

**CERTIFICATE OF SENDING THE NOTICE AND THE STATEMENT OF NEED AND REASONABLENESS  
TO LEGISLATORS AND THE LEGISLATIVE COORDINATING COMMISSION**

**Possible Amendment of Rules Governing the Standards of Effective Practice, Teachers of Health, Teachers of American Indian Language, History, and Culture, Teachers of Physical Education, Teachers of Developmental Adapted Physical Education, Teachers of Parent And Family Education, Teachers of Adult Basic Education, and Tiered Licensure**

**Revisor's ID 4615**

I certify that on May 2, 2022, when the Minnesota Professional Educator Licensing and Standards Board mailed its Notice of Hearing under Minnesota Statutes, section 14.14 or 14.22, I sent a copy of the Notice and the Statement of Need and Reasonableness to certain Legislators and the Legislative Coordinating Commission by sending an electronic copy via email. I mailed these documents to comply with Minnesota Statutes, section 14.116. A copy of the letter is attached to this Certificate.

*Michelle Hersh Vaught*

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Michelle Hersh Vaught  
Rulemaking Specialist

## Vaught, Michelle H (PELSB)

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**From:** Vaught, Michelle H (PELSB)  
**Sent:** Monday, May 2, 2022 11:10 AM  
**To:** rep.jim.davnie@house.mn; rep.julie.sandstede@house.mn; rep.ron.kresha@house.mn; rep.ruth.richardson@house.mn; rep.hodan.hassan@house.mn; rep.sondra.erickson@house.mn; rep.dave.pinto@house.mn; rep.laurie.pryor@house.mn; rep.mary.franson@house.mn; sen.roger.chamberlain@senate.mn; sen.justin.eichorn@senate.mn; sen.chuck.wiger@senate.mn  
**Cc:** lcc@lcc.leg.mn  
**Subject:** In the matter of the proposed rules of PELSB relating to licensing and academic standards; notice of hearing; Revisor's ID 4615  
**Attachments:** 4615 SONAR.pdf; 4615 Notice as published in State Register.pdf

Dear Legislators:

The Professional Educator Licensing and Standards Board (PELSB) is considering rule amendments to chapter 8710. Chapter 8710 contains the state's licensure rules for teachers, including the requirements to obtain and renew a license or permission. Additionally, chapter 8710 contains the required pedagogical standards ("Standards of Effective Practice") and license-specific standards that are integrated into teacher preparation programs approved by PELSB and demonstrated by applicants as part of the licensure via portfolio process.

Specifically, PELSB is proposing rule amendments to Minnesota Rules, parts 8710.0200, 8710.0310, 8710.0311, 8710.0313, 8710.0314, 8710.0320, 8710.0321, 8710.0325, 8710.0330, 8710.2000, 8710.3100, 8710.4000, 8710.4100, 8710.4500, 8710.4700, and 8710.5300. PELSB is also proposing to repeal Minnesota Rules, parts 8710.0310, subpart 3; 8710.0400; 8710.0550; 8710.3100, subparts 4 and 5; 8710.3310, subpart 4; 8710.3320, subpart 4; 8710.3330, subpart 4; 8710.3340, subpart 4; 8710.3350, subpart 4; 8710.3360, subpart 4; 8710.4000, subpart 4; 8710.4100, subparts 4 and 5; 8710.4500, subpart 4; 8710.4525, subpart 4; 8710.4700, subpart 4; 8710.4725, subpart 4; 8710.4770, subpart 3; 8710.4925, subpart 4; 8710.5300, subparts 4 and 5; 8710.5900, subpart 4; 8710.8010, subpart 4; 8710.8020, subpart 4; 8710.8030, subpart 4; 8710.8040, subpart 4; 8710.8050, subpart 5; 8710.8060, subpart 4; 8710.8070, subpart 4; and 8710.8080, subpart 4.

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.

Today the *Notice of Hearing* was published in the State Register and PELSB mailed the *Notice* under section 14.14.

As required by section 14.116, PELSB is sending you a copy of the *Notice* (attached as published and available below as mailed) and the Statement of Need and Reasonableness (attached).

If you have any questions about these rules, please contact me at 651-539-4187 or [Michelle.Vaught@state.mn.us](mailto:Michelle.Vaught@state.mn.us).

Sincerely,

Michelle Hersh Vaught, Rulemaking Specialist

Enclosures: [Notice of Intent to Adopt Rules after a Hearing Statement of Need and Reasonableness](#)

CC: Legislative Coordinating Commission



## 4615 Rulemaking Update

On May 2, 2022, PELSB published [a notice in the State Register](#) announcing a virtual rules hearing. Additionally, the notice included information about a pre-hearing comment period.

### Hearing scheduled

PELSB has scheduled a virtual rules hearing on the proposed changes to the Standards of Effective Practice, several license-specific rules, and several tiered licensure rules for Wednesday, August 24, 2022.

### Pre-hearing comment period open

PELSB is accepting comments on the proposed changes (see [Draft of proposed changes dated Dec. 16, 2021 \("Draft 4"\)](#)). Please submit written comments by Monday, June 6, 2022, at 4:30 p.m. to [PELSB.rules@state.mn.us](mailto:PELSB.rules@state.mn.us).

### More information

Please see the Notice of Hearing (below) and PELSB's [webpage](#) 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.

## Notice of Hearing

### NOTICE OF HEARING

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

**Public Hearing.** The Professional Educator Licensing and Standards Board (PELSB) intends to adopt rules after a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20.

The Board will hold a virtual public hearing on the proposed rule changes starting at 9:00 a.m. on Wednesday, August 24, and continuing until the hearing is completed. The Board will schedule additional days of hearing if necessary.

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

Enter <https://tinyurl.com/4615hearing> or

<https://minnesota.webex.com>

Meeting number: 2487 718 8093

Password: PELSB

For audio connection only, join the hearing by phone:

Call: 1-855-282-6330 (US Toll Free)

Access code: 24877188093#73572#

**Subject of Rules and Statutory Authority.** PELSB is proposing rule amendments to the rules governing teacher licensure and permissions (*Minnesota Rules*, parts 8710.0200, 8710.0310, 8710.0311, 8710.0313, 8710.0314, 8710.0320, 8710.0321, 8710.0325, and 8710.0330), the Standards of Effective Practice (*Minnesota Rules*, part 8710.2000), and several license-specific rules (*Minnesota Rules*, parts 8710.3100, 8710.4000, 8710.4100, 8710.4500, 8710.4700, and 8710.5300).

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

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

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

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

**Public Hearing Participation and Hearing Procedures.** Administrative Law Judge James R. Mortenson will conduct the hearing on Wednesday, August 24, 2022. Judge Mortenson's Legal Assistant Michelle Severson can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55166-0620, telephone (651) 361-7874 or [michelle.severson@state.mn.us](mailto:michelle.severson@state.mn.us) or via facsimile at (651) 539-0310. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the administrative law judge.

You and all interested or affected persons, including representatives of associations, legal entities, and other interested groups, may participate at the hearing. The Administrative Law Judge will accept your views either orally at the

hearing or in writing at any time before the hearing record closes. Submit written comments to the Administrative Law Judge via the Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>. If it is not possible for you to use the eComments website, you may submit your written comments in person, by U.S. mail, or by fax to the judge using the contact information for the Administrative Law Judge contained in the paragraph above. Any comments or materials that you present or submit must relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order this five-day comment period extended for a longer period but for no more than 20 calendar days.

Following the comment period, there is a five-working-day rebuttal period during which the Board and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the administrative law judge no later than 4:30 p.m. on the due date. All comments or responses received are public and will be available for review at the Office of Administrative Hearings.

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

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

**Statement of Need and Reasonableness.** The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person and on the board's website at <https://mn.gov/pelsb/board/rulemaking/licensing-academic-standards/>. You may

review or obtain copies for the cost of reproduction by contacting the agency contact person.

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

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

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

**Date:** May 2, 2022

**Signed:** Alex Liuzzi, Executive Director

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

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This email was sent to [Michelle.Vaught@state.mn.us](mailto:Michelle.Vaught@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

