



MINNESOTA BOARD OF TEACHING

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HEARINGS

STATE OF MINNESOTA MINNESOTA BOARD OF TEACHING

Statement of Need and Reasonableness

In the Matter of the Proposed Permanent Rules Relating to Continuing Professional
Teacher License Issuance and Renewal:

Minnesota Rules, Parts 8700.0900 to 8700.2300 and 8710.7000 to 8710.2300 with the
repeal of Parts 8700.0900, 8700.1000, 8700.1200, 8700.2000, 8750.7000, 8750.7100,
8750.7200, 8750.7300, 8750.8000, 8750.8100, 8750.8200, 8750.8300, and 8750.8400.

Alternative Formats Available

*Upon request, this **Statement of Need and Reasonableness** can be made available in
an alternative format, such as large print, Braille, or cassette tape. To make a request, contact
Sandra Needham, Minnesota Board of Teaching, 1500 Highway 36 West, Roseville, Minnesota
55113. Phone: 651-582-8833. Fax: 651-582-8872. TTY 651-582-8201.*

I. INTRODUCTION: THE NEED FOR THESE PROPOSED RULES

Renewal of continuing (professional) teacher licensure has traditionally been based on the recommendation of a local continuing education/relicensure committee established under Board of Teaching rules. Within each five year renewal period, the teacher has been required to submit at least 125 "clock hours" of continuing education professional development activities and experiences to the local committee which, in turn, examined the appropriateness of the activities and experiences and verified the completion of those clock hours on the teacher's renewal application.

With the advent of competency-based -- rather than "seat-time"-based teacher licensure, nationally and in Minnesota, the Board of Teaching began an examination of ways to make renewal requirements competency-based as well. In 1996, the Board heard the recommendations of an advisory committee that, rather than clock hours, the successful completion of an individual professional development plan should be required for each renewal, and a proposal was drafted and widely distributed in 1996, 1997 and 1998. Response was clear: while an individual plan would be a good requirement in theory, local continuing education/relicensure committees -- usually composed of volunteers with little or no extra time, resources, or compensation -- simply could not monitor such a system. In addition, teachers

argued that the clock hours were actually a *measurement* of competency-developing activities which were, themselves, professionally enriching for practicing teachers: clock hours represented more than mere seat time. While some local teacher contracts -- such as the Minneapolis School District's contract -- required individual professional development plans, systems and processes were not -- at least not now -- in place to make this a reasonable statewide requirement. One teacher observed that schools will need models and a much clearer process for individual professional development plans before they should be used as a condition of licensure statewide.

During this time, the Legislature required, in Minnesota Statutes 122A.18, that seeking and accomplishing National Board of Professional Standards certification must be accepted as an "alternative" accomplishment of renewal requirements:

(b) The board of teaching shall offer alternative continuing relicensure options for teachers who are accepted into and complete the national board for professional teaching standards certification process, and offer additional continuing relicensure options for teachers who earn national board for professional teaching standards certification. Continuing relicensure requirements for teachers who do not maintain national board for professional teaching standards certification are those the board prescribes.

The Board received numerous requests to make the clock hour requirements easier to interpret and more consistently applicable. In the past, some activities had received one "real" hour-for-one "clock" hour credit, while other activities received three real hours-for-one "clock" hour credit, but the categories of activities made some activities "definable" as fulfilling several categories, and that, as a result, some individuals would receive "one-for-one" credit for the same activity for which other individuals received "three-for-one." Several teachers also pointed out that hours granted for college credits accomplished did not reflect actual time required and that the current conversion factor for quarter and semester hours was not appropriate.

Several teachers and committees argued that travel and work experience provisions were often abused and that such activities should receive pre-approval to ensure that the travel or work is actually being done for professional, rather than simply personal, development. Some also suggested that there needed to be an easing of "counting" clock hours earned within a five year period.

Finally, while "regular" and "vocational" licensure renewal was handled by separate local continuing education committees, it was suggested that this division was not necessary, for many teachers must currently deal with two separate committees with only slightly different requirements and teachers are, after all, teachers, whatever their fields. Numerous local committees had already "merged" in recognition of this duplication of effort and perception of separate committees' functioning as "obstacles" to license renewal.

The Board of Teaching's Standards and Rules Committee -- composed of teachers, public members, and a higher education representative -- discussed what to do with the relicensure requirements in a series of four public meetings held between August and December, 1999. In examining all the issues and responses, the Committee recommended a rule that gave three options: (1) the clock-hour system with appropriate revisions, (2) an exception for National Board Certification, and (3) an exception for fulfilling an individualized professional development plan.

The draft of these revised requirements was distributed statewide to all districts, continuing education committees, education and content organizations, higher education teacher preparation institutions, members of legislative education committees, and individuals and groups on the Board's rulemaking list in January, 2000. Few comments were received and, while several expressed the desire for the individualized professional development plan, others praised the compromise reached in the options.

The Board believes the proposed rules are needed to make clock hours requirements more consistently applicable, to provide options for teachers seeking National Board of Professional Standards certification and for districts and teachers already engaged in individualized professional development plans, and to eliminate unnecessary duplication and confusion created by the practice of having separate committees for renewal of licenses to teach vocational subjects and for renewal of all other licenses to teach.

II. STATEMENT OF STATUTORY AUTHORITY

Minnesota Statutes, section 122A.18, Subdivision 1, authorizes the Board of Teaching to license teachers:

(a) The board of teaching must license teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel, as defined in section 122A.15, subdivision 2.

The Board of Teaching has general rulemaking authority under Minnesota Statutes, section 122A.09, subd. 4:

License and rules. (a) The board must adopt rules to license public school teachers and interns subject to chapter 14.

More specifically to licensure renewal, Minnesota Statutes 122A.18 also requires that:

(b) The board of teaching shall offer alternative continuing relicensure options for teachers who are accepted into and complete the national board for professional teaching standards certification process, and offer additional continuing relicensure options for teachers who earn national board for professional teaching standards certification. Continuing relicensure requirements for teachers who do not maintain national board for professional teaching standards certification are those the board prescribes.

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

III. OVERVIEW OF REASONABLENESS OF THE PROPOSED RULES

The Board's contentions of reasonableness of these proposed rules relating to continuing (professional) teacher license issuance and renewal rest on two arguments:

- First, the proposed rules reflect a reasonable balance of options for both licensees and local continuing education/relicensure committees; and
- Second, the proposed rules have been developed through a reasonable process of statewide dialogue and development.

While there are individuals who would argue strongly that best practice requires an individual professional development plan for every teacher, and still others who would argue for National Board of Professional Standards certification for all teachers possible, there are also those who believe the clock hour system traditionally used for renewal successfully keeps

teachers growing in their professional knowledge and skills. That growth is the ultimate objective of the renewal requirements. Not all districts and local committees have developed or are ready at this time to develop a structure or management system to accommodate and implement individual professional development plans with criteria sufficiently consistent to be used as statewide indices for teacher licensing. Some would also argue that individual professional development plans need to come within the auspices of the local bargaining unit contract or official local agreements if they are a requirement, directly or indirectly, of employment. National Board of Professional Standards certification is relatively new and is not available in all licensure fields. In some fields, it may never be available. While there are some inconsistencies in the current clock hour system, providing some alterations to correct those inconsistencies will work effectively when implemented well. The Board contends that providing all three options recognizes local control in teacher development while maintaining clock hour requirements that have worked for decades, but providing exceptions for districts or individuals opting to use them. It needs also to be pointed out that clock hours are usually the most reasonable option for licensees not actively employed as teachers, as the exceptions may not be readily available to them. Individuals who move from district to district may also find the clock hour option to be most transferable between committees.

Two sets of requests for comments with distribution of two full drafts of proposed language, the second responding to comments received on the first and dramatically altered from the first, and statewide dialogue on this issue have provided the Board with considerable input on this issue. The Board has heard, considered, and, it believes, accommodated the desires and options of greatly divergent opinions on this issue in the rules it proposes here.

IV. DETAILED STATEMENT OF NEED AND REASONABLENESS BY PART AND SUBPART

[It should be noted here that current rules were adopted as fifteen (15) separate parts, the order of which is not always widely considered effective. The Board is proposing to reorder the provisions and place them into fewer, more inclusive parts. As a result, some underlined "new" language presented below is actually a result of a "delete-all" approach to revision to accomplish greater clarity and clearer "packaging" of provisions.]

8700.1100. LOCAL COMMITTEES FOR CONTINUING EDUCATION AND RELICENSURE.

Subpart 1. Membership. A local committee ~~as authorized by Minnesota Statutes, section 122A.09, subdivision 4 shall be~~ is established in each Minnesota public school district with membership as follows:

A. Five persons licensed by the Board of Teaching who hold at least a baccalaureate degree, to be elected by the licensed teaching faculty. Nominations may be by building, grade level, or other appropriate categories, provided that all eligible persons have a fair and equitable chance for nomination. Proportionate representation is encouraged.

B. One licensed person who holds an administrator's license, representing the elementary and secondary administration, to be elected by the licensed practicing administrators employed by the district.