, Clinical Rehabilitation Counseling, College Counseling and Student Affairs, Marriage, Couple and Family Counseling, Rehabilitation Counseling, and School Counseling. Additionally, CACREP accredits doctoral programs in Counselor Education and Supervision for the preparation of counselor educators and advanced practitioners.

First, CACREP **supports** the amendment in 8705.0400, subpart 1, which would require Minnesota school counseling programs to obtain accreditation from CACREP rather than through PELSB's state-specific standards. CACREP accredits over 983 master's and doctoral degree programs in Counseling nationwide, including 27 programs across 10 universities in Minnesota. It is widely recognized as the gold standard in counseling program accreditation and has a significant presence in the state. Requiring school counseling programs to be accredited by CACREP rather than meeting state-specific standards accomplishes two key objectives: (1) it aligns Minnesota's standards with those accepted across the country, and (2) it ensures that Minnesota counseling students receive a top-tier education grounded in a well-researched curriculum tailored to the counseling profession.

Furthermore, in terms of Subpart 2(A), we want to clarify that to be a CACREP-accredited graduate, a student must complete the full required CACREP curriculum (core foundational curriculum and the specialty area curriculum) to become a school counselor. Completing a portion or subset does not mean a student has graduated from a CACREP-accredited program. Ensuring counselors have a full education is integral to protecting Counselors' professional identity.

Next, CACREP additionally **opposes** the wording of 8705.0400 Subpart 2.A.2, which would allow individuals with a master's degree in "related area" to counseling to become school counselors.

CACREP believes this wording is too vague and could create pathways for individuals with degrees in broadly defined disciplines to qualify as school counselors without the proper credentials and training. This could mislead students and potentially prove dangerous, as such “school counselors” may be authorized to offer care they are not adequately trained to provide. However, CACREP acknowledges the intent behind the proposed rule and recognizes the shortage of counselors in certain regions of the country. Therefore, we propose the following revised language utilizing CACREP’s Standards for further defining a “related area” to counseling.

8705.0400 Subpart 2(A)(2) could read:

“The program must have a documented enrollment policy that includes an enrollment requirement that a candidate hold a master's degree in counseling or a related area. A related area is defined as a ‘Profession closely related to counseling or the school context . . . must be commensurate with the clinical preparation and experience of professional counselors.’”

CACREP believes that this minor adjustment to the language addresses the intent of the proposed rule while avoiding the shortcomings outlined above. Furthermore, if adopted as written, 8705.0400 subpart 1 and 8705.0400 subpart 2.A.2 would directly conflict, as CACREP’s requirements do not permit individuals from unspecified “related areas” to qualify as school counselors. The language we are proposing resolves this contradiction as well.

Next, CACREP **supports** 8710.6400 subpart 1 which would allow school counselors to serve pre-kindergarteners. Many states already allow this, and CACREP believes it serves to benefit a broader range of school-age children by providing them with educational and mental health support they need to succeed, delivered by professionally trained school counselors.

Lastly, CACREP **supports** the proposed changes to 8710.6400 subpart 7 which establishes formal pathways for licensed school counselors to expand the scope of their license to the full scope. We believe that providing strict but accessible ways for school counselors to expand the scope of their license through on-the-job learning would be beneficial for Minnesota.

CACREP believes these comments support the needs of both students and school counselors.

For any further questions, please contact CACREP’s CEO Sylvia Fernandez at sfernandez@cacrep.org.

Sincerely,

M. Sylvia Fernandez, Ph.D.

M. Sylvia Fernandez
President & CEO

Rollin, Steven (He/Him/His) (PELSB)

From: Marguerite Ohrtman <mohrtman@umn.edu>
Sent: Tuesday, December 3, 2024 9:22 AM
To: MN_PELSB Rules
Subject: Response to Proposed School Counseling Rule Changes
Attachments: Response to PELSB R-4703 Proposed Rules Relating to School Counseling Programs and Licensure.pdf

You don't often get email from mohrtman@umn.edu. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Dear Mr. Rollin and the PELSB Rule Committee:

As training directors for the School Counseling programs across Minnesota, we wanted to express our concerns to the proposed rule changes. We have outlined our concerns below for the new changes on the attached document.

Thank you for this opportunity to ask questions and provide feedback. Hope you have a great week,
Marguerite Ohrtman and MN School Counseling Training Directors

--

Dr. Marguerite Ohrtman

Program Coordinator

Director of School Counseling and Director of the Clinical Training Program, University of Minnesota

Past President of the Minnesota School Counselor Association

Approved Clinical Supervisor

National Certified Counselor

Licensed Professional Clinical Counselor, Minnesota

Licensed School Counselor, Minnesota

Education Science Building, Rm 168

mohrtman@umn.edu

Pronouns: She/Her/Hers

Dear Mr. Rollin and the PELSB Rule Committee:

As training directors for the School Counseling programs across Minnesota, we wanted to express our concerns to the proposed rule changes. We have outlined our concerns below for the new changes.

1. Upon approval, allow providers to create a school counseling program tailored to candidates who already hold a master's degree, which would enable these candidates to be recommended for licensure as a school counselor without obtaining an additional master's degree;
 - a. While it is valuable to have such a pathway for related helping professionals to obtain a school counseling license in Minnesota to recruit, retain, and graduate excellent school counselors, there is a need for clarity on what types of master's degrees would be accepted into such a pathway by clarifying what is an acceptable "related helping profession" degree to allow candidates into such a program. (suggested by Bill from SCSU as we have an approved certificate program for related professions but agree that clarity is needed on this as well as alignment with the other counselor ed programs in Minnesota to ensure CACREP requirements and high standards are met by all school counseling candidates.)
 - b. We need state-level alignment and consensus on how programs would ensure that school counseling licensure track individuals meet requirements. We discussed how at the very least school counseling licensure candidates should have to demonstrate their coursework meets all the core CACREP areas, including practicum and internship hour requirements.
 - c. The majority of programs in MN do not offer non-degree seeking courses currently, although SCSU and Winona State have programs to provide such an option for related helping professionals. Candidates may also choose to go out of state or to online programs. If a student does go to an out of state or online program, how would this be managed and overseen by PELSB?
2. Expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners;
 - a. There is a need for more specifics on what level this would be considered
 - i. Would school counselors in training be required to have an internship or practicum that includes the pre-K grade level?

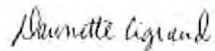
1. If so, there is a concern about how to find placements as elementary counselors are so scarce in MN, especially in rural parts of the state.
 - b. Will school social worker licenses also be covering PreK?
 - c. Will the state grandfather school counselors who are currently K-12 licensed?
 - i. How will licensure renewal be affected? Will school counselors be required to take CEUs specific to the pre-K level?
 - ii. How will school counselors who have completed programs out of state be licensed if they do not have Pre-K training or experience?
3. Create multiple pathways by which a licensed school counselor, who holds a restricted license, would be able to expand the scope of their license to the full scope.
 - a. There is a need for more information about what pathways are expected.
 - b. Who would be approving these courses at PELSB?

We look forward to PELSB responses to our above questions and are hoping to have more conversations about these proposed changes.

Thank you for your time,

Marguerite Ohrtman
Program Coordinator and Director of School Counseling, University of Minnesota

Carolyn Berger
Teaching Associate Professor, University of Minnesota



Dawnette Cigrand, PhD
Professor and Chair, Counselor Education, Winona State University



Bill Lepkowski, PhD,
Professor and Program Director of the School Counseling Program
St. Cloud State University

Rollin, Steven (He/Him/His) (PELSB)

From: Akgul, Taryn M <taryn.akgul@mnstate.edu>
Sent: Tuesday, November 26, 2024 12:29 PM
To: MN_PELSB Rules
Subject: Proposed Changes to Minn. R. 8705.011,.0400, .1010, .6400
Attachments: Response to MN Changes.docx

You don't often get email from taryn.akgul@mnstate.edu. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Please see the attached letter.

November 26, 2024

Re: Proposed Changes to Minn. R. 8705.0100, .0400, .1010, .6400

Dear Steven Rollin,

As a Professional Counselor, Counselor Educator, and member of Chi Sigma Iota (CSI), I am reaching out to offer my comments on the proposed amendments to Minn. R. 8705.0100, .0400, .1010, and .6400.

CSI is an international honor society dedicated to promoting excellence in the Counseling Profession. Our mission is to promote scholarship, research, professionalism, leadership, and excellence within our profession. We currently have 170,000 members, and we are one of the largest single-member organizations of Professional Counselors in the world.

First, I **support** the amendment in 8705.0400, Subpart 1, which would require Minnesota school counseling programs to obtain accreditation from the Council for Accreditation of Counseling and Related Educational Programs (CACREP) rather than through PELSB's state-specific standards. CACREP accredits over 983 master's and doctoral degree programs in Counseling nationwide, including 27 programs across 10 universities in Minnesota. It is widely recognized as the gold standard in counseling program accreditation and has a significant presence in the state. Requiring school counseling programs to be accredited by CACREP rather than meeting state-specific standards accomplishes two key objectives: (1) it aligns Minnesota's standards with those accepted across the country, and (2) it ensures that Minnesota counseling students receive a top-tier education grounded in a well-researched curriculum tailored to the counseling profession.

Furthermore, in terms of Subpart 2(A), we want to clarify that to be a CACREP-accredited graduate, a student must complete the full required CACREP curriculum to become a school counselor. Completing a portion or subset does not mean a student has graduated from a CACREP-accredited program. Ensuring counselors have a full education is integral to protecting Counselor's professional identity.

Next, I additionally **oppose** 8705.0400 Subpart 2.A.2, which would allow individuals with a master's degree in "related area" to counseling to become school counselors. It should be only a master's in counseling to become a school counselor.

Additionally, I **support** 8710.6400 Subpart 1 which would allow school counselors to serve pre-kindergarteners. Many states already allow this, and CACREP believes it serves to benefit a broader range of school-age children by providing them with educational and mental health support they need to succeed, delivered by professionally trained school counselors.

Lastly, I **support** the proposed changes to 8710.6400 Subpart 7 which establishes formal pathways for licensed school counselors to expand the scope of their license to the full scope. We believe that providing strict but accessible ways for school counselors to expand the scope of their license through on-the-job learning would be beneficial for Minnesota.

As a CSI member, I believe these comments support the needs of both students and school counselors.

Sincerely,

Taryn Akgul, Ed.D., LPC, LAC
Assistant Professor/Program Coordinator
Minnesota State University Moorhead
College of Education & Human Services
Counseling Program
Lommen Hall 113
1104 Seventh Avenue South
Moorhead, Minnesota 56563
tell:218-477-2694
taryn.akgul@mnstate.edu

Rollin, Steven (He/Him/His) (PELSB)

From: Ryg, Matt [MN] <Matt.Ryg@edmn.org>
Sent: Monday, November 25, 2024 11:20 AM
To: Rollin, Steven (He/Him/His) (PELSB)
Subject: Some counseling rules questions

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hello, Steve!

Happy Monday, my friend. I hope you've got fun plans with family this week.

Regretfully, it doesn't look like we're going to be able to get on a call with the educators I've been in dialogue with about the proposed rule changes. Below you'll find some of their questions/comments.

Upon approval, allow providers to create a school counseling program tailored to candidates who already hold a master's degree, which would allow these candidates to be recommended for licensure as a school counselor without obtaining an additional master's degree;

1. Some state guidelines around this change are needed so that universities are aligned with what they are accepting in terms of master's degrees and what coursework would be required. Minimally, the state needs to specify alignment with CACREP areas/curriculum and practicum/internship hour requirements.
2. The majority of school counseling programs in Minnesota do not offer non-degree seeking courses currently, so candidates may choose to go out of state or to online programs. How would this be managed?

Expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners;

1. CACREP standards do include PreK (for school counselors-in-training) but would practicing, licensed school counselors need to demonstrate their curriculum covered Pre-K for licensure renewal?
2. Are currently licensed school counselors grandfathered in even if their curriculum didn't cover pre-K?
3. Would internships/practicums need to also cover pre-K? Currently PELSB requires that school counselors-in-training have placements in elementary, middle and high school but not all elementary schools include pre-K (in fact many do not). Counselor educators are concerned that pre-K internship or practicum placements would be required and this would be problematic as it is hard enough to find elementary school counselors. (This also brings up the question whether the placement requirements at all three levels would be eliminated if CACREP is replacing all other licensure requirements).
4. Will school social worker licenses also be covering PreK?

Create a number of pathways by which a licensed school counselor, who holds a restricted license, would be able to expand the scope of their license to the full scope.

1. This seems vague and needs expanding- what would these pathways look like?
2. Who would be approving these pathways at PELSB and would this also be done through universities?

Do you have thoughts on how we might get some of these addressed? Please forgive my ignorance of the processes involved here.

Warmly,

Matt Ryg

--

Matthew Alan Ryg, PhD, MAPL
Political Organizer, Education Minnesota

matt.ryg@edmn.org

41 Sherburne Avenue, St. Paul 55103

(office) 651-767-1270; 800-377-7783

(cell) 651-245-6142

pronouns: he/him/his



Rollin, Steven (He/Him/His) (PELSB)

From: Schwen, Lauren <SchwenL@District112.org>
Sent: Wednesday, October 23, 2024 2:27 PM
To: MN_PELSB Rules
Subject: R-4073 Rule Change Comments - Schwen

You don't often get email from schwenl@district112.org. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

To whom it may concern:

I am writing to comment on the R-4703 proposed rule changes relating to school counselors and licensure. First of all, thank you for your thoughtfulness and consideration in making counseling services more readily available to students through expanding the criteria for licensure as a school counselor. Currently, I am practicing as a Tier II School Counselor as a non-public school counselor in the Eastern Carver County School District. I previously earned my Master's Degree in Counseling from a CACREP accredited institution.

As someone who would directly be impacted by this rule change, I would be in full support of this rule change. Under the current rule, I am aware that I will need to complete my Master's Degree in School Counseling over the next six years to continue practicing as a school counselor in Minnesota. While I currently love my job and am passionate about serving students in the schools, the financial and time cost of pursuing another degree certainly impacts the way I view my long term plans. With providing an alternative path towards licensure, you would increase the likelihood that qualified mental health professionals would be able to pursue a long term career in school counseling to better serve students.

In addition, as I have begun researching the possibility of completing my graduate degree in school counseling, there is a strong likelihood that I would need to repeat courses that I have already taken in addition to doing an internship when I have already been doing that job for several years. Many programs have a limit of classes that they allow to transfer over, which would necessitate possibly having to repeat several courses. While I do believe repetition is a positive thing in solidifying learning, there seems to be a more time and cost effective approach through continuing education or related training. As someone currently practicing as a school counselor with a M.A. in Clinical Mental Health Counseling, I have found that my education and internship in a private practice setting has prepared me well for the job I am currently doing. My previous education and experience has given me the foundation of building rapport with the intention of offering support and facilitating change, leading groups, setting goals, and working within systems. Certainly, as with any new job, there are plenty of things to learn and grow, but through supervision and mentorship from other professionals, additional training opportunities, and on-the-job training, I do not feel like there are extensive gaps in knowledge or skills that I will not be able to learn as I grow in my job.

Thank you for considering a more accessible pathway to school counselor licensure for professionals passionate about delivering high quality care and support to our students. As we all know, there is so

much need in today's young people for supportive adults to come alongside them and care for them, empower them, and support them in the settings where they spend large amounts of time. I am excited about the opportunity to continue to serve students in my career and put my full support behind efforts to make it possible for qualified candidates to be licensed. Please feel free to contact me with further questions or clarifications.

Sincerely,

Lauren Schwen

laurenschwen@gmail.com | 612-213-7451

Rollin, Steven (He/Him/His) (PELSB)

From: Schwen, Lauren <SchwenL@District112.org>
Sent: Tuesday, October 22, 2024 1:24 PM
To: MN_PELSB Rules
Subject: R-4073 Rule Change Comments - Schwen

You don't often get email from schwenl@district112.org. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

To whom it may concern:

I am writing to comment on the R-4703 proposed rule changes relating to school counselors and licensure. First of all, thank you for your thoughtfulness and consideration in making counseling services more readily available to students through expanding the criteria for licensure as a school counselor. Currently, I am practicing as a Tier II School Counselor as a non-public school counselor in the Eastern Carver County School District. I previously earned my Master's Degree in Counseling from a CACREP accredited institution.

As someone who would directly be impacted by this rule change, I would be in full support of this rule change. Under the current rule, I am aware that I will need to complete my Master's Degree in School Counseling over the next six years to continue practicing as a school counselor in Minnesota. While I currently love my job and am passionate about serving students in the schools, the financial and time cost of pursuing another degree certainly impacts the way I view my long term plans. With providing an alternative path towards licensure, you would increase the likelihood that qualified mental health professionals would be able to pursue a long term career in school counseling to better serve students.

In addition, as I have begun researching the possibility of completing my graduate degree in school counseling, there is a strong likelihood that I would need to repeat courses that I have already taken in addition to doing an internship when I have already been doing that job for several years. Many programs have a limit of classes that they allow to transfer over, which would necessitate possibly having to repeat several courses. While I do believe repetition is a positive thing in solidifying learning, there seems to be a more time and cost effective approach through continuing education or related training. As someone currently practicing as a school counselor with a M.A. in Clinical Mental Health Counseling, I have found that my education and internship in a private practice setting has prepared me well for the job I am currently doing. My previous education and experience has given me the foundation of building rapport with the intention of offering support and facilitating change, leading groups, setting goals, and working within systems. Certainly, as with any new job, there are plenty of things to learn and grow, but through supervision and mentorship from other professionals, additional training opportunities, and on-the-job training, I do not feel like there are extensive gaps in knowledge or skills that I will not be able to learn as I grow in my job.

Thank you for considering a more accessible pathway to school counselor licensure for professionals passionate about delivering high quality care and support to our students. As we all know, there is so

much need in today's young people for supportive adults to come alongside them and care for them, empower them, and support them in the settings where they spend large amounts of time. I am excited about the opportunity to continue to serve students in my career and put my full support behind efforts to make it possible for qualified candidates to be licensed. Please feel free to contact me with further questions or clarifications.

Sincerely,

Lauren Schwen

laurenschwen@gmail.com | 612-213-7451

Rollin, Steven (He/Him/His) (PELSB)

From: Kristan Pfarr <kkpfarr@gmail.com>
Sent: Tuesday, October 15, 2024 8:56 AM
To: MN_PELSB Rules
Subject: Possible changes to school counselor licensure

You don't often get email from kkpfarr@gmail.com. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

I am writing in response to the R-4703 Proposed Rules Relating to School Counseling Programs and Licensure. I am entering my thirty fifth year as a school counselor. My path to become a school counselor was extremely extensive, because I did not have a teaching degree in 1988 when I started my program. It took me four years of full time requirements to earn my masters degree in K-12 counseling. Since then, the requirements have been consolidated greatly, but still effective.

I am concerned that the current proposal will not adequately prepare individuals for a career in the school counseling profession. This job has always required a master's degree in school counseling, for the reason that the profession is not meant to be entered lightly or ill prepared. This proposal will put individuals in situations they are not trained for in an ever demanding mental health field. I feel that this is a disservice to our most vulnerable students, to have those who are not properly trained address these SEL concerns. This is NOT an area we want to misguide students and families.

I am also concerned about adding Pre-K students to current caseloads. I feel quite confident that most schools will simply add this new age level to their current elementary counselors load, and not hire a new counselor to cover the additional students. As an elementary school counselor, I find my most time consuming students are in kindergarten through grade 2. These students are still being identified, monitored, and have interventions in place to help identify their academic and SEL needs. Adding pre-school to an elementary counselor's role, would no doubt add greatly to their job duties. I am also concerned on what training would be provided for me and others to work with this new age group, of which I have no experience or knowledge. It would be very irresponsible for the state to add this group of students to our caseloads without proper training.

I think our time would be best spent addressing why individuals are either leaving education as a profession, or not pursuing it altogether. Watering down requirements and adding more to educators duties and responsibilities is not the answer. I love my students, co-workers and families. I am beyond disappointed in MDE, the union and MN politics.

Kristan Pfarr

Rollin, Steven (He/Him/His) (PELSB)

From: Wright, Tricia <twright@tcu2905.us>
Sent: Friday, October 18, 2024 6:21 PM
To: MN_PELSB Rules
Subject: Request for Comments for School Counseling Rule Change

You don't often get email from twright@tcu2905.us. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Steven,

I hope this message finds you well. I am writing to provide feedback on the proposed changes to the school counseling licensing procedure. While I am supportive of the shift to CACREP accreditation as a standard for school counselors, I have concerns regarding certain aspects of the proposal.

First, I believe that the move to require CACREP-accredited training is a positive step in ensuring high standards for school counselors in Minnesota. However, I have questions about the proposed "alternate" path for individuals who have already earned a master's degree. Allowing this exception seems to contradict the very essence of adopting the CACREP standard. If the goal is to uphold CACREP's rigorous educational framework, creating a separate pathway for non-CACREP graduates might undermine the consistency and quality the rule aims to establish.

Additionally, the inclusion of Pre-K in school counseling responsibilities raises concerns. While expanding services to younger students is important, this new requirement would place a significant burden on current counselors who may not have been trained in early childhood development. Serving Pre-K students effectively would require specialized knowledge and skills, and this would demand considerable time and resources. It seems this additional responsibility could overwhelm counselors who are already managing heavy caseloads without having been adequately prepared for Pre-K counseling.

Thank you for considering my input. I believe that with some adjustments, these changes could be highly beneficial for the field and for students across Minnesota. Please feel free to reach out if there are further opportunities for discussion or clarification.

Tricia Wright MS, LPSC
she/her ([What is this?](#))
School Counselor K-6
Lonsdale Elementary
Tri-City United Public Schools ISD 2905

ALL MEANS ALL



1000 Idaho St. SW
Lonsdale, MN 55046

Phone: (507) 364-3002

Fax: (507) 744-3902

Email: twright@tcu2905.us

Website: www.TCU2905.us

If you are in crisis, call 911 or text "MN" to 741741

This email and/or any files transmitted and/or including replies or forwarded copies (which may contain alterations) subsequently transmitted, are confidential and solely for use of the intended recipient. If this was received in error, please inform the sender and destroy all copies.

Rollin, Steven (He/Him/His) (PELSB)

From: Travis Gjerner <tgjerner@flaschools.org>
Sent: Thursday, October 10, 2024 1:32 PM
To: MN_PELSB Rules
Subject: School Counseling Licensure

You don't often get email from tgjerner@flaschools.org. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Thank you for requesting input regarding school counseling licensure and some changes that might be coming. I do have some opinions that I would like to share that may or may not be part of the information you are seeking.

I received my Masters Degree from the University of Wisconsin-Stout, and have been a licensed school counselor in the state of Minnesota since 1998. I've noticed a variety of differences between my colleagues from Wisconsin and how school counselors are utilized in the state of Minnesota. Since 1987, Wisconsin has required a licensed SCHOOL COUNSELOR in every K-12 public school building. Minnesota does not have such a law and schools have a variety of people in "Counseling" positions. My district (Forest Lake) for one, has school social workers (which might only have a 4 year bachelor's degree) in our elementary counseling positions. In addition, our high school is void of school counselors and instead has "deans of students" which have little to no training in mental health support and generally fill that role as a stepping stone on their way to an admin position. Furthermore, elementary counselors in elementary schools are probably an exception instead of a rule in the state of Minnesota.

As we look at redefining the scope of school counselors in the state of Minnesota, I think it is also important to not diminish the credentials of licensed school counselors. Just like I would not be properly trained to be a speech therapist, deans and social workers might not have the same preparation as to what licensed school counselors are trained in and to lump them all together under the label of "counselors" feels disingenuous.

I also agree to expand the scope of school K-12 counselors to Pre-K and yes to (CACREP) accreditation.

Thank you for allowing me to provide my thoughts!

--

Travis Gjerner
School Counselor Scandia Elementary
[Counselor Webpage](#)

If you or someone you know are having thoughts of self-harm, or you are aware that someone is in danger, contact one of the resources below.

Crisis Services- MN Department of Human Services (Text MN to 741741)
Crisis Connection (612-379-6363)
Canvas Health Mobile Crisis - Washington County (651-777-5222)
Canvas Health Mobile Crisis - Anoka County (763-755-3801)
[Canvas Health Mobile Crisis - Chisago County \(1-800-523-3333\)](#)

Confidentiality Notice: The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Thank you.

Exhibit K. Enclosed: A notice of withdrawal of hearing request, evidence that the Board sent its notice of withdrawal to all persons who requested a hearing, and any responsive comments received. The Board received zero (0) requests for a hearing and zero (0) individuals withdrew a request.

July 11, 2025

The Honorable Kimberly Middendorf
Administrative Law Judge
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

Re: In the Matter of the Proposed Rules of the Professional Educator Licensing and Standards Board Governing School Counseling Programs and Licensure; Cancellation of Hearing; OAH Docket No. 21-9021-37950; Revisor's ID Number 4703

Dear Administrative Law Judge Kimberly Middendorf:

The Minnesota Professional Educator Licensing and Standards Board (Board) is canceling the public hearing for its proposed rules scheduled for Wednesday, August 6, 2025, at 10:00 a.m.

The deadline to request a public hearing was Tuesday, July 8, 2025. The Board received 0 requests for a public hearing. The Board is canceling the hearing because there are fewer than 25 hearing requests.

The Board will submit the necessary documents for review to allow it to adopt the rules without a hearing according to Minnesota Rules, parts 1400.2300 and 1400.2310. The Board tentatively plans to submit for review by August 1, 2025, but will try and notify you a week before eFiling.

If you have any questions or concerns, please contact me at steven.rollin@state.mn.us or 952-539-5991.

Sincerely,



Steven Rollin, Rulemaking Specialist

Notice of Cancellation of Hearing to Persons Who Requested a Hearing

Minnesota Professional Educator Licensing and Standards Board

Proposed Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.0400, 8705.1010 and 8710.6400; Revisor's ID Number 4703; OAH Number 21-9021-37950

To people who requested a hearing. The Board is sending this notice to all people who requested a hearing.

The hearing is canceled. On June 2, 2025, in the *State Register*, on pages 1311-1316, the Professional Educator Licensing and Standards Board published a Notice of Intent to Adopt Rules relating to school counseling programs and licensure. The Notice stated that a hearing would be held on the proposed rules if 25 or more people submitted written requests for a hearing. In response, the Board received 0 requests for a hearing. Consequently, the Board is canceling the hearing.

The Board will adopt the rules without a hearing and then submit the rules and other required documents to the Office of Administrative Hearings for review. The Board will consider all written comments when it adopts the rules.

Agency contact person. The agency contact person is:

Steven Rollin
Rulemaking Specialist
Professional Educator Licensing and Standards Board
1021 Bandana Blvd. E., Suite 222
St. Paul, MN 55108-5111
Phone: (651) 539-5991
Email: PELSB.rules@state.mn.us.

Questions or comments about the cancellation of the hearing or about the rule adoption process should be directed to Steven Rollin.



Steven Rollin
Rulemaking Specialist

Exhibit L. Enclosed: A copy of the adopted rules dated June 4, 2025.

1.1 **Professional Educator Licensing and Standards Board**

1.2 **Adopted Permanent Rules Relating to School Counseling Programs and Licensure**

1.3 **8705.0400 SCHOOL COUNSELING PROGRAMS.**

1.4 Subpart 1. **Accreditation or approval required.** To prepare individuals for licensure
1.5 as a school counselor under part 8710.6400, a school counseling program based in Minnesota
1.6 must hold accreditation from the Council for the Accreditation of Counseling and Related
1.7 Educational Programs (CACREP) or be approved to recommend candidates for licensure
1.8 pursuant to subpart 2.

1.9 Subp. 2. **State-approved school counseling programs.**

1.10 A. A school counseling program may seek approval to recommend candidates for
1.11 licensure who have completed a portion or subset of the program that is accredited by
1.12 CACREP. To be approved, the program must comply with subitems (1) to (4).

1.13 (1) The program must obtain board approval of its program model before
1.14 recommending candidates for licensure.

1.15 (2) The program must have a documented enrollment policy that includes an
1.16 enrollment requirement that a candidate hold a master's degree in counseling or a related
1.17 area. A related area is defined as a profession closely related to counseling or the school
1.18 context, and must be commensurate with the clinical preparation and experience of
1.19 professional counselors.

1.20 (3) The program must have a documented process for evaluating the
1.21 candidate's prior experiences in order to determine gaps in coursework and clinical
1.22 experience, including whether the candidate has completed coursework aligned to CACREP's
1.23 common core areas of foundational knowledge and whether the candidate has had clinical
1.24 experiences equivalent to the CACREP practicum.

(4) The program must ensure the candidate completes at least 600 total clinical experience hours, including a minimum of 240 hours of direct service with students. The program may evaluate a candidate's prior experiences to determine whether to waive up to 150 of the clinical experience hours. The program may not waive direct service hours.

B. The board may grant approval for a term of up to eight years to align approval with the CACREP accreditation cycle.

Subp. 3. **Notice required.** A program must notify the board if its CACREP accreditation status changes or if it makes changes to its program model.

8710.6400 SCHOOL COUNSELOR.

Subpart 1. **Scope of practice.** A school counselor is authorized to provide to prekindergarten through grade 12 students school counseling services that focus on the promotion of the academic, career, and personal and social development of all students through data-informed school counseling programs.

[For text of subpart 1a, see Minnesota Rules]

Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part 8710.0312 must be issued to a school counselor if the requirements of this subpart are met.

A. The applicant must:

(1) hold a master's degree in counseling; or

(2) hold a baccalaureate degree and:

(a) be enrolled in a school counselor program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Programs, with no less than 24 semester credit hours in school-counseling-specific coursework or content, including introduction to the field, counseling skills, and ethical standards; and

(b) verify to the board in writing a plan of study of full- or part-time enrollment to achieve licensure within three years.

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

[For text of subpart 1c, see Minnesota Rules]

Subp. 2. Requirements for Tier 3 license. A Tier 3 license issued under part 8710.0313 must be issued to a school counselor if the applicant:

A. holds a master's degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools; and

B. shows verification of having completed a school counselor preparation program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Programs.

[For text of subpart 2a, see Minnesota Rules]

Subp. 3. [See repealer.]

Subp. 4. [Repealed, 25 SR 805]

Subp. 5. License renewal. It is the responsibility of an individual seeking renewal of a Tier 3 or Tier 4 license to comply with licensure requirements in part 8710.7100 and to submit the application, appropriate verification, and other supporting materials to the local continuing education or relicensure committee, in accordance with procedures and due dates established by the committee under part 8710.7200.

Subp. 6. [See repealer.]

Subp. 7. Restrictions and expansions.

A. An applicant whose school counseling preparation or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and

4.1 who meets all other requirements of subpart 2, must be issued a Tier 3 or 4 license restricted
4.2 to the scope of the applicant's content training or experience.

4.3 B. An applicant with preparation or experience within two grade levels of a
4.4 currently approved Minnesota licensure scope must be granted the full scope of the Minnesota
4.5 license.

4.6 C. Upon request and at the time of application or renewal, an applicant who holds
4.7 a Tier 3 or 4 license that is restricted or limited in scope must be granted the full scope of
4.8 a currently approved Minnesota license when the applicant:

4.9 (1) has two years of experience as a licensed school counselor within two
4.10 grade levels of a currently approved Minnesota licensure scope; or

4.11 (2) has completed a school counseling clinical experience within two grade
4.12 levels of a currently approved Minnesota licensure scope.

4.13 **REPEALER.** Minnesota Rules, parts 8705.1010, subpart 7; and 8710.6400, subparts 3
4.14 and 6, are repealed.

4.15 **EFFECTIVE DATE.** Part 8705.0400, subpart 1, is effective July 1, 2026. A program may
4.16 choose to meet this requirement before July 1, 2026.

Exhibit M. Not enclosed: A notice of adopting substantially different rules that was sent to people or groups who commented during the comment period and evidence that the notice was sent to these persons or groups. This is not enclosed because the Board did not adopt substantially different rules.

**Exhibit N. Enclosed: The unsigned Order Adopting Rules
that complies with the requirements in part 1400.2090.**

ORDER ADOPTING RULES

Adoption of Amendments to Rules Governing School Counseling Programs and Licensure, Minnesota Rules, part 8705.0100, 8705.1010, and 8710.6400; Revisor's ID Number 4703; CAH Docket Number 21-9021-37950

PROCEDURAL BACKGROUND

1. The Professional Educator Licensing and Standards Board (Board) authorized proposing the rules at its meeting on July 16, 2021, and a quorum was present.
2. The Board has complied with all notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law.
3. The Board received twelve (12) written comments and submissions on the rules and zero (0) requests for a public hearing. Therefore, there were not 25 or more requests for a public hearing.
4. The Board received zero (0) requests to provide notice of the date the rule will be submitted to the Court of Administrative Hearings.
5. The rules are needed and reasonable.
6. The Board adopted the rules at its meeting on September 19, 2025, a quorum was present, and the undersigned was authorized to sign this order.

ORDER

The above-named rules, in the form published in the State Register on June 2, 2025, are adopted under my authority in Statutes, sections 122A.09, subdivision 9 (a) through (c), and 122A.092.

Date: September 19, 2025

Signed by: Dr. Yelena Bailey, Executive Director
Professional Educator Licensing and Standards Board

Exhibit O. Not enclosed: A notice of submission of rules to the Court of Administrative Hearings and a copy of a transmittal letter or certificate of mailing the notice of submission of rules to the Court of Administrative Hearings. No people requested notification of the submission of the rules to the Court of Administrative Hearings.

Exhibit P. Enclosed: Any other document or evidence to show compliance with any other law or rule that the Board is required to follow in adopting these rules. These are:

**Exhibit P.1. Enclosed: The Certificate of Sending Notice to
Legislators per Minnesota Statutes, section 14.116, and a
copy of the transmittal letter.**

Rollin, Steven (He/Him/His) (PELSB)

From: Rollin, Steven (He/Him/His) (PELSB)
Sent: Thursday, August 21, 2025 2:32 PM
To: lcc@lcc.leg.mn; sen.steve.cwodzinski@mnsenate.gov; sen.erin.mayequade@mnsenate.gov; sen.julia.coleman@mnsenate.gov; sen.jim.abeler@mnsenate.gov; sen.liz.boldon@mnsenate.gov; sen.zach.duckworth@mnsenate.gov; sen.grant.hauschild@mnsenate.gov; sen.mary.kunesh@mnsenate.gov; sen.alice.mann@mnsenate.gov; sen.jeremy.miller@mnsenate.gov; sen.nathan.wesenberg@mnsenate.gov; rep.peggy.bennett@house.mn.gov; rep.sydney.jordan@house.mn.gov; Josiah Hill; Rep. Patricia Mueller (house.mn.gov); rep.robert.bierman@house.mn.gov; rep.tom.dippel@house.mn.gov; rep.alex.falconer@house.mn.gov; rep.marj.fogelman@house.mn.gov; rep.jimmy.gordon@house.mn.gov; rep.david.gottfried@house.mn.gov; rep.julie.greene@house.mn.gov; rep.heather.keeler@house.mn.gov; rep.bryan.lawrence@house.mn.gov; rep.drew.roach@house.mn.gov; sen.mary.kunesh@mnsenate.gov; sen.heather.gustafson@mnsenate.gov; sen.jason.rarick@mnsenate.gov; sen.doron.clark@mnsenate.gov; sen.steve.cwodzinski@mnsenate.gov; sen.robert.farnsworth@mnsenate.gov; sen.karin.housley@mnsenate.gov; sen.michael.kreun@mnsenate.gov; sen.andrew.lang@mnsenate.gov; sen.eric.lucero@mnsenate.gov; sen.erin.mayequade@mnsenate.gov; sen.clare.oumou.verbeten@mnsenate.gov; sen.bonnie.westlin@mnsenate.gov; rep.ron.kresha@house.mn.gov; rep.cheryl.youakim@house.mn.gov; rep.ben.bakeberg@house.mn.gov; rep.mary.frances.clardy@house.mn.gov; rep.pam.altendorf@house.mn.gov; rep.kristin.bahner@house.mn.gov; rep.peggy.bennett@house.mn.gov; rep.tom.dippel@house.mn.gov; rep.elliott.engen@house.mn.gov; rep.julie.greene@house.mn.gov; Josiah Hill; rep.walter.hudson@house.mn.gov; rep.pete.johnson@house.mn.gov; rep.krista.knudsen@house.mn.gov; rep.bryan.lawrence@house.mn.gov; rep.liz.lee@house.mn.gov; Rep. Patricia Mueller (house.mn.gov); rep.maria.isa.perez-vega@house.mn.gov; rep.duane.quam@house.mn.gov; rep.lucy.rehm@house.mn.gov; rep.kari.rehrauer@house.mn.gov; rep.max.rymer@house.mn.gov; rep.samantha.sencer-mura@house.mn.gov; Rep. Bianca Virnig
Subject: In the Matter of the Proposed Rules of the Professional Educator Licensing and Standards Board (PELSB) Governing Counseling Programs and Licensure; Revisor's ID Number 4703
Attachments: 4703 Exhibit D SONAR (School Counseling) 031425 POST.pdf

Dear Legislators:

The Professional Educator Licensing and Standards Board (PELSB) intends to adopt amendments to the rule governing school counseling programs and licensure (Minnesota Rules 875.0100, 8705.1010, and 8710.6400 ([Professional Educator Licensing and Standards Board - MN Rules](#))).

PELSB is proposing changes to how it approves Minnesota-based school counseling programs. PELSB is also proposing to allow providers to enroll candidates in a subset of their program for candidates who already hold a master's degree in a related area. Finally, PELSB is proposing to allow two grade levels of flexibility for counseling licenses as needed. A draft of the proposed changes is available on PELSB's webpage ([School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)) and in the *State Register* (49 SR 1311 - [Minnesota State Register Volume 49 Number 49](#)).

Minnesota Statutes, section 14.116, states:

“14.116 NOTICE TO LEGISLATURE.

When an agency mails notice of intent to adopt rules under section 14.14 or 14.22, the agency must send a copy of the same notice and a copy of the statement of need and reasonableness to the chairs and ranking minority party members of the legislative policy and budget committees with jurisdiction over the subject matter of the proposed rules and to the Legislative Coordinating Commission.

In addition, if the mailing of the notice is within two years of the effective date of the law granting the agency authority to adopt the proposed rules, the agency shall make reasonable efforts to send a copy of the notice and the statement to all sitting legislators who were chief house and senate authors of the bill granting the rulemaking authority. If the bill was amended to include this rulemaking authority, the agency shall make reasonable efforts to send the notice and the statement to the chief house and senate authors of the amendment granting rulemaking authority, rather than to the chief authors of the bill.”

PELSB published its Notice of Intent to Adopt Rules in the June 2, 2025, State Register and is now mailing the Notice under section 14.14 or 14.22.

As required by section 14.116, PELSB is sending you a copy of the notice (see below) and the Statement of Need and Reasonableness (attached).

If you have any questions about these rules, please contact me.

Steven Rollin

Rulemaking Specialist

Professional Educator Licensing and Standards Board

1021 Bandana Blvd. E., Suite 222

Saint Paul, MN 55108-5111

(651) 539-5991

Pronouns: He/Him/His

From: Minnesota Professional Educator Licensing and Standards Board <pelsb@public.govdelivery.com>

Sent: Monday, June 2, 2025 11:41 AM

To: Rollin, Steven (He/Him/His) (PELSB) <Steven.Rollin@state.mn.us>

Subject: R4703 Rulemaking Update - Dual Notice



R-4703 Rulemaking Update

On June 2, 2025, PELSB published a notice in the *State Register* announcing its intent to adopt changes to the rules relating to school counseling programs and licensure (Minnesota Rules 8705.0100, 8705.1010, and 8710.6400 ([Professional Educator Licensing and Standards Board - MN Rules](#))). The notice, referred to as the Dual Notice, is available in full below and in the *State Register* ([Minnesota State Register / Minnesota.gov](#)).

Proposed Changes

PELSB is proposing changes to how it approves Minnesota-based school counseling programs. PELSB is also proposing to allow providers to enroll candidates in a subset of their program for candidates who already hold a master's degree in a related area. Finally, PELSB is proposing to allow two grade levels of flexibility for counseling licenses as needed. A draft of the proposed changes is available on PELSB's webpage and in the *State Register*.

Comment Period

The Notice triggers a comment period that will run from June 2, 2025, until July 8, 2025, at 4:30 p.m. Written comments can be in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and sent to PELSB.rules@state.mn.us. More details about how to submit a comment is available below or in the *State Register*.

Hearing

If 25 or more individuals submit valid written requests for a hearing on the rules, the Board will hold a virtual hearing on August 6, 2025, starting at 10:00 a.m. More details about how to submit a valid written request for a hearing and how to participate in the hearing, if one is held, is available below and in the *State Register*.

More Information

Please see the Dual Notice (below) and PELSB's webpage ([School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)) for more information about this rulemaking, including hearing details, a draft of the most recent version of proposed rules, the Statement of Need and Reasonableness (SONAR), and additional information about the rulemaking process.

Dual Notice

Minnesota Professional Educator Licensing and Standards Board

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number 4703; OAH Number 21-9021-37950

Proposed Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.0400, 8705.1010 and 8710.6400

Introduction. The Professional Educator Licensing and Standards Board (Board) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on July 8, 2025, the Board will hold a virtual public hearing on the proposed rule changes. An Administrative Law Judge will conduct the hearing starting at 10:00 a.m. on August 6, 2025, as detailed below. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after July 8, 2025, and before August 6, 2025.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing on August 6, 2025 at 10:00 a.m. The hearing will continue until 5:00 p.m. or until all interested persons have been heard, whichever occurs first. Administrative Law Judge Kimberly Middendorf is assigned to conduct the hearing. Judge Middendorf's Legal Assistant, William Moore, can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7900 and fax 651-539-0310 or William.t.moore@state.mn.us.

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

Enter <https://minnesota.webex.com>

Meeting number (access code): 2485 760 3011

Password: PyraDPH2r27

For audio connection only, join the hearing by phone:

Call: 1-415-655-0003 (US Toll)

Access code: 2485 760 3011

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is:

Steven Rollin

Professional Educator Licensing and Standards Board

1021 Bandana Blvd. E., Suite 222

St. Paul, MN 55108-5111

Phone: (651) 539-5991

Email: PELSB.rules@state.mn.us

Subject of Rules and Statutory Authority. The Professional Educator Licensing and Standards Board is proposing changes to the rule part governing school counseling programs and licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 122A.09, subdivision 9, paragraphs (a) through (c) and 122A.092, subdivision 1. A copy of the proposed rules is published in the *State Register* and available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). A free copy of the rules is available upon request from Steven Rollin at the contact information listed above.

Comments. You have until 4:30 p.m. on July 8, 2025, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. 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.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on July 8, 2025. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Cancellation of Hearing. The Board will cancel the hearing scheduled for August 6, 2025, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also contact Steven Rollin at the contact information listed above after July 8, 2025, to find out whether the hearing will be held.

Hearing Procedure. If the Board holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there

is a five-working-day rebuttal period when the Board and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative Hearings strongly encourages all persons submitting comments and responses to do so using the Administrative Hearings' Rulemaking eComments website, <https://minnesotaoah.granicusideas.com/discussions>. If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile addressed to Judge Middendorf at the address or facsimile number listed in the Notice of Hearing section above.

All comments or responses received will be available for review at the Professional Educator Licensing and Standards Board or on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes 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.

You may review or obtain copies for the cost of reproduction (if any) by contacting Steven Rollin at the contact information listed above. The SONAR is also available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

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

Modifications. The Board might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Board or presented at the hearing. 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 in the rulemaking process.

Adoption Procedure if No Hearing. If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, 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 that the Administrative Law 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 the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Date: June 2, 2025

Signed by: Yelena Bailey, Executive Director

Update your subscriptions, modify your password or email address, or stop subscriptions at any time on your [Subscriber Preferences Page](#). You will need to use your email address to log in. If you have questions or problems with the subscription service, please visit subscriberhelp.govdelivery.com.

This service is provided to you at no charge by [Minnesota Professional Educator Licensing and Standards Board](#).

This email was sent to steven.rollin@state.mn.us using GovDelivery Communications Cloud on behalf of: Minnesota Professional Educator Licensing and Standards Board · 1021 Bandana Blvd. E., Suite 222 · St. Paul, MN 55108-5111



Exhibit P.2. Enclosed: A copy of the memorandum dated April 1, 2025, from the Department of Management and Budget, evaluating the fiscal impact and benefits of the proposed rule changes on local governments.

Office Memorandum

Date: April 1, 2025

To: Steven Rollin, Rulemaking Attorney,
Professional Educator Licensing and
Standards Board

From: Avery Turman, Executive Budget Officer,
Minnesota Management and Budget

Subject: M.S. 14.131 – Review of Proposed Rules of the Professional Educator Licensing and Standards Board related School Counseling Programs and Licensure; Revisor’s ID Number R-4703

Background

The Professional Licensing and Standards Board (PELSB) is proposing new rules related to licensing of school counselors in Minnesota Rules, Chapters 8705 and 8710. Pursuant to M.S. 14.131, the Commissioner of Minnesota Management and Budget (MMB) has been asked to help evaluate the fiscal impacts and benefits these changes may have on local units of government.

As identified in the Statement of Need and Reasonableness (SONAR), pursuant to M.S. 122A.09, subdivision 9, PELSB is responsible for licensing school counselors and pursuant to 122A.092, subdivision 1 is responsible for approving teacher preparation programs. The proposed rule requires school counseling preparation programs to hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP). Currently, these programs obtain approval through PELSB. Additionally, the proposed rule would allow preparation programs to create a program for individuals who already hold a master’s degree, allow school counselor license holders to also serve pre-kindergarteners, and create conditions for a school counselor with a restricted license to expand the scope of their license.

Evaluation

On behalf of the Commissioner of Minnesota Management and Budget, I have reviewed the proposed changes and the draft of the SONAR to explore the potential fiscal impact these changes may have on local governments.

The proposed rules may result in fiscal impact to Minnesota school counselor training programs, school counselor candidates, school districts, and charter schools. School counselor preparation programs would experience most of the fiscal impact as they change their practices to conform to the new rules, which could include creating new programs or modifying existing programs. The only definition of local government within M.S. Chapter 14 does not include local education agencies (LEAs) such as school districts and charter schools.¹ Because this rule primarily affects LEAs, these proposed rules are not anticipated to cause a fiscal impact on local units of government.

¹ M.S. 14.128 states that “‘Local government’ means a town, county, or home rule charter or statutory city.”

cc: Laurena LeCompte, Director of Budget Planning and Analysis, Minnesota Management and Budget
Yelena Bailey, Interim Executive Director, Professional Educator Licensing and Standards Board

Exhibit P.3. Not enclosed: The certificate showing compliance with Minnesota Statutes, section 14.111, regarding farming operations. This requirement was addressed in the SONAR.

Exhibit P.4. Not enclosed: The compliance cost determination required by Minnesota Statutes, section 14.127. This requirement was addressed in the SONAR.

Exhibit P.5. Not enclosed: The analysis and determination about whether local ordinance adoption is required and effective date required by Minnesota Statutes, section 14.128. This requirement was addressed in the SONAR.

Exhibit P.6. Not enclosed: Other Minnesota Statutes that apply only to some rulemakings - none known. All requirements were addressed in the SONAR.

Exhibit P.7. Enclosed: The Board’s response to the written comments and submissions on the proposed rules that the Board received during the comment period.

Memorandum

Date: February 21, 2025
To: PELSB Board Members
From: Steve Rollin, Rulemaking Attorney
RE: R4703 School Counseling Rulemaking

On December 6, PELSB closed a 60-day request for comments on proposed rule R4703 (School Counseling Programs and Licensure - Minnesota Rules 8705.0100, 8705.1010, and 8710.6400). Details are on the PELSB website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#).

Committee Recommendations on Comments

In December, the Board appointed a committee to review the comments (Board Members: Osuji, Aho, Dyer; PELSB Staff: Rollin). The committee reviewed the 9 comments received, and recommended the following changes to the proposed rule:

8705.0400, subpart 1, which would require Minnesota school counseling programs to obtain accreditation from CACREP rather than through PELSB's state-specific standards.

2 comments, both in favor of the proposed rule

Board Committee Recommendation: No changes to the proposed rule

8705.0400 Subpart 2.A.2, which would allow individuals with a master's degree in related area to school counseling to become school counselors.

7 Comments

Issues –

- Need a definition of “related area” that includes clarity on what types of master’s degrees would be accepted.
- If a student goes to an out-of-state or online program, how would this be managed?
- Inadequate preparation.

Discussion –

- Related Area – CACREP proposes adding in this definition at the end of Subpart 2.A.2: “A related area is defined as a profession closely related to counseling or the school context, and must be commensurate with the clinical preparation and experience of professional counselors.”
- Out-of-State/Online – Amend Subpart 2.A.3 as follows: “The program must have a documented process for evaluating the candidate's prior experiences in order to determine gaps in coursework and clinical

experience, including whether the candidate has completed coursework aligned to CACREP's common core areas of foundational knowledge and whether the candidate has had clinical experiences equivalent of the CACREP practicum."

-Inadequate preparation – see amendment to Subpart 2.A.3 above.

Board Committee Recommendation: Add in the two amendments/additions above.

8710.6400 Subpart 1, which would allow school counselors to serve pre-kindergarteners.

7 comments

Issues –

- Adds to counselor workload
- Would School Social Worker licenses also be covering PreK?
- Out-of-State or Online programs that do not cover PreK
- Training - would an internship/practicum be needed? CEUs?

Discussion-

- Counselor Workload - PreK has been happening since a Board resolution in January 2019. The PreK piece fits with the expanding scope of license in 8710.6400 subpart 7.
- School Social Worker licenses – includes PreK-12 in scope of practice in 8710.6300
- Out-of-State/Online programs – Documented evaluation process - see amendment to 2.A.3 in previous slide
- Training – currently licensed school counselors are grandfathered in even if their curriculum did not cover PreK.

Board Committee Recommendation: No changes to the proposed rule

8710.6400 Subpart 7 which establishes formal pathways for licensed school counselors to expand the scope of their license by two years.

2 comments

Issues –

- Who would be approving the expanded scope?

Discussion-

- Aligns with the processes for all other teaching licenses.

Board Committee Recommendation: No changes to the proposed rule

Options

The committee is requesting that the Board adopt its recommendations.

Board Meeting Minutes

February 21, 2025

I. CALL TO ORDER

Chair Osuji called the meeting to order at 9:33 a.m. Board Meeting was held in person and via WebEx.

Board members present:

Dr. Angela Osuji, Board Chair
Dr. Lucy Payne (Virtual – left after Unit & Program Rule)
Amy Aho
Brandee Shoemaker
Dr. Gift Saloka
Dr. Kurt Stumpf (Virtual)
Jennifer Trask (Virtual)
Justin Hoelscher
Glazell Toledo (Virtual)
Rochelle Dyer
Janie Yang

Board members absent:

Reuben Moore
Dr. Quennel Cooper

Board staff (present at various times):

Dr. Yelena Bailey, Executive Director
Debby Odell, Licensing and Operations Manager
Erin Doan, Pathways to Licensure Manager
Katherine Oswald, Office Manager
Michelle Sandler, Teacher Education Specialist
Steve Rollin, Rulemaking Attorney (Virtual)
Maria Zaloker, Ethics Attorney
Grant Boulanger, Heritage Language Pathway Specialist (Virtual)

Attorney General's Office

Nathan Hartshorn
David Cullen

II. APPROVAL OF BOARD MEETING AGENDA

MOTION: Aho moved to approve the Agenda with flexibility. Yang seconded the motion.

VOTE: All yes.

RESULT: The motion passed.

III. ORAL ARGUMENTS

The board heard oral arguments in the matter of Ms. Barbara A. Nelson's license. The board was advised by Assistant Attorney General Nathan Hartshorn. Oral arguments were made by Assistant Attorney General David Cullen. Neither Ms. Nelson, or their attorney, were present.

MOTION: Yang made a motion to move into Closed Session. Shoemaker seconded the motion.

VOTE: All yes.

RESULT: The motion passed.

IV. DISCIPLINE MATTERS (Closed Session)

Nathan Hartshorn, Assistant Attorney General, was present for the license deliberation of Ms. Nelson. Board members Trask, Toledo, and Aho were not present for deliberations.

Pursuant to Minnesota Statutes 13D.01, subdivision 2, the Board moved into closed session for the purposes of disciplinary proceedings.

V. REPORT OUT: DISCIPLINE MATTERS (Open Session)

Dr. Osuji announced Board action from Closed Session as follows:

1. **Ross Ashburn (FFN 319437):** The Board adopted a stipulation agreement and consent order whereby Ross Ashburn's teaching licenses are subject to a one year stayed suspension.
2. **Roger Ebnet (309997):** The Board adopted findings of fact, conclusions of law, and order affirming the automatic revocation of Roger Ebnet's teaching license.
3. **Rachel Ferguson (FFN 398326):** The Board adopted a stipulation agreement and consent order whereby Rachel Ferguson's teaching licenses are subject to a one year stayed suspension.
4. **Katherine Hollen (FFN 509460):** The Board adopted a stipulation agreement and consent order whereby Katherine Hollen's teaching license is subject to a one year stayed suspension.
5. **Guillermo Huaman (FFN 462567):** The Board adopted findings of fact, conclusions of law, and order affirming the automatic revocation of Guillermo Huaman's teaching license.
6. **Jeremy Hubbell (FFN 496473):** The Board adopted a stipulation agreement and consent order whereby Jeremy Hubbell's teaching license is subject to a one year stayed suspension.
7. **Melissa Kobin (FFN 385490):** The Board adopted findings of fact, conclusions of law, and order whereby Melissa Kobin's renewal application is denied.
8. **Erik Lindemeier (FFN 352737):** The Board adopted findings of fact, conclusions of law, and order affirming the automatic denial of Erik Lindemeier's renewal application.
9. **Vang Ker Zeng Moua (FFN 510568):** The Board adopted a stipulation agreement and consent order whereby Vang Ker Zeng Moua's renewal application is denied.
10. **Barbara Nelson (FFN 333057):** The Board adopted findings of fact, conclusions of law and order whereby Barbara Nelson's teaching license is revoked.
11. **Jacob Richmond (FFN 496662):** The Board adopted a stipulation agreement and consent order whereby Jacob Richmond's teaching license is subject to a one year stayed suspension.
12. **Deanna Schiesser (FFN 1033694):** The Board adopted a stipulation agreement and consent order whereby Deanna Schiesser's teaching license is issued subject to a three year stayed suspension.
13. **Gregory Stein (FFN 492192):** The Board adopted a stipulation agreement and consent order whereby Gregory Stein's teaching license is suspended for a year.
14. **John Taylor (FFN 517360):** The Board adopted a stipulation agreement and consent order whereby John Taylor's teaching license is surrendered.

VI. CONSENT AGENDA

MOTION: Saloka moved to approve the Consent Agenda. Hoelscher seconded the motion.

VOTE: All yes.

RESULT: The motion passed.

VII. NEW BUSINESS

A. Unit & Program Rule

Ms. Sandler presented staff recommended changes for teacher preparation. The recommendation consisted of three main points: open rulemaking to streamline unit and program approval, allow for a deeper data dive during unit review to ensure effectiveness across programs, and focus program review on meeting teacher standards and effectiveness only if there are concerns noted during unit review.

VIII. UNFINISHED BUSINESS

A. Task Forces and Work Group

i. English Learner Task Force

Mr. Boulanger shared the work group has completed a draft report. The report draft is currently being finalized by MDE's communications and government relations teams. The report will be shared with the board once it has been finalized.

ii. Work Group on Paraprofessional Qualifications

Ms. Odell shared the work group finalized their discussion on what competencies found in PELSB's voluntary paraprofessional credential rule can be used to meet federal paraprofessional qualification in school districts. The final draft will be submitted to the commissioner of MDE for agency review.

B. R4703 Rulemaking Committee Recommendations

Mr. Rollin presented recommended changes for the school counseling licensure. The rulemaking committee recommended no changes to the proposed rule in relation to three of the recommended changes. The rulemaking committee recommended to add in the amendments/additions given in relation to the fourth recommended change.

MOTION: Aho moved to adopt the subcommittee's recommended changes. Shoemaker seconded the motion.

VOTE: All yes.

RESULT: The motion passed.

IX. NEW BUSINESS

A. *Board Retreat and FY26 Board Meeting Schedule*

Dr. Bailey presented the proposed dates for the June board retreat as well as fiscal year 2026 board meeting schedule dates. Request for the public to suggest topics to be addressed at this year's retreat.

X. REPORTS

A. *COMMITTEES & SUBCOMMITTEES*

i. *Executive Committee*

The committee met on February 12 to discuss the agenda and proposed board member retreat schedule.

ii. *Licensing Committee*

The committee met on January 21 to approve cross-curricular delivery permissions and discretionary variances. The next meeting is on February 24.

iii. *Teacher Preparation Committee*

The committee met on February 10. All items are on the consent agenda. The next meeting is on March 3.

iv. *Legislative Committee*

No report.

v. *Increase Teachers of Color and Indigenous Teachers Committee*

The committee met on February 20 and learned of several local initiatives to increase and support teachers of color in Minnesota. The next meeting is on March 20.

vi. *Standards and Rules Advisory Committee*

The committee met on February 6 to give updates on rulemaking projects and hear how changes in federal policy are impacting community partners.

B. *Staff Report*

Dr. Bailey explained that Dr. Payne is representing PELSB at the Governor's Advisors Retreat. The event is focusing on literacy and the evolving landscape of teacher preparation. Dr. Bailey also updated the board that Erin Doan has been hired for the pathways to licensure manager position.

C. Chair Report

Dr. Osuji announced the formation of the special education subcommittee, composed of Ms. Aho, Mr. Hoelscher, Ms. Trask, and Dr. Saloka. Dr. Osuji also announced the formation of the rulemaking subcommittee, which is composed of Dr. Payne, Ms. Yang, Dr. Cooper, and Ms. Toledo.

XI. ADJOURN

Dr. Osuji adjourned the meeting at 10:57 a.m.

Appendix A: CONSENT AGENDA

I. APPROVE MINUTES

Approve Minutes from January 17, 2025, board meeting.

II. UNIT APPROVALS

None

III. PROGRAM APPROVALS

a. Lakes Country Service Cooperative

	Program	Staff Recommendation
i.	Career Pathways	Initial approval

b. Minneapolis Public Schools

	Program	Staff Recommendation
i.	Special Education: Academic and Behavioral Strategist	Initial approval (accept interim report)

c. St. Cloud State University

	Program	Program Request
i.	Reading	Voluntary Discontinuation

d. Walden University

	Program	Staff Recommendation
i.	Special Education: Academic and Behavioral Strategist (Baccalaureate and Post Baccalaureate)	Continuing approval with focus

IV. LICENSES AND PERMISSIONS

None

Remainder of page intentionally left blank.

V. TEACHER PREPARATION – DISCRETIONARY VARIANCES

	Unit/Program	Rule	TPC Recommendation
a.	University Minnesota Duluth	Minn. Rule 8705.1010, C. Standard 11. (1), (b)	Approve with Conditions
b.	St. Catherine University	8705.1100 Subp. 2a(A); Subpart 1a(C)	Approve

July 11, 2025

The Honorable Kimberly Middendorf
Administrative Law Judge
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

Re: In the Matter of the Proposed Rules of the Professional Educator Licensing and Standards Board Governing School Counseling Programs and Licensure; Cancellation of Hearing; OAH Docket No. 21-9021-37950; Revisor's ID Number 4703

Dear Administrative Law Judge Kimberly Middendorf:

The Minnesota Professional Educator Licensing and Standards Board (Board) is canceling the public hearing for its proposed rules scheduled for Wednesday, August 6, 2025, at 10:00 a.m.

The deadline to request a public hearing was Tuesday, July 8, 2025. The Board received 0 requests for a public hearing. The Board is canceling the hearing because there are fewer than 25 hearing requests.

The Board will submit the necessary documents for review to allow it to adopt the rules without a hearing according to Minnesota Rules, parts 1400.2300 and 1400.2310. The Board tentatively plans to submit for review by August 1, 2025, but will try and notify you a week before eFiling.

If you have any questions or concerns, please contact me at steven.rollin@state.mn.us or 952-539-5991.

Sincerely,



Steven Rollin, Rulemaking Specialist

May 21, 2025

VIA EMAIL ONLY

Steven Rollin
Rule Requestor
Minnesota Professional Educator Licensing
and Standards Board
1021 Bandana Blvd E Ste 222
Saint Paul, MN 55108
steven.rollin@state.mn.us

**Re: *In the Matter of the Proposed Rules Governing School
Counseling Programs and Licensure*
OAH 21-9021-37950; Revisor 4703**

Dear Steven Rollin:

Enclosed herewith and served upon you please find the **ORDER ON REVIEW
OF DUAL NOTICE OF INTENT TO ADOPT RULES** in the above-entitled matter.

Prior to publishing the Dual Notice in the State Register, please notify the Office of Administrative Hearings (OAH) at william.t.moore@state.mn.us in order to activate the agency's eComments page on OAH's website. **Please note that if you do not notify us of the publication, the eComments site will not be available to receive public comments.**

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



Nichole Sletten
Legal Assistant

Enclosure

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW SECTION
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Proposed Rules Governing School Counseling Programs and Licensure	OAH Docket No. 21-9021-37950 R-4703
---	---

On May 21, 2025, a true and correct copy of the **ORDER ON REVIEW OF DUAL NOTICE OF INTENT TO ADOPT RULES** was served by electronic mail, unless otherwise indicated below, addressed to the following:

<u>VIA EMAIL ONLY</u> Steven Rollin Rule Requestor Minnesota Professional Educator Licensing and Standards Board 1021 Bandana Blvd E Ste 222 Saint Paul, MN 55108 steven.rollin@state.mn.us	
--	--

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Permanent
Rules Relating to School Counseling
Programs and Licensure, Minnesota
Rules, 8705.0100, 8705.1010, and
8710.6400

**ORDER ON REVIEW
OF DUAL NOTICE OF INTENT TO
ADOPT RULES**

This matter came before Administrative Law Judge Kimberly Middendorf on May 20, 2025, upon the Minnesota Professional Educator Licensing and Standards Board's (Board) request for legal review under Minn. R. 1400.2080 (2023) of the Dual Notice of Intent to Adopt Rules in the above-captioned proceeding.

Based upon a review of the written submissions by the Board,

IT IS HEREBY ORDERED THAT:

The Dual Notice of Intent is **APPROVED**.

Dated: May 21, 2025


KIMBERLY MIDDENDORF
Administrative Law Judge

Minnesota Professional Educator Licensing and Standards Board

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number 4703; OAH Number 21-9021-37950

Proposed Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.0400, 8705.1010 and 8710.6400

Introduction. The Professional Educator Licensing and Standards Board (Board) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on July 8, 2025, the Board will hold a virtual public hearing on the proposed rule changes. An Administrative Law Judge will conduct the hearing starting at 10:00 a.m. on August 6, 2025, as detailed below. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after July 8, 2025, and before August 6, 2025.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing on August 6, 2025 at 10:00 a.m. The hearing will continue until 5:00 p.m. or until all interested persons have been heard, whichever occurs first. Administrative Law Judge Kimberly Middendorf is assigned to conduct the hearing. Judge Middendorf's Legal Assistant, William Moore, can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7900 and fax 651-539-0310 or William.t.moore@state.mn.us.

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

Enter <https://minnesota.webex.com>

Meeting number (access code): 2485 760 3011

Password: PyraDPH2r27

For audio connection only, join the hearing by phone:

Call: 1-415-655-0003 (US Toll)

Access code: 2485 760 3011

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is:

Steven Rollin

Professional Educator Licensing and Standards Board

1021 Bandana Blvd. E., Suite 222

St. Paul, MN 55108-5111
Phone: (651) 539-5991
Email: PELSB.rules@state.mn.us

Subject of Rules and Statutory Authority. The Professional Educator Licensing and Standards Board is proposing changes to the rule part governing school counseling programs and licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 122A.09, subdivision 9, paragraphs (a) through (c) and 122A.092, subdivision 1. A copy of the proposed rules is published in the *State Register* and available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). A free copy of the rules is available upon request from Steven Rollin at the contact information listed above.

Comments. You have until 4:30 p.m. on July 8, 2025, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. 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.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on July 8, 2025. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Cancellation of Hearing. The Board will cancel the hearing scheduled for August 6, 2025, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also contact Steven Rollin at the contact information listed above after July 8, 2025, to find out whether the hearing will be held.

Hearing Procedure. If the Board holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the Board and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative Hearings strongly encourages all persons submitting comments and responses to do so using the Administrative Hearings' Rulemaking eComments website, <https://minnesotaoah.granicusideas.com/discussions>. If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile addressed to Judge Middendorf at the address or facsimile number listed in the Notice of Hearing section above.

All comments or responses received will be available for review at the Professional Educator Licensing and Standards Board or on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes 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. You may review or obtain copies for the cost of reproduction (if any) by contacting Steven Rollin at the contact information listed above. The SONAR is also available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

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

Modifications. The Board might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Board or presented at the hearing. 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 in the rulemaking process.

Adoption Procedure if No Hearing. If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, 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 that the Administrative Law 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 the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Date: June 2, 2025

Signed by:


Yelena Bailey, Executive Director



May 16, 2025

The Honorable Kimberly Middendorf
Administrative Law Judge
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

Re: In the Matter of the Proposed Rules of the Professional Educator Licensing and Standards Board Governing School Counseling Programs and Licensure; Request to Schedule a Rules Hearing; OAH Docket No. 21-9021-37950; Revisor's ID Number 4703

Dear Administrative Law Judge Kimberly Middendorf:

The Minnesota Professional Educator Licensing and Standards Board (Board) requests that you please schedule a rules hearing under Minnesota Statutes, sections 14.131 to 14.20. The hearing is for the Board's proposed rules about the programs and licensure of school counselors. PELSB requests that you conduct the hearing on Wednesday, August 6, 2025, beginning at 10:00 a.m., via WebEx.

Enclosed are the documents for your review (in OAH eFiles), as required by Minnesota Rules, part 1400.2080, subpart 5:

1. The Dual Notice proposed to be issued.

Note, if the Board receives fewer than 25 requests for a hearing in response to the Dual Notice, the hearing will be canceled. We will notify you if this occurs.

2. A copy of the proposed rules.
3. A certificate of approval as to form by the Revisor of Statutes.
4. A draft of the Statement of Need and Reasonableness.

Also enclosed is your Order on Review of the Additional Notice Plan for these proposed rules.

If you have any questions or concerns, please contact me at steven.rollin@state.mn.us or 952-539-5991.

Sincerely,

A handwritten signature in black ink that reads 'Steven Rollin'.

Steven Rollin, Rulemaking Specialist

Minnesota Professional Educator Licensing and Standards Board

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number 4703; OAH Number 21-9021-37950

Proposed Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.0400, 8705.1010 and 8710.6400

Introduction. The Professional Educator Licensing and Standards Board (Board) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on July 8, 2025, the Board will hold a virtual public hearing on the proposed rule changes. An Administrative Law Judge will conduct the hearing starting at 10:00 a.m. on August 6, 2025, as detailed below. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after July 8, 2025, and before August 6, 2025.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing on August 6, 2025 at 10:00 a.m. The hearing will continue until all interested persons have been heard. Administrative Law Judge Kimberly Middendorf is assigned to conduct the hearing. Judge Middendorf's Legal Assistant, William Moore, can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7900 and fax 651-539-0310 or William.t.moore@state.mn.us.

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

Enter <https://minnesota.webex.com>

Meeting number (access code): 2485 760 3011

Password: PyraDPH2r27

For audio connection only, join the hearing by phone:

Call: 1-415-655-0003 (US Toll)

Access code: 2485 760 3011

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is:

Steven Rollin

Professional Educator Licensing and Standards Board

1021 Bandana Blvd. E., Suite 222

St. Paul, MN 55108-5111
Phone: (651) 539-5991
Email: PELSB.rules@state.mn.us

Subject of Rules and Statutory Authority. The Professional Educator Licensing and Standards Board is proposing changes to the rule part governing school counseling programs and licensure. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 122A.09, subdivision 9, paragraphs (a) through (c) and 122A.092, subdivision 1. A copy of the proposed rules is published in the *State Register* and available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). A free copy of the rules is available upon request from Steven Rollin at the contact information listed above.

Comments. You have until 4:30 p.m. on July 8, 2025, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. 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.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on July 8, 2025. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Cancellation of Hearing. The Board will cancel the hearing scheduled for August 6, 2025, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also contact Steven Rollin at the contact information listed above after July 8, 2025, to find out whether the hearing will be held.

Hearing Procedure. If the Board holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the Board and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative Hearings strongly encourages all persons submitting comments and responses to do so using the Administrative Hearings' Rulemaking eComments website, <https://minnesotaoah.granicusideas.com/discussions>. If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile addressed to Judge Case at the address or facsimile number listed in the Notice of Hearing section above.

All comments or responses received will be available for review at the Professional Educator Licensing and Standards Board or on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#). This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes 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. You may review or obtain copies for the cost of reproduction (if any) by contacting Steven Rollin at the contact information listed above. The SONAR is also available on the Board's website at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\)](#)

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

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

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

Modifications. The Board might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Board or presented at the hearing. 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 in the rulemaking process.

Adoption Procedure if No Hearing. If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, 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 that the Administrative Law 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 the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Date: June 2, 2025

Signed by:


Yelena Bailey, Executive Director

Professional Educator Licensing and Standards Board

Proposed Permanent Rules Relating to School Counseling Programs and Licensure

8705.0400 SCHOOL COUNSELING PROGRAMS.

Subpart 1. Accreditation or approval required. To prepare individuals for licensure as a school counselor under part 8710.6400, a school counseling program based in Minnesota must hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) or be approved to recommend candidates for licensure pursuant to subpart 2.

Subp. 2. State-approved school counseling programs.

A. A school counseling program may seek approval to recommend candidates for licensure who have completed a portion or subset of the program that is accredited by CACREP. To be approved, the program must comply with subitems (1) to (4).

(1) The program must obtain board approval of its program model before recommending candidates for licensure.

(2) The program must have a documented enrollment policy that includes an enrollment requirement that a candidate hold a master's degree in counseling or a related area. A related area is defined as a profession closely related to counseling or the school context, and must be commensurate with the clinical preparation and experience of professional counselors.

(3) The program must have a documented process for evaluating the candidate's prior experiences in order to determine gaps in coursework and clinical experience, including whether the candidate has completed coursework aligned to CACREP's common core areas of foundational knowledge and whether the candidate has had clinical experiences equivalent to the CACREP practicum.

(4) The program must ensure the candidate completes at least 600 total clinical experience hours, including a minimum of 240 hours of direct service with students. The program may evaluate a candidate's prior experiences to determine whether to waive up to 150 of the clinical experience hours. The program may not waive direct service hours.

B. The board may grant approval for a term of up to eight years to align approval with the CACREP accreditation cycle.

Subp. 3. **Notice required.** A program must notify the board if its CACREP accreditation status changes or if it makes changes to its program model.

8710.6400 SCHOOL COUNSELOR.

Subpart 1. **Scope of practice.** A school counselor is authorized to provide to ~~kindergarten~~ prekindergarten through grade 12 students school counseling services that focus on the promotion of ~~preventive and educational strategies to enhance the cognitive, emotional, and behavioral development; effective decision-making skills; and resiliency capabilities of students~~ the academic, career, and personal and social development of all students through data-informed school counseling programs.

[For text of subpart 1a, see Minnesota Rules]

Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part 8710.0312 must be issued to a school counselor if the requirements of this subpart are met.

A. The applicant must:

(1) hold a master's degree in counseling; or

(2) hold a baccalaureate degree and:

(a) be enrolled in an accredited a school counselor program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Programs, with no less than 24 semester credit hours in

3.1 school-counseling-specific coursework or content, including introduction to the field,
3.2 counseling skills, and ethical standards; and ~~must~~

3.3 (b) verify to the board in writing a plan of study of full- or part-time
3.4 enrollment to achieve licensure within three years.

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

3.6 [For text of subpart 1c, see Minnesota Rules]

3.7 Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part
3.8 8710.0313 must be issued to a school counselor if the applicant:

3.9 A. holds a master's degree ~~or the equivalent in school counseling~~ from a college
3.10 or university that is regionally accredited by the association for the accreditation of colleges
3.11 and secondary schools; and

3.12 B. shows verification of having completed a school counselor preparation program
3.13 approved by the state where the program resides or the Council for the Accreditation of
3.14 Counseling and Related Educational Services Programs.

3.15 [For text of subpart 2a, see Minnesota Rules]

3.16 Subp. 3. [See repealer.]

3.17 Subp. 4. [Repealed, 25 SR 805]

3.18 Subp. 5. **License renewal.** ~~A school counselor license issued under subpart 2 or 2a~~
3.19 ~~shall be renewed according to the rules of the Professional Educator Licensing and Standards~~
3.20 ~~Board governing professional licensure. It is the responsibility of an individual seeking~~
3.21 renewal of a Tier 3 or Tier 4 license to comply with licensure requirements in part 8710.7100
3.22 and to submit the application, appropriate verification, and other supporting materials to
3.23 the local continuing education or relicensure committee, in accordance with procedures and
3.24 due dates established by the committee under part 8710.7200.

4.1 Subp. 6. [See repealer.]

4.2 Subp. 7. **Restrictions and expansions.**

4.3 A. An applicant whose school counseling preparation or experience does not align
4.4 to a currently approved Minnesota license, but for which past rules have been adopted, and
4.5 who meets all other requirements of subpart 2, must be issued a Tier 3 or 4 license restricted
4.6 to the scope of the applicant's content training or experience.

4.7 B. An applicant with preparation or experience within two grade levels of a
4.8 currently approved Minnesota licensure scope must be granted the full scope of the Minnesota
4.9 license.

4.10 C. Upon request and at the time of application or renewal, an applicant who holds
4.11 a Tier 3 or 4 license that is restricted or limited in scope must be granted the full scope of
4.12 a currently approved Minnesota license when the applicant:

4.13 (1) has two years of experience as a licensed school counselor within two
4.14 grade levels of a currently approved Minnesota licensure scope; or

4.15 (2) has completed a school counseling clinical experience within two grade
4.16 levels of a currently approved Minnesota licensure scope.

4.17 **REPEALER.** Minnesota Rules, parts 8705.1010, subpart 7; and 8710.6400, subparts 3
4.18 and 6, are repealed.

4.19 **EFFECTIVE DATE.** Part 8705.0400, subpart 1, is effective July 1, 2026. A program may
4.20 choose to meet this requirement before July 1, 2026.

Office of the Revisor of Statutes

Administrative Rules




TITLE: Proposed Permanent Rules Relating to School Counseling Programs and Licensure

AGENCY: Professional Educator Licensing and Standards Board

REVISOR ID: R-4703

MINNESOTA RULES: Chapters 8705 and 8710

The attached rules are approved for
publication in the State Register



Cassandra Rooney
Senior Assistant Revisor

Minnesota Professional Educator Licensing and Standards Board

STATEMENT OF NEED AND REASONABLENESS (SONAR)

Possible Amendment of Rules Governing School Counseling Programs and Licensure

Revisor's ID 4703



ALTERNATIVE FORMAT

Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make a request, contact:

Steven Rollin
Professional Educator Licensing and Standards Board
1021 Bandana Blvd. E., Suite 222
St. Paul, MN 55108-5111
Phone: (651) 539-5991 | Fax: (651) 642-0708
Email: PELSB.rules@state.mn.us

TABLE OF CONTENTS

ALTERNATIVE FORMAT	2
GLOSSARY	4
ACRONYMS.....	4
APPLICABLE LAWS	4
INTRODUCTION	5
BACKGROUND	5
STATUTORY AUTHORITY.....	6
PUBLIC PARTICIPATION	6
REGULATORY ANALYSIS	9
PERFORMANCE-BASED RULES.....	11
TEACHER SUPPLY AND DEMAND	12
ADDITIONAL NOTICE	12
CONSULTATION WITH MMB ON LOCAL GOVERNMENT IMPACT	13
DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION.....	14
COST OF COMPLYING FOR SMALL BUSINESS OR CITY	14
LIST OF WITNESSES.....	14
RULE-BY-RULE ANALYSIS	14
LIST OF EXHIBITS.....	19
CONCLUSION	20

GLOSSARY

Candidate: The individual working towards licensure

Preparation program: Training provided to candidates for the purposes of obtaining licensure in Minnesota

ACRONYMS

PELSB: Professional Educator Licensing and Standards Board

CACREP: Council for the Accreditation of Counseling and Related Education Programs

APPLICABLE LAWS

Minn. Stat. chapter 122A: State statutes governing teacher licensure and teacher preparation in Minnesota (including school counselors).

Minn. R. 8705.0400: State rule that establishes and approves programs for teaching school counseling.

Minn. R. 8710.6400: State rule that establishes the standards for school counseling licensure.

INTRODUCTION

The Board is considering changing the way school counselor licensure programs are approved in Minnesota.

History of school counselor program approval and school counselor licensure

- In 1989, the state legislature transferred authority from the State Board of Education to the State Board of Teaching to license school counselors and school nurses (See Minnesota Statutes, section 125.05, subd. I and the 1989 amendments to Minnesota Statutes, section 125.03; [14 S.R. 2300](#))
- In June 1990, the Board of Teaching adopted rules governing the licensure of school counselors. (See [14 S.R. 2989](#))
- It's not clear if this is when the Board of Teaching first adopted rules "approving" school counseling programs.
- In 1993, the state legislature repealed [Minn. R. 8700.8190](#), [Minn. R. 8700.8060](#), and Minn. R. 8070 (effective August 1, 1996), which detailed the approval of Minnesota IHE's that prepared school counselors for licensure. (See [L 1993, chapter 224, article 12, sections 39 and 41](#))
- It's not clear "why" the legislature repealed these rules.
- In 1998, the Board of Teaching conducted a major rule overhaul and adopted Minn. R. 8710.6400, which governs the licensure of school counselors (effective September 1, 2001). (See [23 S.R. 1928](#) and 25 S.R. 805)
- Between 2001 and 2018, the "school counselor" rule (Minn. R. 8710.6400) remained largely unchanged.
- In 2018, PELSB adopted rule changes to implement tiered licensure, including changes to Minn. R. 8710.6400.

BACKGROUND

The Professional Educator Licensing and Standards Board was created by the state legislature in 2017, when the legislature combined the work of the Board of Teaching (BOT) and the Minnesota Department of Education's Licensing Division (Laws of Minnesota 2017, 1st Spec. Sess. chapter 5, article 3). PELSB is governed by a 13-member board and is tasked with:

- Licensing teachers in Minnesota (Minn. Stat. 122A.09, subd. 4 (2019))
- Establishing and maintaining teacher licensure standards and requirements (Minn. Stat. 122A.09, subd. 9 (2019))
- Establishing and enforcing the Teacher Code of Ethics (Minn. Stat. 122A.09, subd. 1 (2019))
- Approving teacher preparation providers and programs to prepare candidates in Minnesota. (Minn. Stat. 122A.092 (2019))

During the 2017 First Special Session, the state legislature enacted major reforms to teacher licensure in Minnesota. Notably, a tiered licensure scheme was created. The tiered licensure

scheme includes four tiers of licensure and establishes several different means by which an individual can become a licensed teacher.

STATUTORY AUTHORITY

The Board's statutory authority to adopt the rules is stated in Minnesota Statutes:

Minn. Stat. 122A.09, subdivision 9 (a) – (c), provides:

- a. The Professional Educator Licensing and Standards Board must adopt rules subject to the provisions of chapter 14 to implement sections 120B.363, 122A.05 to 122A.09, 122A.092, 122A.16, 122A.17, 122A.18, 122A.181, 122A.182, 122A.183, 122A.184, 122A.185, 122A.187, 122A.188, 122A.20, 122A.21, 122A.23, 122A.26, 122A.28, and 122A.29.
- b. The board must adopt rules relating to fields of licensure, including a process for granting permission to a licensed teacher to teach in a field that is different from the teacher's field of licensure without change to the teacher's license tier level.
- c. The board must adopt rules relating to the grade levels that a licensed teacher may teach.

Minn. Stat. 122A.092, subdivision 1, provides:

The board must adopt rules to approve teacher preparation programs, including alternative teacher preparation programs under section 122A.2451, nonconventional programs, and Montessori teacher training programs.

2017 Minn. Laws 1st Spec. Sess. 5, art. 12, sec. 20 provides:

TRANSFER OF POWERS.

- d. The Professional Educator Licensing and Standards Board must review all rules adopted by the Board of Teaching and amend or repeal rules not consistent with statute. The Professional Educator Licensing and Standards Board must review all teacher preparation programs approved by the Board of Teaching to determine whether the approved programs meet the needs of schools in Minnesota.

Under these statutes, the Board has the necessary statutory authority to adopt the proposed rules.

PUBLIC PARTICIPATION

The Professional Educator Licensing and Standards Board sought public participation for this rulemaking through a number of different means. Throughout the course of this rulemaking, PELSB:

- Solicited comments by publishing a request for comments in the State Register (more information below);

- Utilized a webpage to provide updates and share relevant documents (see [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board](#));
- Utilized GovDelivery, an email platform, to share updates and relevant documents with the over 1,600 individuals subscribed to PELSB’s rulemaking listserv; and,
- Provided updates to its board members and the public during board meetings.

Request for Comments

PELSB published a Request for Comments (RFC) on a number of possible amendments to the rules relating to school counseling programs and licensure in the State Register on September 30, 2024 (49 SR 360, available at [Minnesota State Register Volume 49 Number 14](#)).

This notice was also posted to PELSB’s webpage dedicated to this rulemaking and was sent electronically to all individuals registered to receive rulemaking updates, as well as a number of other individuals and organizations that are potentially impacted by the proposed changes (totaling over 2,500 email recipients).

During this initial comment period, PELSB received 9 written comments. Comments were submitted by a number of stakeholders, including teacher preparation providers, school districts, teachers, and education advocacy organizations.

Board participation

On December 20, 2024, the Board chair appointed a subcommittee, comprised of three board members, tasked with reviewing stakeholder input and approving changes to draft rule language. This subcommittee met to review public comments and to approve changes to the draft rule changes. The subcommittee reported out to the Board on January 8, 2025, with two proposed changes based on comments received. All Board meetings are open to the public and drafts of the proposed rule changes were also made publicly available through Board minutes and presentations.

Additionally, the Board also has an advisory committee – the Standards and Rules Advisory Committee - comprised of several stakeholder organizations, which is responsible for providing input on Board policy considerations. These committee meetings are open to the public.

Table 1: Board participation

Date	Meeting type	Summary
May 14, 2021	Board meeting	Report and recommendation made to the Board to consider rulemaking changes

Date	Meeting type	Summary
June 18, 2021	Board meeting	Discussion or recommendation to open rulemaking
July 16, 2021	Board meeting	Unanimous vote to authorize rulemaking
March 17, 2022	Board meeting	Updated rule draft coming later this spring
April 8, 2022	Board meeting	After a brief delay to allow three discretionary variances from school counseling programs to move forward and be reviewed by the board, PELSB staff hope to bring a first draft for board review later this summer.
May 13, 2022	Board meeting	PELSB staff asked to research the possibility of adding in school psychologists as part of the rulemaking.
October 14, 2022	Board meeting	Staff are finalizing a draft that will be released along with a request for comments.
November 18, 2022	Board meeting	PELSB staff met with the MN School Psychologist Association and recommended to the board to postpone adding school psychologist licensing changes to this rulemaking project. Proposed request for comments will be released later this winter.
October 11, 2024	Board meeting	PELSB staff released a request for comments on the rule.
November 15, 2024	Board meeting	PELSB staff requested that three board members review comments on the rulemaking
January 17, 2025	Board meeting	After reviewing the nine comments on the proposed rule, the board subcommittee recommended two amendments.
February 21, 2025	Board meeting	The board adopted the subcommittee's recommended changes.

REGULATORY ANALYSIS

Minnesota Statutes, section 14.131, sets out eight factors for a regulatory analysis that must be included in the SONAR. Paragraphs (1) through (8) below quote these factors and then give the agency's response.

“(1) a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule”

The following classes of persons will be affected by the proposed rules:

- Minnesota school counselor training programs;
- Minnesota school counselor candidates who are currently non-school counselors;
- Minnesota school districts; and,
- Students and families.

The classes that will bear the costs of the proposed rules include:

- Minnesota school counselor training programs, including the teacher educators that lead these programs, as these programs will be responsible for ensuring programmatic updates are made to implement the new rules for school counselors;
- Minnesota school counselor candidates who are currently non-school counselors, as they will have to pay for any “fill-in courses” to achieve their school counseling license; and,
- Minnesota school districts, as they may have to provide training in pre-kindergarten counseling for school counselors.
- The classes that will benefit from the proposed rules include:
- Minnesota school counselor training programs, as they would enroll school counselor candidates who are currently non-school counselors;
- Minnesota school counselor candidates who are currently non-school counselors, as they would have a shorter path to becoming school counselors;
- Minnesota school districts, as they are better able to find school counselors, and they will have school counselor licensure extensions into pre-kindergarten; and,
- Students and families, as they will be able to have trained school counselors for their grade level.

“(2) the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues”

While PELSB does not anticipate that other agencies will have costs associated with the implementation and enforcement of the proposed rules, PELSB anticipates that there will be costs and anticipated effects on state revenue for PELSB, itself.

Table 3: Probable costs to PELSB

Proposed rule change	Probable costs and any anticipated effect on state revenue
Tiered licensure rules	Nominal costs to update application forms and tiered licensure materials
School Counselor Preparation Programs	School Counselor preparation providers will be required to update their programs to align with any adopted rule changes. PELSB is responsible for approving programs. While PELSB relies on a volunteers (the Program Review Panel), PELSB will need additional meetings to review all updated programs, where mileage and/or small stipends may be provided to panel members.

“(3) a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule”

The Board is not aware of any alternative methods to update the licensure standards that would be less intrusive than filling in school counseling licensure standards to the national standards of CACREP.

Additionally, the extension of the school counselor license to allow flexibility in grade level provides a cost-effective method of retaining school counseling staff.

Finally, the expansion of the school counselor license to the pre-kindergarten grade level formalizes what is already in place for many elementary schools.

“(4) a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule”

The Board is not aware of any alternative methods to updating licensure standards without entering into rulemaking.

“(5) the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals”

Board-approved school counselor licensure programs will bear the costs for complying with the proposed rule. Each provider will need to evaluate their existing licensure programs to determine whether their programs meet new standards. For some programs, this may mean revising, adding, or deleting courses for licensure candidates. For others, the new standards are already embedded into their programs. The time for review and the scope of the changes will vary between the programs across the state.

Similarly, school districts will bear the costs of training school counselors regarding pre-kindergarten counseling.

“(6) the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals”

The primary costs and consequences of not adopting the proposed rules are the potential impact on students, families, and future school counselors. For example, school counselors will be fully licensed to counsel at the pre-kindergarten level.

Additionally, school counselors will have the flexibility to work up to two grade levels beyond their licensed level. Otherwise, school counselors with a 7-12 license would have to get a full PreK-12 license to continue if their school changes grades to include 6th grade.

Finally, non-school counselors who have master’s degrees that are very close to a masters in school counseling would not have to repeat courses to gain eligibility for a school counseling license.

“(7) an assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference”

There are no known differences between the proposed rule and existing federal regulations.

“(8) an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule. . . . ‘[C]umulative effect’ means the impact that results from incremental impact of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules. Cumulative effects can result from individually minor but collectively significant rules adopted over a period of time.”

The Board is proposing these rules and amendments to improve and clarify the licensing standards for school counselors. The proposed changes do not establish overlapping requirements with other state and federal requirements. The cumulative effect of the proposed changes to licensure standards in combination with state and federal requirements around education is a higher quality education for all of Minnesota’s students.

PERFORMANCE-BASED RULES

Minnesota Statutes, sections 14.002 and 14.131, require that the SONAR describe how the agency, in developing the rules, considered and implemented performance-based standards that emphasize superior achievement in meeting the agency’s regulatory objectives and maximum flexibility for the regulated party and the agency in meeting those goals.

Throughout this rulemaking effort, the Board has sought to develop rules that help support an educational system that ensures all Minnesota students have high quality counselors in their schools. The Board has proposed rules that would streamline and/or clarify the application and

renewal process for school counselors; update license-specific standards; and remove barriers for candidates completing licensure programs in school counseling.

The Board believes the proposed rules strengthen Minnesota's license-specific standards, which will translate to Minnesota's school counselors being even better prepared for the first day in the school. The Board believes the proposed standards are performance—based to the extent possible because the proposed rules streamline or remove barriers for teachers seeking a license (replacing outdated or moot old standards). This is especially seen in the Board's proposed changes to the school counselor license, while still ensuring the foundational knowledge and skills remain the underpinning of all programs.

TEACHER SUPPLY AND DEMAND

Minnesota Statutes, section 122A.09, subdivision 9 (e) requires the Board to include a description of a proposed rule's probable effect on teacher supply and demand in the statement of need and reasonableness.

School counselors are in the related services category for teacher licensure. The changes in licensure-specific standards for school counselors clarify, update, and simplify the standards to be met. This should increase candidates for school counseling licensure with reduced requirements and streamlined placement opportunities. The supply of school counselors should grow by allowing counselors in fields other than school counseling to fill in courses to obtain their school counseling license.

By allowing school counselors flexibility in grade level assignments, they will be able to switch grade levels if the school changes its grade levels. That will allow maximum supply of school counselors for school districts.

ADDITIONAL NOTICE

This Additional Notice Plan was reviewed by the Office of Administrative Hearings and approved in a letter by Administrative Law Judge Kimberly Middendorf on September 19, 2024. PELSB's Notice Plan includes:

Electronic notice: On the same date that the Request for Comments was published in the *State Register*, PELSB electronically provided notice to the following individuals and/or organizations:

- Minnesota School Counselor Association
- Minnesota Association of Colleges for Teacher Education (MACTE)
- Minnesota State Colleges and Universities (Minnesota State)
- Minnesota Association of Elementary School Principals
- Minnesota Association of Secondary School Principals
- Minnesota Association of School Administrators (MASA)
- Minnesota School Boards Association (MSBA)

- Minnesota Rural Educator Association (MREA)
- Association of Metro School Districts (ASMD)
- Education Minnesota (Minnesota’s union representing over 86,000 teachers and related service providers, school support staff, and higher education faculty)
- Department of Education (MDE)
- Office of Higher Education (OHE)
- Board of School Administrators (BOSA)
- Tribal Nations Education Committee (TNEC)

Additionally, the Board provided all notices to individuals and organizations registered to receive communications through the following listservs:

- Rulemaking listserv (2,419 email addresses)
- Standards and Rules Advisory Committee (27 email addresses)
- All approved teacher preparation providers in Minnesota (31 email addresses)
 - This includes all providers with school counseling licensure programs (Alfred Adler Graduate School, Capella University, Minnesota State University – Mankato, Minnesota State University – Moorhead, St. Cloud State University, University of Minnesota – Twin Cities, Walden University, and Winona State University).

Finally, the Board created a webpage dedicated to this rulemaking project. Drafts, updates, and key documents will be posted to this webpage throughout the rulemaking process. On the same date that the Request for Comments was published in the State Register, PELSB posted its Request for Comments on this webpage. This webpage is available at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\) \(mn.gov\)](https://www.pelsb.mn.gov).

PELSB’s Additional Notice Plan includes the use of a webpage dedicated to this rulemaking project. Drafts, updates, and key documents will be posted to this webpage throughout the rulemaking process.

Finally, our Notice Plan did not include notifying the Commissioner of Agriculture because the rules do not affect farming operations per Minnesota Statutes, section 14.111.

CONSULTATION WITH MMB ON LOCAL GOVERNMENT IMPACT

As required by Minnesota Statutes, section 14.131, PELSB will consult with Minnesota Management and Budget (MMB) by sending MMB copies of the documents that are sent to the Governor’s Office for review and approval on the same day that the documents are sent to the Governor’s Office. PELSB will consult with MMB before publishing the Notice of Intent to Adopt. The documents will include:

- the Governor’s Office Proposed Rule and SONAR Form;
- the proposed rules; and

- the SONAR.

PELSB will submit a copy of the cover correspondence and any response received from Minnesota Management and Budget to OAH at the hearing or with the documents it submits for ALJ review.

DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION

As required by Minnesota Statutes, section 14.128, subdivision 1, PELSB has considered whether these proposed rules will require a local government to adopt or amend any ordinance or other regulation in order to comply with these rules. PELSB has determined that they do not because the proposed rules pertain to school counseling licensure and preparation, and do not pertain to local governments. Compliance with these rules falls solely on approved school counselor preparation providers, license applicants, licensed school counselors, and school districts seeking to hire. Enforcement of these rules falls solely on the Board.

COST OF COMPLYING FOR SMALL BUSINESS OR CITY

Agency Determination of Cost

As required by Minnesota Statutes, section 14.127, PELSB has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small business or small city. PELSB has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed \$25,000 for any small city or small business.

LIST OF WITNESSES

If these rules go to a public hearing, the board anticipates that the following organizations will have one or more representatives testify on the proposed rules:

1. Yelena Bailey, PELSB Executive Director
2. Steven Rollin, PELSB Rulemaking Specialist

RULE-BY-RULE ANALYSIS

This section describes each rule change or proposed repeal of obsolete, unnecessary, or duplicative rules.

8705.0400. School Counselor [New Rule].

Subpart 1. Accreditation or approval required.

PELSB proposes the following new rule, Minn. R. 8710.0400, subpart 1:

Subpart 1. Accreditation or approval required. To prepare individuals for licensure

as a school counselor under part 8710.6400, a school counseling program based in Minnesota must hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) or be approved to recommend candidates for licensure pursuant to subpart 2.

PELSB is seeking to require school counseling programs in Minnesota to hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) rather than require these programs to obtain state approval through PELSB by meeting state specific standards.

Subpart 2. State-approved school counseling programs.

PELSB proposes the following new rule, Minn. R. 8705.0400, subpart 2:

Subp. 2. State-approved school counseling programs.

A. A school counseling program may seek approval to recommend candidates for licensure who have completed a portion or subset of the program that is accredited by CACREP. To be approved, the program must comply with subitems (1) to (4).

(1) The program must obtain board approval of its program model before recommending candidates for licensure.

(2) The program must have a documented enrollment policy that includes an enrollment requirement that a candidate hold a master's degree in counseling or a related area. A related area is defined as a profession closely related to counseling or the school context, and must be commensurate with the clinical preparation and experience of professional counselors.

(3) The program must have a documented process for evaluating the candidate's prior experiences in order to determine gaps in coursework and clinical experience, including whether the candidate has completed coursework aligned to CACREP's common core areas of foundational knowledge and whether the candidate has had clinical experiences equivalent to the CACREP practicum.

(4) The program must ensure the candidate completes at least 600 total clinical experience hours, including a minimum of 240 hours of direct service with students. The program may evaluate a candidate's prior experiences to determine whether to waive up to 150 of the clinical experience hours. The program may not waive direct service hours.

B. The board may grant approval for a term of up to eight years to align approval with the CACREP accreditation cycle.

PELSB is proposing to, upon approval, allow providers to create a school counseling program tailored to candidates who already hold a master's degree, which would allow these candidates to be recommended for licensure as a school counselor without obtaining an additional master's degree.

Subpart 3. Notice Required.

PELSB proposes the following new rule, Minn. R. 8705.0400, subpart 3:

Subp. 3. **Notice required.** A program must notify the board if its CACREP accreditation status changes or if it makes changes to its program model.

8710.6400. School Counselor.

Subpart 1. Scope of Practice.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 1:

Subpart 1. **Scope of practice.** A school counselor is authorized to provide to ~~kindergarten~~ prekindergarten through grade 12 students school counseling services that focus on the promotion of ~~preventive and educational strategies to enhance the cognitive, emotional, and behavioral development; effective decision-making skills; and resiliency capabilities of students~~ the academic, career, and personal and social development of all students through data-informed school counseling programs.

PELSB is seeking to expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners. Many school districts already have pre-kindergarten students, and this change will match. PELSB has previously adopted a resolution for this expanded scope for a number of license areas ([Certificate of the Minnesota Professional Educator Licensing and Standards Board](#)).

Subpart 1b. Requirements for Tier 2 license.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 1b:

Subp. 1b. **Requirements for Tier 2 license.** A Tier 2 license issued under part 8710.0312 must be issued to a school counselor if the requirements of this subpart are met.

A. The applicant must:

(1) hold a master's degree in counseling; or

(2) hold a baccalaureate degree and:

(a) be enrolled in an accredited a school counselor program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational Programs, with no less than 24 semester credit hours in school-counseling-specific coursework or content, including introduction to the field, counseling skills, and ethical standards; and must

(b) verify to the board in writing a plan of study of full- or part-time enrollment to achieve licensure within three years.

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

[For text of subpart 1c, see Minnesota Rules]

Subpart 2. Requirements for Tier 3 license.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 2:

Subp. 2. **Requirements for Tier 3 license.** A Tier 3 license issued under part 8710.0313 must be issued to a school counselor if the applicant:

A. holds a master's degree ~~or the equivalent in school counseling~~ from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools; and

B. shows verification of having completed a school counselor preparation program approved by the state where the program resides or the Council for the Accreditation of Counseling and Related Educational ~~Services~~ Programs.

[For text of subpart 2a, see Minnesota Rules]

Subpart 3. Subject matter standard.

PELSB proposes to repeal Minn. R. 8710.6400, subpart 3, which contains the subject matter standards that board-approved programs were required to meet in order to prepare candidates for licensure.

Subpart 5. License renewal.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 5:

Subp. 5. **License renewal.** ~~A school counselor license issued under subpart 2 or 2a shall be renewed according to the rules of the Professional Educator Licensing and Standards Board governing professional licensure. It is the responsibility of the individual seeking the renewal of a Tier 3 or Tier 4 license to comply with licensure requirements in part 8710.7100 and to submit the application, appropriate verification, and other supporting materials to the local continuing education or relicensure committee, in accordance with procedures and due dates established by the committee under 8710.7200~~

Subpart 6. Effective date.

PELSB proposes to repeal Minn. R. 8710.6400, subpart 6, which contains the effective date for the requirements for licensure as a school counselor.

Subpart 7. Restrictions and expansions.

PELSB proposes the following changes to Minn. R. 8710.6400, subpart 7:

Subpart 7. Restrictions and expansions.

A. An applicant whose school counseling preparation or experience does not align to a currently approved Minnesota license, but for which past rules have been adopted, and who meets all other requirements of subpart 2, must be issued a Tier 3 or 4 license restricted to the scope of the applicant's content training or experience.

B. An applicant with preparation or experience within two grade levels of a currently approved Minnesota licensure scope must be granted the full scope of the Minnesota license.

C. Upon request and at the time of application or renewal, an applicant who holds a Tier 3 or 4 license that is restricted or limited in scope must be granted the full scope of a currently approved Minnesota license when the applicant:

(1) has two years of experience as a licensed school counselor within two grade levels of a currently approved Minnesota licensure scope; or

(2) has completed a school counseling clinical experience within two grade levels of a currently approved Minnesota licensure scope.

REPEALER. Minnesota Rules, parts 8705.1010, subpart 7; and 8710.6400, subparts 3 and 6, are repealed.

EFFECTIVE DATE. Part 8705.0400, subpart 1, is effective July 1, 2025. A program may choose to meet this requirement before July 1, 2025.

PELSB proposes to create pathways by which a licensed school counselor, who holds a restricted license (i.e., older licenses that cover grades K-6 or 7-12 instead of the current K-12 license), would be able to expand the scope of their license.

LIST OF EXHIBITS

In support of the need for and reasonableness of the proposed rules, the Board anticipates that it will enter the following exhibits into the hearing record:

Exhibit A: The Request for Comments, as published in the State Register on September 30, 2024

Exhibit B: Not included – a petition for rulemaking

Exhibit C-1: A draft of the proposed rule changes, dated February 13, 2025

Exhibit C-2: The Revisor’s certificate of approval

Exhibit D: The Statement of Need and Reasonableness (SONAR)

Exhibit E-1: The Notice of Intent to Adopt Rules without a Hearing, as mailed

Exhibit E-2: The Notice of Intent to Adopt Rules, as published in the State Register on [Date TBD]

Exhibit F: Not included - a letter from the Chief Administrative Law Judge authorizing the Board to omit the text of the proposed rules from the Notice of Intent to Adopt Rules published in the State Register

Exhibit G -1: Certificate of Mailing the Notice of Intent to Adopt Rules

Exhibit G-2: Certificate of Accuracy of the Mailing List

Exhibit H: Certificate of Additional Notice

Exhibit I: Certificate documenting that the Board sent a copy of the SONAR to the Legislative Reference Library (LRL)

Exhibit J: All written comment and submission on the proposed rule changes that the Board received during the comment period

Exhibit K: Not included - Other documents to demonstrate compliance with other laws and rules [as necessary]

Exhibit K-1: Board resolution authorizing rulemaking, dated July 16, 2021

Exhibit K-2: Not included - Notice to Close Comment Period, as published in the State Register

Exhibit K-3: Certificate of Notifying Legislators of Publication of Notice of Intent to Adopt Rule

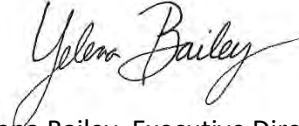
Exhibit K-4: Consultation with Minnesota Management and Budget (MMB)

CONCLUSION

Based on the foregoing, the proposed rules are both needed and reasonable.

March 14, 2025

Date

A handwritten signature in black ink, reading "Yelena Bailey". The signature is fluid and cursive, with the first name "Yelena" and last name "Bailey" clearly distinguishable.

Yelena Bailey, Executive Director

September 19, 2024

VIA EMAIL ONLY

Steven Rollin
Michelle Hersh Vaught
Rule Requestor
Minnesota Professional Educator Licensing
and Standards Board
1021 Bandana Blvd E Ste 222
Saint Paul, MN 55108
steven.rollin@state.mn.us
Michelle.vaught@state.mn.us

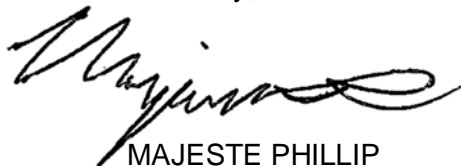
**Re: *In the Matter of the Proposed Rules Governing School
Counseling Programs and Licensure*
OAH 21-9021-37950; Revisor R-4073**

Dear Parties:

Enclosed herewith and served upon you please find the **ORDER ON REVIEW
OF ADDITIONAL NOTICE PLAN** in the above-entitled matter.

If you have any questions regarding this matter, please contact William Moore at
(651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



MAJESTE PHILLIP
Legal Assistant

Enclosure

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules
Governing School Counseling Programs
and Licensure

**ORDER ON REVIEW OF
ADDITIONAL NOTICE PLAN**

This matter came before Administrative Law Judge Kimberly Middendorf upon the Minnesota Professional Educator Licensing and Standards Board's (Board) request for review of its Additional Notice Plan. The Board seeks a legal review of its materials under Minn. R. 1400.2060 (2023).

The Board plans to notify:

- All persons who have registered to be on the Board's rulemaking mailing list;
- Minnesota School Counselor Association;
- Minnesota Association of Colleges for Teacher Education (MACTE);
- Minnesota State Colleges and Universities (Minnesota State);
- Minnesota Association of Elementary School Principals;
- Minnesota Association of Secondary School Principals;
- Minnesota Association of School Administrators (MASA);
- Minnesota School Boards Association (MSBA);
- Minnesota Rural Educator Association (MREA);
- Association of Metro School Districts (ASMD);
- Education Minnesota;
- Department of Education (MDE);
- Office of Higher Education (OHE);
- Board of School Administrators (BOSA); and

- Tribal Nations Education Committee (TNEC).

In addition, the Board represents it will provide all notices to individuals and organizations registered to receive communications through its rulemaking listserv, the Standards and Rules Advisory Committee, and all approved teacher preparation providers in Minnesota. Finally, the Board has created a dedicated webpage for the proposed rulemaking that will be updated throughout the process.

Based upon a review of the Additional Notice Plan,

IT IS HEREBY ORDERED THAT:

The Additional Notice Plan is **APPROVED**.

Dated: September 19, 2024


KIMBERLY MIDDENDORF
Administrative Law Judge

September 19, 2024

VIA EMAIL ONLY

Steven Rollin
Michelle Hersh Vaught
Rule Requestor
Minnesota Professional Educator Licensing
and Standards Board
1021 Bandana Blvd E Ste 222
Saint Paul, MN 55108
steven.rollin@state.mn.us
Michelle.vaught@state.mn.us


**Re: *In the Matter of the Proposed Rules Governing School
Counseling Programs and Licensure*
OAH 21-9021-37950; Revisor R-4073**

Dear Parties:

Enclosed herewith and served upon you please find the **ORDER ON REVIEW
OF ADDITIONAL NOTICE PLAN** in the above-entitled matter.

If you have any questions regarding this matter, please contact William Moore at
(651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



MAJESTE PHILLIP
Legal Assistant

Enclosure

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW SECTION
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Proposed Rules Governing School Counseling Programs and Licensure	OAH Docket No. 21-9021-37950 R-4073
---	---

On September 19, 2024, a true and correct copy of the **ORDER ON REVIEW OF ADDITIONAL NOTICE PLAN** was served by electronic mail, unless otherwise indicated below, addressed to the following:

<u>VIA EMAIL ONLY</u> Steven Rollin Michelle Hersh Vaught Rule Requestor Minnesota Professional Educator Licensing and Standards Board 1021 Bandana Blvd E Ste 222 Saint Paul, MN 55108 steven.rollin@state.mn.us Michelle.vaught@state.mn.us	
---	--

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules
Governing School Counseling Programs
and Licensure

**ORDER ON REVIEW OF
ADDITIONAL NOTICE PLAN**

This matter came before Administrative Law Judge Kimberly Middendorf upon the Minnesota Professional Educator Licensing and Standards Board's (Board) request for review of its Additional Notice Plan. The Board seeks a legal review of its materials under Minn. R. 1400.2060 (2023).

The Board plans to notify:

- All persons who have registered to be on the Board's rulemaking mailing list;
- Minnesota School Counselor Association;
- Minnesota Association of Colleges for Teacher Education (MACTE);
- Minnesota State Colleges and Universities (Minnesota State);
- Minnesota Association of Elementary School Principals;
- Minnesota Association of Secondary School Principals;
- Minnesota Association of School Administrators (MASA);
- Minnesota School Boards Association (MSBA);
- Minnesota Rural Educator Association (MREA);
- Association of Metro School Districts (ASMD);
- Education Minnesota;
- Department of Education (MDE);
- Office of Higher Education (OHE);
- Board of School Administrators (BOSA); and

- Tribal Nations Education Committee (TNEC).

In addition, the Board represents it will provide all notices to individuals and organizations registered to receive communications through its rulemaking listserv, the Standards and Rules Advisory Committee, and all approved teacher preparation providers in Minnesota. Finally, the Board has created a dedicated webpage for the proposed rulemaking that will be updated throughout the process.

Based upon a review of the Additional Notice Plan,

IT IS HEREBY ORDERED THAT:

The Additional Notice Plan is **APPROVED**.

Dated: September 19, 2024


KIMBERLY MIDDENDORF
Administrative Law Judge



September 18, 2024

The Honorable Kimberly Middendorf
Administrative Law Judge
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

Re: In the Matter of the Request for Comments of the Professional Educator Licensing and Standards Board; Request for Review and Approval of Additional Notice Plan; Revisor's ID Number 4703; Docket Number 21-9021-37950

Dear Judge Middendorf:

The Professional Educator Licensing and Standards Board requests that you review and approve our Additional Notice Plan for our Request for Comments under Minnesota Statutes, section 14.101. The Request for Comments is for the Board's planned rules relating to school counseling programs and licensure.

Enclosed for your review is the proposed Request for Comments on the planned rules as required by Minnesota Rules, part 1400.2060, subpart 2, item A.

Part 1400.2060, subpart 2, item A, also requires that we describe our proposed Additional Notice Plan and explain why we believe our Additional Notice Plan complies with Minnesota Statutes, section 14.101, i.e., why our Additional Notice Plan constitutes good faith efforts to seek information by other methods designed to reach persons or classes of persons who might be significantly affected by the proposal.

In addition to emailing the proposed rules and the appropriate notice to all persons who have registered to be on the Board's rulemaking mailing lists under Minnesota Statutes, section 14.14, subd. 1a, the Additional Notice Plan includes notifying the groups and organizations listed below.

- Minnesota School Counselor Association
- Minnesota Association of Colleges for Teacher Education (MACTE)
- Minnesota State Colleges and Universities (Minnesota State)
- Minnesota Association of Elementary School Principals
- Minnesota Association of Secondary School Principals

- Minnesota Association of School Administrators (MASA)
- Minnesota School Boards Association (MSBA)
- Minnesota Rural Educator Association (MREA)
- Association of Metro School Districts (ASMD)
- Education Minnesota (Minnesota's union representing over 86,000 teachers and related service providers, school support staff, and higher education faculty)
- Department of Education (MDE)
- Office of Higher Education (OHE)
- Board of School Administrators (BOSA)
- Tribal Nations Education Committee (TNEC)

Additionally, the Board will provide all notices to individuals and organizations registered to receive communications through the following listservs:

- Rulemaking listserv (2,419 email addresses)
- Standards and Rules Advisory Committee (27 email addresses)
- All approved teacher preparation providers in Minnesota (31 email addresses)
 - This includes all providers with school counseling licensure programs (Alfred Adler Graduate School, Capella University, Minnesota State University – Mankato, Minnesota State University – Moorhead, St. Cloud State University, University of Minnesota – Twin Cities, Walden University, and Winona State University).

Finally, the Board created a webpage dedicated to this rulemaking project. Drafts, updates, and key documents will be posted to this webpage throughout the rulemaking process. Prior to or on the same date that the Request for Comments is published in the State Register, PELSB will post its Request for Comments on this webpage. This webpage is available at [School Counseling Programs and Licensure / Professional Educator Licensing and Standards Board \(PELSB\) \(mn.gov\)](http://mn.gov/school-counseling).

We believe our Additional Notice Plan complies with the statute because the individuals and organizations listed above represent the vast majority of those interested in these rules.

Please call me at 651-539-5991 if you have any questions.

Yours very truly,



Steven Rollin
Rulemaking Specialist



Professional Educator Licensing and Standards Board

REQUEST FOR COMMENTS

Possible Permanent Rules Relating to School Counseling Programs and licensure, *Minnesota Rules*, 8705.0100, 8705.0400, 8705.1010 and 8710.6400; Revisor's ID Number RD4703; Docket Number 21-9021-37950

Subject of Rules. The Professional Educator Licensing and Standards Board (PELSB) requests comments on its possible amendments to rules governing school counseling programs and licensure in Minnesota. The Board is considering rule amendments to:

- Require school counseling programs in Minnesota to hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) rather than require these programs to obtain state approval through PELSB by meeting state-specific standards.
- Upon approval, allow providers to create a school counseling program tailored to candidates who already hold a master's degree, which would allow these candidates to be recommended for licensure as a school counselor without obtaining an additional master's degree;
- Expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners; and
- Create a number of pathways by which a licensed school counselor, who holds a restricted license, would be able to expand the scope of their license to the full scope.

Persons Affected. The amendment to and repeal of existing rules would likely affect all school counseling preparation programs in Minnesota and the candidates completing those preparation programs, as well as the students and schools those candidates will eventually serve.

Statutory Authority. *Minnesota Statutes*, section 122A.09, subdivision 9, requires the Board to adopt rules to for teacher licensure, including relating to the grade levels a licensed educator may teach. *Minnesota Statutes*, section 122A.091, subdivision 1, requires the board to adopt rules to approve teacher preparation programs.

Public Comment. Interested persons or groups may submit proposals, comments, or information on the possible rules in writing or orally until 4:30 p.m. on December 20, 2024, to the agency contact person. The public is also advised that depending upon the comments received the PELSB may withdraw the proposed rules. The Board does not contemplate

appointing an advisory committee to comment on the possible rules. The public is welcomed and encouraged to comment and make proposals for the amendments.

Rules Drafts. The Board has drafted the possible rules amendments. A draft is available for review online at <https://mn.gov/pelsb/board/rulemaking/school-counseling/>.

Agency Contact Person. Written or oral comments, questions, rule proposals, and requests for more information on these possible rule changes should be directed to:

Steven Rollin, Rulemaking Specialist
Professional Educator Licensing and Standards Board
1021 Bandana Blvd E., Saint Paul, MN 55108
(651) 539-5991
PELSB.rules@state.mn.us

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge if and when a proceeding to adopt rules is started. The Board is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: October 14, 2024

Signed by: Dr. Yelena Bailey, Executive Director

RECEIVED

By: OAH on 10/4/2023 3:40 PM

OAH Docket Number: 21-9021-37950

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules Governing
School Counseling Programs and Licensure

NOTICE OF APPEARANCE

[Insert matter title]

PLEASE TAKE NOTICE that:

1. The party/agency named below (Party/Agency) will appear at the prehearing conference and all subsequent proceedings in the above-entitled matter.

2. By providing its email address below, the Party/Agency chooses to opt into receiving electronic notice from the Office of Administrative Hearings in this matter. **Note: Provision of an email address DOES NOT constitute consent to electronic service from any opposing party or agency in this proceeding.¹**

3. The Party/Agency agrees to use best efforts to provide the Office of Administrative Hearings with the email address(es) for opposing parties and their legal counsel.

Party's/Agency's Name: Steven Rollin/Professional Educator licensing and Standards Board

Email: steven.rollin@state.mn.us Telephone: 651-539-5991

Mailing Address: 1021 Bandana Blvd.E., Suite 222, St. Paul, MN 55108-5111

Party's/Agency's Attorney: _____

Firm Name: _____

Email: _____ Telephone: _____

Mailing Address: _____

Respondent's/Opposing Party's Name: _____

Email: _____ Telephone: _____

Mailing Address: _____

Dated: 10/04/2023



Signature of Party/Agency or Attorney

¹ In order to opt in to electronic notice, this form must be emailed to OAH.efiling.support@state.mn.us. If the party does not wish to opt in to electronic notice, this form may be filed with the Office of Administrative Hearings via facsimile, U.S. Mail, or personal service. See 2015 Minn. Laws Ch. 63, Minn. R. 1400.5550, subps. 2-5 (2023).

Note: This form must be served upon the opposing party/agency. Counsel may not withdraw from representation without written notice.

December 8, 2021

VIA EMAIL ONLY

Michelle Hersh Vaught
Minnesota Professional Educator Licensing
and Standards Board
1021 Bandana Blvd E, Ste 222
Saint Paul, MN 55108
Michelle.vaught@state.mn.us

**Re: *In the Matter of the Proposed Permanent Rules Relating to
School Counseling Programs and Licensure, Minnesota Rules,
8705.0100, 8705.1010, and 8710.6400***
OAH 21-9021-37950; Revisor 4073

Dear Mrs. Vaught:

Enclosed herewith and served upon you please find the **ORDER ON REVIEW
OF ADDITIONAL NOTICE PLAN** in the above-entitled matter.

If you have any questions regarding this matter, please contact Denise Collins at
(651) 361-7875, denise.collins@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



MICHELLE SEVERSON
Legal Assistant

Enclosure

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW SECTION
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Proposed Permant Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.1010, and 8710.6400	OAH Docket No. 21-9021-37950 Revisor 4073
---	---

Michelle Severson certifies that on December 8, 2021, she served a true and correct copy of the attached **ORDER ON REVIEW OF ADDITIONAL NOTICE PLAN**; by placing it in the United States mail or by courier service with postage prepaid, addressed to the following individuals:

<u>VIA EMAIL ONLY</u> Michelle Hersh Vaught Minnesota Professional Educator Licensing and Standards Board 1021 Bandana Blvd E, Ste 222 Saint Paul, MN 55108 Michelle.vaught@state.mn.us	
---	--

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Permanent Rules Relating to School Counseling Programs and Licensure, Minnesota Rules, 8705.0100, 8705.1010, and 8710.6400

**ORDER ON REVIEW OF
ADDITIONAL NOTICE PLAN**

This matter came before Administrative Law Judge Kimberly Middendorf upon the Minnesota Professional Educator Licensing and Standards Board's (Board) request for review of its Additional Notice Plan. The Board seeks a legal review of its materials under Minn. R. 1400.2060 (2021). The Board's materials include its Additional Notice Plan and Request for Comments, as required by Minn. R. 1400.2060.

Based upon a review of the written submissions by the Professional Educator Licensing and Standards Board, including its plan to notify:

- Minnesota School Counselor Association;
- Minnesota Association of Colleges for Teacher Education (MACTE);
- Minnesota State Colleges and Universities (Minnesota State);
- Minnesota Association of Elementary School Principals;
- Minnesota Association of Secondary School Principals;
- Minnesota Association of School Administrators (MASA);
- Minnesota School Boards Association (MSBA);
- Minnesota Rural Educator Association (MREA);
- Association of Metro School Districts (ASMD);
- Education Minnesota (Minnesota's union representing over 86,000 teachers and related service providers, school support staff, and higher education faculty);
- Department of Education (MDE);
- Office of Higher Education (OHE);
- Board of School Administrators (BOSA); and
- Tribal Nations Education Committee (TNEC).

Additionally, the Board will provide all notices to individuals and organizations registered to receive communications through the following list serves:

- Rulemaking listserv (2,419 email addresses);
- Standards and Rules Advisory Committee (27 email addresses);
- All approved teacher preparation providers in Minnesota (32 email addresses); and

- This includes all providers with school counseling licensure programs (Alfred Adler Graduate School, Capella University, Minnesota State University – Mankato, Minnesota State University – Moorhead, St. Cloud State University, University of Minnesota – Twin Cities, Walden University, and Winona State University).

IT IS HEREBY ORDERED THAT:

The Additional Notice Plan is **APPROVED**.

Dated: December 8, 2021



KIMBERLY MIDDENDORF
Administrative Law Judge



December 7, 2021

RECEIVED

By: OAH on 12/7/21 8:00 am

The Honorable Jenny Starr
Chief Administrative Law Judge
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

Re: In the Matter of the Request for Comments of the Professional Educator Licensing and Standards Board About; Request for Review and Approval of Additional Notice Plan; Revisor's ID Number 4073

Dear Chief Judge Starr:

The Professional Educator Licensing and Standards Board requests that you review and approve our Additional Notice Plan for our Request for Comments under Minnesota Statutes, section 14.101. The Request for Comments is for the Board's planned rules relating to school counseling programs and licensure.

Enclosed for your review is the proposed Request for Comments on the planned rules as required by Minnesota Rules, part 1400.2060, subpart 2, item A.

Part 1400.2060, subpart 2, item A, also requires that we describe our proposed Additional Notice Plan and explain why we believe our Additional Notice Plan complies with Minnesota Statutes, section 14.101, i.e., why our Additional Notice Plan constitutes good faith efforts to seek information by other methods designed to reach persons or classes of persons who might be significantly affected by the proposal.

In addition to emailing the proposed rules and the appropriate notice to all persons who have registered to be on the Board's rulemaking mailing lists under Minnesota Statutes, section 14.14, subd. 1a, the Additional Notice Plan includes notifying the following groups and organizations:

- Minnesota School Counselor Association
- Minnesota Association of Colleges for Teacher Education (MACTE)
- Minnesota State Colleges and Universities (Minnesota State)
- Minnesota Association of Elementary School Principals
- Minnesota Association of Secondary School Principals
- Minnesota Association of School Administrators (MASA)
- Minnesota School Boards Association (MSBA)

- Minnesota Rural Educator Association (MREA)
- Association of Metro School Districts (ASMD)
- Education Minnesota (Minnesota's union representing over 86,000 teachers and related service providers, school support staff, and higher education faculty)
- Department of Education (MDE)
- Office of Higher Education (OHE)
- Board of School Administrators (BOSA)
- Tribal Nations Education Committee (TNEC)

Additionally, the Board will provide all notices to individuals and organizations registered to receive communications through the following list serves:

- Rulemaking listserv (2,419 email addresses)
- Standards and Rules Advisory Committee (27 email addresses)
- All approved teacher preparation providers in Minnesota (32 email addresses)
 - This includes all providers with school counseling licensure programs (Alfred Adler Graduate School, Capella University, Minnesota State University – Mankato, Minnesota State University – Moorhead, St. Cloud State University, University of Minnesota – Twin Cities, Walden University, and Winona State University).

Finally, the Board created a webpage dedicated to this rulemaking project. Drafts, updates, and key documents will be posted to this webpage throughout the rulemaking process. Prior to or on the same date that the Request for Comments is published in the State Register, PELSB will post its Request for Comments on this webpage. This webpage is available at <https://mn.gov/pelsb/board/rulemaking/school-counseling/>.

We believe our Additional Notice Plan complies with the statute because the individuals and organizations listed above represent the vast majority of those interested in these rules.

Please call me at 651-539-4187 if you have any questions.

Yours very truly,



Michelle Hersh Vaught
Rulemaking Specialist



Professional Educator Licensing and Standards Board

REQUEST FOR COMMENTS

Possible Permanent Rules Relating to School Counseling Programs and licensure, *Minnesota Rules*, 8705.0100, 8705.1010, and 8710.6400; Revisor's ID Number RD4703

Subject of Rules. The Professional Educator Licensing and Standards Board requests comments on its possible amendments to rules governing school counseling programs and licensure in Minnesota. The Board is proposing rule amendments to require school counseling programs in Minnesota to hold accreditation from the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) rather than require these programs to obtain state approval through PELSB by meeting state-specific standards. Additionally, the Board is proposing to expand the scope of the school counselor license to allow school counselors to also serve pre-kindergarteners.

Persons Affected. The amendment to and repeal of existing rules would likely affect all school counseling preparation programs in Minnesota and the candidates completing those preparation programs, as well as the students and schools those candidates will eventually serve.

Statutory Authority. *Minnesota Statutes*, section 122A.09, subdivision 9, requires the Board to adopt rules to for teacher licensure, including relating to the grade levels a licensed educator may teach. *Minnesota Statutes*, section 122A.091, subdivision 1, requires the board to adopt rules to approve teacher preparation programs.

Public Comment. Interested persons or groups may submit proposals, comments, or information on the possible rules in writing or orally until 4:30 p.m. on March 15, 2022 to the agency contact person. The public is also advised that depending upon the comments received the PELSB may withdraw the proposed rules. The Board does not contemplate appointing an advisory committee to comment on the possible rules. The public is welcomed and encouraged to comment and make proposals for the amendments.

Rules Drafts. The Board has drafted the possible rules amendments. A draft is available for review online at <https://mn.gov/pelsb/board/rulemaking/school-counseling/>.

Agency Contact Person. Written or oral comments, questions, rule proposals, and requests for more information on these possible rule changes should be directed to:

Michelle Hersh Vaught, Rulemaking Specialist
Professional Educator Licensing and Standards Board
1021 Bandana Blvd E., Saint Paul, MN 55108
(651) 539-4187
PELSB.rules@state.mn.us

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge if and when a proceeding to adopt rules is started. The Board is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: January 10, 2022

Alex Liuzzi
Executive Director

OAH Docket Number: _____

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

Proposed Rules Governing School
Counseling Programs and Licensure

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that:

1. The party/agency named below (Party/Agency) will appear at the prehearing conference and all subsequent proceedings in the above-entitled matter.

2. By providing its email address below, the Party/Agency chooses to opt into receiving electronic notice from the Office of Administrative Hearings in this matter. **Note: Provision of an email address DOES NOT constitute consent to electronic service from any opposing party or agency in this proceeding.**¹

3. The Party/Agency agrees to use best efforts to provide the Office of Administrative Hearings with the email address(es) for opposing parties and their legal counsel.

Party's/Agency's Name: Minnesota Professional Educator Licensing and Standards Board

Email: N/A Telephone: N/A

Mailing Address: 1021 Bandana Blvd. E., Suite 222, St. Paul, MN 55108

Party's/Agency's Attorney: Michelle Hersh Vaught, Rulemaking Specialist

Firm Name: N/A

Email: Michelle.Vaught@state.mn.us Telephone: (651) 539-4187

Mailing Address: See above

Respondent's/Opposing Party's Name: N/A

Email: _____ Telephone: _____

Mailing Address: _____

Dated: 11/22/2021



Signature of Party/Agency or Attorney

¹ In order to opt in to electronic notice, this form must be emailed to OAH.efiling.support@state.mn.us. If the party does not wish to opt in to electronic notice, this form may be filed with the Office of Administrative Hearings via facsimile, U.S. Mail, or personal service. See 2015 Minn. Laws Ch. 63, Minn. R. 1400.5550, subps. 2-5 (2017).

Note: This form must be served upon the opposing party/agency. Counsel may not withdraw from representation without written notice.