

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules of the Professional Educator Licensing and Standards Board Governing the Issuance, Renewal, and Validity of Teaching Licenses

**ORDER ON REVIEW OF
RESUBMITTED RULES UNDER
MINN. STAT. § 14.16, SUBDS. 1, 2 AND
MINN. R. 1400.2240, SUBPS. 4, 5**

This matter came on for review by the Chief Administrative Law Judge pursuant to Minn. Stat. § 14.16, subds. 1, 2 (2018), Minn. R. 1400.2240, subps. 4, 5 (2017).

The Minnesota Professional Educator Licensing and Standards Board (Board) proposes to adopt the above-entitled rules pursuant to Minn. Stat. § 14.16 (2018). The proposed rules came on for a public hearing on June 8, 2018.

Administrative Law Judge Barbara Case disapproved portions of the rules in a Report dated August 6, 2018. The Chief Administrative Law Judge concurred with the determinations of the Administrative Law Judge by Order dated August 14, 2018.

On August 31, 2018, the Board requested that the Chief Administrative Law Judge review and approve modifications to the proposed rules pursuant to Minn. R. 1400.2240, subp. 5. The newly submitted rules include term definitions, deadline clarifications, and corrections of minor typographical errors.

On September 7, 2018, the Board submitted another new version of its proposed rules containing additional proposed modifications, this time in a format approved by the Office of the Revisor.

On September 17, 2018, the Chief Administrative Law Judge disapproved proposed rule parts 8710.0310, item K and 8710.0311, subps. 2(B)(2)(c), 4(B)(3), 5(B)(3) and 6(B)(3). The Chief Administrative Law Judge approved the remaining proposed rules as modified.

On September 21, 2018, the Board submitted additional revisions of the proposed rules for review. On September 25, 2018, the Board withdrew this submission and indicated it would resubmit a request for review of the proposed rule modifications at a later date. On October 1, 2018, the Board resubmitted additional revisions of the proposed rules. The Chief Administrative Law Judge finds that the final proposed rules have properly addressed the defects identified in the Administrative Law Judge's report dated August 6, 2018, and the Chief Administrative Law Judge's orders dated August 14, 2018 and September 17, 2018. In addition, the Chief Administrative Law

Judge finds that the final proposed rules are not substantially different from those published in the *State Register* on February 26, 2018, and proposed at the public hearing.

Based upon a review of the modifications made by the Board as presented in its October 1, 2018 submissions, and the rulemaking record as a whole, the Chief Administrative Law Judge issues the following:

ORDER

1. The Board has the statutory authority to adopt the rules.
2. The rules were adopted in compliance with all procedural requirements of Minn. Stat. §§ 14.001-.70 (2018) and Minn. R. 1400.2000-.8612 (2017).
3. Rule parts 8710.0310, item K and 8710.0311, subps. 2(B)(2)(c), 4(B)(3), 5(B)(3) and 6(B)(3) are **APPROVED**. All other parts of the rule were approved for legality under the terms of the September 17, 2018 Order.

Dated: October 3, 2018



TAMMY L. PUST
Chief Administrative Law Judge