

March 5, 2021

VIA EMAIL ONLY

Nancy Breems
Secretary of State, Elections Division
180 State Office Building
100 Rev Dr Martin Luther King Jr Blvd
St. Paul, Minnesota 55155-1299
official.documents@state.mn.us

**Re: *In the Matter of the Possible Amendments to Rules Governing Unit
and Program Approval*
OAH 8-9021-35856; Revisor 4576**

Dear Ms. Breems:

Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Michelle Hersh Vaught
Minnesota Professional Educator Licensing and Standards Board
1021 Bandana Blvd E, Ste 222
Saint Paul, MN 55108

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,



Denise Collins
Court Administrator

Enclosures

cc: Michelle Hersh Vaught (via email)

Date Filed: March 5, 2021
Document Number: 212617
Office of the Minnesota Secretary of State
Steve Simon

Office of the Revisor of Statutes

Administrative Rules



TITLE: Adopted Permanent Rules Relating to Teacher Preparation Program and Unit Approval

AGENCY: Professional Educator Licensing and Standards Board

REVISOR ID: R-4576

MINNESOTA RULES: Chapter 8705

The attached rules are approved for
filing with the Secretary of State

A handwritten signature in blue ink that reads "Cassandra McGuinness".

Cassandra McGuinness
Assistant Revisor

Date Filed: March 5, 2021
Document Number: 212617
Office of the Minnesota Secretary of State
Steve Simon

1.1 **Professional Educator Licensing and Standards Board**

1.2 **Adopted Permanent Rules Relating to Teacher Preparation Program and Unit Approval**

1.3 **8705.0100 PURPOSE.**

1.4 A teacher preparation provider based in a Minnesota institution of higher education,
1.5 school district, charter school, or nonprofit corporation organized under chapter 317A must
1.6 be approved as a unit in accordance with the rules and procedures in this chapter to prepare
1.7 candidates for licensure in Minnesota.

1.8 **8705.0200 DEFINITIONS.**

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

1.10 Subp. 2. [See repealer.]

1.11 Subp. 3. **Assessment system.** "Assessment system" means a comprehensive and
1.12 integrated set of valid and reliable evaluation measures that provides information for use
1.13 in monitoring candidate demonstration of standards, and managing and improving unit
1.14 operations and programs.

1.15 *[For text of subpart 4, see Minnesota Rules]*

1.16 Subp. 4a. **Candidate.** "Candidate" means an individual working toward licensure in
1.17 the teacher preparation program.

1.18 Subp. 4b. **Clinical experiences.** "Clinical experiences" means field experiences,
1.19 student teaching, and practica.

1.20 Subp. 4c. **Cooperating teacher.** "Cooperating teacher" means a teacher who has
1.21 agreed to work with a candidate during the candidate's clinical experiences. A cooperating
1.22 teacher's responsibilities may include modeling effective instruction to the candidate,
1.23 observing the candidate engaging with students throughout clinical experiences, and
1.24 providing feedback to the candidate based on these observations.

2.1 Subp. 4d. **Culturally responsive teaching.** "Culturally responsive teaching" means
2.2 understanding and applying the cultural knowledge, prior experiences, frames of reference,
2.3 and performance styles based on the lived experiences of students, including the effects of
2.4 systemic and institutional racism to make learning experiences more relevant and effective
2.5 for students.

2.6 Subp. 4e. **Designated school partner.** "Designated school partner" means a school
2.7 or district that hosts candidates for clinical experiences. School or district leaders collaborate
2.8 with the unit to evaluate data, assess progress toward mutually beneficial goals, and provide
2.9 input on the content and design of the teacher preparation programs.

2.10 *[For text of subpart 5, see Minnesota Rules]*

2.11 Subp. 6. **Field experience.** "Field experience" means a school-based opportunity in
2.12 which candidates observe teachers and students, assist, tutor, instruct, or conduct research.

2.13 Subp. 6a. **Initial licensure program.** "Initial licensure program" means a program
2.14 approved by the Professional Educator Licensing and Standards Board for the purposes of
2.15 preparing individuals for their initial professional license based on teacher preparation.

2.16 Subp. 7. [See repealer.]

2.17 Subp. 7a. **Practicum.** "Practicum" means when a candidate is enrolled in a teacher
2.18 preparation program, is seeking an additional license or an endorsement, and assumes teacher
2.19 responsibilities to practice and demonstrate the knowledge, skills, and dispositions necessary
2.20 to teach the content aligned to the additional license or endorsement.

2.21 Subp. 7b. **Professional dispositions.** "Professional dispositions" means the values,
2.22 commitments, and professional ethics that govern how a teacher acts with students, families,
2.23 colleagues, and communities.

3.1 Subp. 7c. **Professional license.** "Professional license" means a license that is
3.2 transferable to any school district, including a Tier 3 license, a Tier 4 license, a 5-year
3.3 professional license, or a professional license from another state.

3.4 Subp. 8. **Program completer.**

3.5 A. "Program completer" means a candidate who has met a program's completion
3.6 requirements. For an initial licensure candidate to be counted as a completer, the candidate
3.7 must complete student teaching in the licensure area sought and receive a score on the
3.8 teacher performance assessment, if applicable. For an additional licensure candidate to be
3.9 counted as a completer, the candidate must complete an evaluated practicum in the licensure
3.10 area sought.

3.11 B. Notwithstanding item A, transfer candidates, including those prepared out of
3.12 state, who have completed less than 50 percent of a licensure program's total requirements
3.13 at the current preparation provider should not be included.

3.14 Subp. 9. [See repealer.]

3.15 Subp. 9a. **School partner.** "School partner" means a school or district that hosts one
3.16 or more candidates for clinical experiences.

3.17 Subp. 10. **Scope.** "Scope" means the age or grade span of the licensure field.

3.18 Subp. 10a. **Student teaching.** "Student teaching" means when a candidate enrolled
3.19 in an initial licensure program assumes teacher responsibilities while working with a
3.20 cooperating teacher and a supervisor to practice and demonstrate the knowledge, skills, and
3.21 dispositions necessary to become a teacher.

3.22 Subp. 10b. **Supervisor.** "Supervisor" means an individual under the direction of the
3.23 unit and responsible for supporting and evaluating the candidate during clinical experiences.

4.1 Subp. 10c. **Teacher educator; instructor.** "Teacher educator" or "instructor" means
4.2 the individual facilitating a candidate's learning opportunities and assessments.

4.3 Subp. 10d. **Teacher of record.** "Teacher of record" has the meaning given in part
4.4 8710.0310, subpart 1, item N.

4.5 Subp. 11. **Teacher preparation program; program.** "Teacher preparation program"
4.6 or "program" means a program approved by the Professional Educator Licensing and
4.7 Standards Board for the purpose of preparing individuals for a specific teacher licensure
4.8 field in Minnesota.

4.9 Subp. 12. **Unit; teacher preparation program provider.** "Unit" or "teacher
4.10 preparation program provider" has the meaning given in Minnesota Statutes, section 122A.06,
4.11 subdivision 8.

4.12 **8705.1010 UNIT STANDARDS.**

4.13 Subpart 1. **Standards for program design and improvement.**

4.14 A. Standard 1. The unit must ensure each program has a clear and consistent
4.15 conceptual framework threaded throughout the program that is research-based,
4.16 results-oriented, and focused on the skills teachers need to be effective.

4.17 B. Standard 2. The unit must ensure each program provides effective instruction
4.18 on:

- 4.19 (1) content-specific methods that meet the scope of the licensure area;
- 4.20 (2) the teacher Code of Ethics;
- 4.21 (3) lesson planning, including the use of Minnesota academic standards, or,
- 4.22 if unavailable, national discipline-specific standards;

(4) the knowledge and skills needed to provide appropriate instruction to multilingual learners to support and accelerate academic literacy, including oral academic language and achievement in content areas in a regular classroom setting;

(5) the knowledge and skills needed to implement culturally responsive teaching and instructional strategies, including incorporating opportunities for candidates to learn about the role of teachers to disrupt patterns and systems of racism, privilege, and oppression;

(6) research-based practices in reading that enable the candidate to teach reading in the candidate's licensure field;

(7) using a student's native language as a resource in creating effective differentiated instructional strategies for multilingual learners developing literacy skills; and

(8) the knowledge and skills needed to engage students with technology and deliver digital and blended learning and curriculum.

C. Standard 3. The unit must implement an assessment system with a process for annually collecting and reviewing data from:

(1) surveys, including those from:

(a) initial licensure program completers at the time of program completion;

(b) initial licensure program completers one year after completion; and

(c) initial licensure program completers' supervisors one year after completion;

(2) clinical experiences;

(3) multiple assessments as required by Standard 19; and

(4) candidate scores on state-required examinations and board-adopted performance assessments.

D. Standard 4. The unit's assessment system must include a process to engage its stakeholders, including candidates, program completers, school partners, teacher educators, and representatives from the community to:

(1) systematically review data collected under Standard 3;

(2) provide feedback and recommendations on unit-wide strengths and areas of improvement, which can include program-specific feedback and recommendations; and

(3) provide feedback and recommendations on long-term plans specific to the unit's program offerings.

E. Standard 5. The unit must implement a formal process for using the assessment system and stakeholder feedback to inform unit and program improvement.

Subp. 2. Standards for the designated school partnership.

A. Standard 6. The unit must have at least one designated school partnership with a school or district that works collaboratively to align theory and practice and that meets the standards in this subpart. The unit may have additional partnerships with districts or schools to place candidates in clinical experiences according to the standards in subpart 3.

B. Standard 7. For the purpose of continuous improvement and shared accountability, the unit and designated school partner must maintain an agreement that addresses:

(1) the type of student data that the designated school partner is authorized and willing to share with the candidate and unit regarding student achievement and progress under Minnesota Statutes, section 13.05, subdivision 7;

(2) the type of aggregated candidate data that the unit will share with the designated school partner regarding candidate efficacy and survey data under Minnesota Statutes, section 13.05, subdivision 7; and

(3) how the unit will solicit feedback and recommendations from candidates, supervisors, and cooperating teachers about clinical experiences with the designated school partner.

C. Standard 8. The unit must meet a minimum of two times per year with the designated school partner. The unit must engage in ongoing collaboration with the designated partner to:

(1) review data including but not limited to data collected under Standards 3 and 7;

(2) assess feedback from candidates, supervisors, and cooperating teachers;

(3) evaluate the effectiveness of the partnership to meet mutually beneficial short-term and long-term goals; and

(4) engage in decision-making processes regarding changes to design and implementation of teacher preparation programs.

Subp. 3. Standards for clinical experiences.

A. Standard 9. The unit and each school partner must maintain an agreement that addresses:

(1) the responsibilities held by the candidate during a clinical experience;

(2) the responsibilities held by the school partner during a clinical experience;

(3) the grounds for removing a candidate from a clinical experience and a process for the removal; and

8.1 (4) the process for identifying cooperating teachers who model:

8.2 (a) effective instruction, including the use of state academic standards
8.3 or, if unavailable, national discipline-specific standards; and

8.4 (b) culturally responsive teaching.

8.5 B. Standard 10. The unit must collaborate with each school partner to ensure that:

8.6 (1) each cooperating teacher paired with a candidate during student teaching
8.7 and practicum:

8.8 (a) has at least three years of teaching experience as a teacher of record
8.9 in the licensure area;

8.10 (b) holds a professional license aligned to the assignment;

8.11 (c) is not on an improvement plan; and

8.12 (d) has completed professional development in coaching strategies for
8.13 adult learners;

8.14 (2) each cooperating teacher paired with a candidate during field experiences:

8.15 (a) has at least two years of teaching experience;

8.16 (b) holds a Tier 2 license or professional license aligned to the
8.17 assignment; and

8.18 (c) is not on an improvement plan; and

8.19 (3) each cooperating teacher receives training that addresses the cooperating
8.20 teacher's role, program expectations, candidate assessments, procedures, and timelines.

8.21 C. Standard 11. For candidates seeking an initial professional license, the unit
8.22 must:

9.1 (1) provide a minimum of 100 field experience hours prior to student teaching
9.2 that includes:

9.3 (a) at least 60 field experience hours that are aligned to the scope and
9.4 content of the licensure field sought;

9.5 (b) experience with students who differ in race, ethnicity, home language,
9.6 and socioeconomic status; and

9.7 (c) experience with students with a range of exceptionalities, including
9.8 students on an individualized education plan; and

9.9 (2) provide a minimum of 12 weeks of face-to-face student teaching that:

9.10 (a) is aligned to the scope and content of the licensure field sought;

9.11 (b) is split into no more than two placements where each placement is
9.12 with a continuous group of students and for continuous weeks in alignment with the school
9.13 calendar and day;

9.14 (c) includes at least 80 percent of the contracted school week of
9.15 face-to-face student contact time;

9.16 (d) includes ongoing observations with actionable feedback to ensure
9.17 growth and attainment of standards with a minimum of four observations conducted by the
9.18 cooperating teacher;

9.19 (e) includes ongoing observations with actionable feedback to ensure
9.20 growth and attainment of standards with a minimum of four observations conducted by the
9.21 supervisor;

9.22 (f) includes a minimum of three triad meetings with the cooperating
9.23 teacher, the supervisor, and the candidate for clear and consistent communication; and

10.1 (g) includes a written evaluation by the supervisor that addresses the
10.2 candidate's ability to meet the standards in parts 8710.2000 to 8710.8080 and the candidate's
10.3 professional dispositions.

10.4 D. Standard 12. For candidates seeking more than one professional license, the
10.5 unit must:

10.6 (1) provide a minimum of 100 field experience hours prior to student teaching
10.7 that include:

10.8 (a) at least 30 field experience hours that are aligned to the scope and
10.9 content of each license and endorsement sought;

10.10 (b) experience with students who differ in race, ethnicity, home language,
10.11 and socioeconomic status; and

10.12 (c) experience with students with a range of exceptionalities, including
10.13 students on an individualized education plan; and

10.14 (2) provide a minimum of 14 weeks of face-to-face student teaching that:

10.15 (a) includes a placement aligned to the scope and content of each license
10.16 and endorsement sought;

10.17 (b) is split into no more than two placements, where each placement is
10.18 a minimum of two weeks or the equivalent, with a continuous group of students and for
10.19 continuous weeks in alignment with the school calendar and day;

10.20 (c) includes at least 80 percent of the contracted school week of
10.21 face-to-face student contact time;

10.22 (d) includes observations with actionable feedback to ensure growth and
10.23 attainment of standards with a minimum of five observations, with at least one observation
10.24 per placement, conducted by the cooperating teacher;

11.1 (e) includes observations with actionable feedback to ensure growth and
11.2 attainment of standards with a minimum of five observations, with at least one observation
11.3 per placement, conducted by the supervisor;

11.4 (f) includes a minimum of four triad meetings, with at least one triad
11.5 meeting per placement with the cooperating teacher, the supervisor, and the candidate; and

11.6 (g) includes a written evaluation by the supervisor that addresses the
11.7 candidate's ability to meet the applicable standards in parts 8710.2000 to 8710.8080 and
11.8 the candidate's professional dispositions.

11.9 E. Standard 13. For candidates who have completed licensure via portfolio, have
11.10 completed or are in the process of completing a state-approved initial licensure teacher
11.11 preparation program, and are seeking an additional license or endorsement, the unit must:

11.12 (1) have a documented process for evaluating a candidate's prior clinical
11.13 experiences including:

11.14 (a) experience aligned to the scope and content of the license or
11.15 endorsement sought;

11.16 (b) experience with students who differ in race, ethnicity, home language,
11.17 and socioeconomic status; and

11.18 (c) experience with students with a range of exceptionalities, including
11.19 students on an individualized education plan; and

11.20 (2) design a practicum experience that addresses any gaps in prior experience
11.21 listed in subitem (1) and that:

11.22 (a) aligns to the scope and content of the license or endorsement sought;

11.23 (b) is a minimum of 80 hours with a continuous group of students and
11.24 consecutive days aligned with the school calendar;

12.1 (c) provides observations with actionable feedback to ensure growth and
12.2 attainment of standards with a minimum of two observations by the cooperating teacher;

12.3 (d) provides observations with actionable feedback to ensure growth and
12.4 attainment of standards with a minimum of two observations by the supervisor;

12.5 (e) includes a minimum of one triad meeting with the cooperating teacher,
12.6 the supervisor, and the candidate for clear and consistent communication; and

12.7 (f) includes a written evaluation by the supervisor that addresses the
12.8 candidate's ability to meet the standards in parts 8710.2000 to 8710.8080 and the candidate's
12.9 professional dispositions.

12.10 F. Standard 14. For a candidate working as a teacher of record while completing
12.11 a teacher preparation program to obtain an initial professional license, the unit must ensure:

12.12 (1) the candidate completes the requirements in Standard 12;

12.13 (2) a cooperating teacher holding a professional license in the licensure area
12.14 sought is available to work with the candidate throughout the course of the student teaching
12.15 experience; and

12.16 (3) a cooperating teacher holding a professional license aligned to the licensure
12.17 area or scope of the license sought is available in the school to work with the candidate to
12.18 model effective practices and provide feedback throughout the course of the student teaching
12.19 experience.

12.20 G. Standard 15. The unit must ensure each supervisor:

12.21 (1) is qualified by one of the following:

12.22 (a) holding or having held a professional license aligned to the licensure
12.23 field or scope of the license sought by the candidate and at least three years of experience
12.24 as a teacher of record;

13.1 (b) being a current or former licensed E-12 administrator with oversight
13.2 of teacher evaluation; or

13.3 (c) being a current or former E-12 administrator with documented
13.4 experience in teacher evaluation;

13.5 (2) completes professional development in coaching strategies for adult
13.6 learners; and

13.7 (3) completes training on the program requirements and evaluation procedures
13.8 for candidates.

13.9 **Subp. 4. Standards for candidates.**

13.10 A. Standard 16. The unit must implement an effective strategy for recruiting and
13.11 retaining candidates to address state and district teacher shortage areas, including racial and
13.12 ethnic diversity.

13.13 B. Standard 17. The unit must maintain accurate records of candidate progress
13.14 through the program, including applicable learning opportunities and coursework, clinical
13.15 experiences, and all program requirements.

13.16 C. Standard 18. The unit must make available to candidates, online or in print,
13.17 the following information:

13.18 (1) a description of the requirements for admission into each program;

13.19 (2) a description of the completion requirements for each program;

13.20 (3) a description of the state requirements for licensure, including information
13.21 about the completion of a board-adopted performance assessment;

13.22 (4) the unit's procedures for receiving and responding to complaints and
13.23 grievances from candidates and other constituencies;

14.1 (5) the unit's policy for substituting program requirements for prior learning
14.2 experiences, coursework, teaching experience, and credit by examination. The policy must
14.3 make clear that the unit will not substitute prior experience for student teaching or practicum
14.4 requirements set forth in Standard 12, subitem (2), Standard 13, subitem (2), and Standard
14.5 14;

14.6 (6) a description of the candidate's appeal process if not recommended for
14.7 licensure;

14.8 (7) cost information, including information about financial aid; and

14.9 (8) unit and program accreditation status.

14.10 D. Standard 19. The unit must monitor each candidate's attainment of content and
14.11 pedagogical knowledge and skills as required by parts 8710.2000 to 8710.8080, enactment
14.12 of professional dispositions, and progress toward completing the program by assessing each
14.13 candidate:

14.14 (1) at a minimum of three identified checkpoints, including at entry, midpoint
14.15 through the program, and at exit; and

14.16 (2) through multiple assessments implemented throughout the program.

14.17 E. Standard 20. The unit must provide each candidate with individualized advising,
14.18 which includes:

14.19 (1) prior to student teaching or practicum, discussing the candidate's attainment
14.20 of content and pedagogical knowledge and skills as required by parts 8710.2000 to
14.21 8710.8080, enactment of professional dispositions, and progress toward completing the
14.22 program;

15.1 (2) counseling a candidate out of the program who is failing to evidence the
15.2 necessary content and pedagogical knowledge and skills or professional dispositions to be
15.3 an effective teacher; and

15.4 (3) documenting program completion.

15.5 F. Standard 21. The unit must ensure each candidate seeking an initial professional
15.6 license completes a board-adopted teacher performance assessment if an assessment exists
15.7 that is aligned with the license sought.

15.8 Subp. 5. **Standards for teacher educators.**

15.9 A. Standard 22. The unit must implement an effective strategy for recruiting and
15.10 retaining teacher educators with diverse backgrounds and experiences, including racially
15.11 and ethnically diverse teacher educators.

15.12 B. Standard 23. The unit must ensure each teacher educator is able to show
15.13 expertise for teaching assignments and one of the following:

15.14 (1) a master's degree or higher in any field and:

15.15 (a) at least 18 graduate credits in the teacher educator's area of instruction;
15.16 or

15.17 (b) dissertation or published research in the teacher educator's area of
15.18 instruction;

15.19 (2) a bachelor's degree and at least five years of experience as a teacher of
15.20 record with a professional license and:

15.21 (a) national board certification; or

15.22 (b) participation in at least 125 hours of instructional leadership activities,
15.23 such as serving as a cooperating teacher of candidates during student teaching or practicum,

16.1 facilitating professional development for other teachers, mentoring teachers, or peer coaching;
16.2 or

16.3 (3) for teacher educators of career and technical education or the visual or
16.4 performing arts, a bachelor's degree in any field and at least five years of relevant professional
16.5 work experience aligned to the teacher educator's area of instruction.

16.6 C. Standard 24. The unit must ensure each teacher educator of field-specific
16.7 methods instruction, including reading methods, is able to show expertise for teaching
16.8 assignments and:

16.9 (1) is qualified as a teacher educator under Standard 23, subitem (1), and:

16.10 (a) has completed a state-approved teacher preparation program;

16.11 (b) has three years of experience as a teacher of record; and

16.12 (c) holds or held a professional license aligned to the scope and content
16.13 area of instruction;

16.14 (2) is qualified as a teacher educator under Standard 23, subitem (2), and:

16.15 (a) has completed a state-approved teacher preparation program;

16.16 (b) has seven years of experience as a teacher of record; and

16.17 (c) holds or held a professional license aligned to the scope and content
16.18 area of instruction; or

16.19 (3) is qualified as a teacher educator under Standard 23, subitem (3), and:

16.20 (a) has completed a state-approved teacher preparation program;

16.21 (b) has five years of experience as a teacher of record; and

16.22 (c) holds or held a professional license aligned to the scope and content
16.23 area of instruction.

17.1 This standard is effective three years after the date of adoption.

17.2 D. Standard 25. The unit must monitor and assess each teacher educator at least
17.3 once every three years using a teacher educator framework that models continuous
17.4 improvement practices and includes observations and candidate feedback.

17.5 E. Standard 26. The unit must require and document for each teacher educator:

17.6 (1) completion of ongoing professional development opportunities, including
17.7 professional development specific to the field of education focusing on research-based best
17.8 practices;

17.9 (2) completion of 30 hours in a three-year period of professional involvement
17.10 in an early childhood, elementary, or secondary school setting aligned to the area of
17.11 instruction that must include at least one of the following: teaching, tutoring, supervising
17.12 candidates in the field, completing observations, school-level consulting, or engaging with
17.13 a professional learning community; and

17.14 (3) completion of periodic orientation on requirements in chapters 8705 and
17.15 8710 and Minnesota Statutes, chapter 122A.

17.16 Subp. 6. **Standards for unit and program oversight.**

17.17 A. Standard 27. The unit must:

17.18 (1) meet the applicable requirements in this chapter, chapter 8710, and
17.19 Minnesota Statutes, chapter 122A;

17.20 (2) administer all licensure programs as approved;

17.21 (3) ensure information submitted to the board as part of the unit approval
17.22 process and program approval process is not misleading, false, or fraudulent;

17.23 (4) comply with state and federal data practices laws; and

18.1 (5) maintain an assessment system that enables storing, tracking, and reporting
18.2 to meet state and federal annual data submission requirements.

18.3 B. Standard 28. The unit must designate a leader responsible for:

18.4 (1) recommending candidates for licensure upon completion of the teacher
18.5 preparation program; and

18.6 (2) communicating with the board, including notifying the board of changes
18.7 to approved programs through the program reporting process and submitting licensure
18.8 program proposal applications and program effectiveness reports.

18.9 C. Standard 29. The unit must have financial and physical resources to maintain
18.10 licensure programs, support teacher educators, provide administrative support, and meet all
18.11 unit and program standards, including the ability to collect and analyze data for continuous
18.12 improvement.

18.13 Subp. 7. **Standards for school counseling programs.** Standard 30. For a school
18.14 counseling program approved by the board, the unit must demonstrate compliance with all
18.15 applicable entry-level Council for Accreditation of Counseling and Related Education
18.16 Program (CACREP) standards for a school counseling program including:

18.17 A. the learning environment;

18.18 B. a professional counseling identity;

18.19 C. professional practice;

18.20 D. program evaluation; and

18.21 E. school counseling standards.

18.22 **8705.1100 UNIT APPROVAL.**

18.23 Subpart 1. [See repealer.]

19.1 Subp. 1a. **Initial unit approval.** A provider must apply for initial unit approval under
19.2 the procedures in this subpart.

19.3 A. The provider must submit a notice of intent to apply for initial unit approval.

19.4 B. Within one month of the receipt of the notice of intent, board staff must schedule
19.5 an informational meeting with the provider to review the approval process and jointly agree
19.6 upon dates for the site visit.

19.7 C. At least 12 months prior to the site visit, the provider must provide a self-study,
19.8 including supplemental evidence, for review.

19.9 D. At least one month prior to the site visit, the provider must submit an interview
19.10 schedule to board staff.

19.11 E. The review team must review the submitted self-study and supplemental
19.12 evidence and provide feedback on areas of deficit at least six months prior to the site visit.

19.13 F. The provider may provide a supplemental narrative and additional evidence to
19.14 address deficit areas at least one month prior to the site visit and may not provide additional
19.15 evidence after this time.

19.16 G. The review team must conduct a site visit to verify evidence of the standards
19.17 in this chapter, report their findings, and make a recommendation to the board regarding
19.18 approval status of the unit.

19.19 H. Within the written report of findings and recommendations, the review team
19.20 must identify each standard under part 8705.1010, as:

19.21 (1) Met: when the substance of a standard is evidenced through narrative,
19.22 supplemental evidence, and interviews;

(2) Met with Concern: when the substance of a standard is evidenced through narrative, supplemental evidence, or interviews, but the team is concerned with the level of depth the standard is met. The review team must provide a comment on each gap;

(3) Met as Planned: when the substance of a standard is currently not met, but clear and convincing evidence of plans to meet the standard prior to enrolling candidates is provided; or

(4) Not Met: when all or part of a standard is not evidenced.

I. Within one month of the site visit, board staff must provide the written report of findings and recommendations to the unit leader. Within one month of receipt of the review team's report and recommendations, the provider may respond to factual errors.

Subp. 1b. **Board determinations for initial approval.** The board must take one of the following actions based upon the review team's written report of findings and recommendations.

A. The board may grant initial unit approval for a duration of two years to newly approved program providers to launch approved licensure programs and begin collecting candidate and program data. The board may require the unit to submit an interim report during the approval period to demonstrate compliance with standards identified as "Met as Planned" and "Not Met" in the review team's written report.

(1) Upon written request by the unit, initial unit approval may be extended for an additional two years.

(2) A unit with initial unit approval may seek continuing approval by submitting a self-study once the unit has launched one or more approved programs for at least 24 months. A review team must conduct a site visit to verify evidence of the standards in this chapter, report the findings, and make a recommendation to the board regarding

21.1 continuing approval status. The review team must identify each standard according to the
21.2 procedures in part 8705.1100, subpart 1a, item H.

21.3 B. The board may grant conditional unit approval for a duration not to exceed
21.4 two years when the nature and severity of "Not Met" standards threaten the viability of the
21.5 unit to prepare candidates for licensure. The board must identify standards that must be met
21.6 in order for the unit to achieve initial approval pursuant to item A. A unit with conditional
21.7 approval may not submit requests for initial program approval (RIPA). If the unit has already
21.8 submitted one or more RIPA, the review process must be paused until the unit is granted
21.9 initial approval pursuant to item A. A unit with conditional approval may not enroll
21.10 candidates.

21.11 (1) Prior to the expiration of the unit's conditional approval, the unit must
21.12 evidence meeting the identified standards, which must be reviewed at a focused site visit
21.13 specific to those standards.

21.14 (2) If, after two years of conditional approval, standards remain unmet, the
21.15 board must act to disapprove the unit and discontinue its programs.

21.16 C. The board must deny unit approval when the provider's failure to meet the
21.17 requirements and standards in this chapter, chapter 8710, or Minnesota Statutes, chapter
21.18 122A, results in an inability to prepare candidates for licensure. The denial action must state
21.19 the reasons for the denial. The provider may not enroll candidates. The provider may resubmit
21.20 a notice of intent to apply for unit approval when at least six months have passed since the
21.21 date of the denial action.

21.22 Subp. 2. [Renumbered subp 1b]

21.23 Subp. 2a. **Continuing unit approval.**

21.24 A. Continuing approval is valid for six years. A unit must apply for continuing
21.25 unit approval to continue to provide teacher preparation programs to candidates by scheduling

22.1 an informational meeting with board staff, jointly agreeing upon the dates for a site visit,
22.2 and following the procedures under subpart 1a, items C to F.

22.3 B. The review team must conduct a site visit to verify the standards in this chapter,
22.4 report their findings, and make a recommendation to the board regarding the approval status
22.5 of the unit. Within the written report of findings and recommendations, the review team
22.6 members must identify each standard under part 8705.1010 as:

22.7 (1) Met: when the substance of a standard is evidenced through narrative,
22.8 supplemental evidence, and interviews;

22.9 (2) Met with Concern: when the substance of a standard is evidenced through
22.10 narrative, supplemental evidence, or interviews, but the review team is concerned with the
22.11 level of depth the standard is met. The review team must provide a comment for each
22.12 standard that is "Met with Concern"; or

22.13 (3) Not Met: when all or part of a standard is not evidenced through narrative,
22.14 supplemental evidence, and interviews.

22.15 C. Within one month of the site visit, board staff must provide the written report
22.16 of findings and recommendations to the unit leader. Within one month of receipt of the
22.17 review team's report and recommendations, the provider may respond to factual errors.

22.18 Subp. 2b. **Board determinations for continuing approval.** The board must take one
22.19 of the actions in items A to D based upon the review team's written report of findings and
22.20 recommendations.

22.21 A. The board must grant continuing approval for a period of six years when the
22.22 unit demonstrates that the standards set forth in part 8705.1010 are "Met" or "Met with
22.23 Concern."

22.24 B. The board must grant continuing approval with focus areas for a period of six
22.25 years when one or more of the standards set forth in part 8705.1010 are "Not Met."

C. The board must place a unit on probation for a duration not to exceed two years when the nature and severity of "Not Met" standards threaten the viability of the unit to prepare candidates for licensure. The unit is identified as "low performing" for Federal Title II reporting.

(1) A unit on probation may not enroll new candidates.

(2) A unit on probation may not submit a request for initial program approval (RIPA) for new programs. If a unit has already submitted one or more RIPA, the review process must be paused until the unit is granted continuing approval or continuing approval with focus areas.

(3) When placing a unit on probation, the board must identify standards that must be met in order for the unit to achieve continuing approval or continuing approval with focus areas. Prior to the expiration of the probationary status, the unit must evidence meeting the identified standards, which must be reviewed at a site visit specific to those standards. If standards remain "Not Met" after two years of probation, the board must act to disapprove the unit and discontinue its programs.

D. The board must disapprove a unit when the unit's failure to meet the requirements and standards in this chapter, chapter 8710, or Minnesota Statutes, chapter 122A, results in an inability to prepare candidates for licensure. The disapproval action must state the reasons for disapproval and stipulate a termination date that accommodates candidates currently enrolled in licensure programs within the unit. A provider may not reapply for unit or program approval until at least two years have passed since the date of the disapproval action.

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

24.1 **Subp. 6. Unit review teams and expenses.**

24.2 A. The review team for site visits must be comprised of at least three
24.3 representatives for units and two reviewers for restricted units. The review team may include
24.4 active or former teacher educators, active or former teachers, and active or former school
24.5 administrators. The unit leader must provide input to board staff regarding the review team
24.6 membership. If agreement is not reached regarding review team membership, the board
24.7 staff shall appoint the review team members.

24.8 B. Expenses of the review team members shall be reimbursed by the Professional
24.9 Educator Licensing and Standards Board as permitted under state law or rule. Other incidental
24.10 expenses incurred by the provider, such as those related to preparing reports, arranging
24.11 meetings, and providing workrooms, supplies, and hospitality for the review team while on
24.12 site are the responsibility of the provider.

24.13 **8705.1300 UNITS WITH BOARD-APPROVED NATIONAL ACCREDITATION.**

24.14 Subpart 1. **Initial approval.** When a teacher preparation provider that is accredited
24.15 by a board-approved national education accreditation agency seeks unit approval, the provider
24.16 may demonstrate compliance with a subset of standards set forth in part 8705.1010.

24.17 Subp. 2. **Standards.** A teacher preparation provider that is accredited by a
24.18 board-approved national education accreditation agency may comply with the following
24.19 standards in part 8705.1010:

24.20 A. Standard 2;

24.21 B. Standard 9;

24.22 C. Standard 11;

24.23 D. Standard 12;

24.24 E. Standard 13;

- 25.1 F. Standard 14;
- 25.2 G. Standard 18;
- 25.3 H. Standard 20;
- 25.4 I. Standard 26;
- 25.5 J. Standard 27; and
- 25.6 K. Standard 28.

25.7 Subp. 3. **Approval process for units with board-approved national education**
25.8 **accreditation.** A unit that is accredited by a board-approved national education accreditation
25.9 agency must follow the procedures of this subpart.

25.10 A. The unit must notify board staff if it plans to pursue accreditation by a
25.11 board-approved national education accreditation agency.

25.12 B. The date of the on-site evaluation with the board-approved national education
25.13 accreditation agency must be jointly agreed upon at least 12 months prior to the unit's
25.14 approval expiration date.

25.15 C. The unit must submit a written compliance report to board staff that addresses
25.16 the standards identified in subpart 2.

25.17 D. Board staff must participate in the site visit and report findings according to
25.18 part 8705.1100, subpart 2a, item B.

25.19 Subp. 4. **Board determinations for continuing approval.** The board must take one
25.20 of the actions set forth in part 8705.1100, subpart 2b. When granting continuing approval,
25.21 the board may grant continuing approval for a period of up to ten years to align with the
25.22 approval cycle of the board-approved national accrediting agency.

26.1 Subp. 5. **Notice required.** The unit must notify board staff if there are any changes
26.2 to its approval status with the board-approved national education accreditation agency.

26.3 **8705.1400 UNITS WITH RESTRICTED APPROVAL.**

26.4 Subpart 1. **Restricted approval.** A provider may apply for restricted approval to
26.5 provide one or more programs designed to meet a subset of licensure standards.

26.6 Subp. 2. **Limitations.** A unit with restricted approval may not recommend candidates
26.7 for licensure.

26.8 Subp. 3. **Standards.** To be approved as a unit with restricted approval, a provider
26.9 must comply with the following standards in part 8705.1010:

- 26.10 A. Standard 3, subitems (2) and (3);
- 26.11 B. Standard 4, subitems (2) and (3);
- 26.12 C. Standard 5;
- 26.13 D. Standard 9;
- 26.14 E. Standard 10, subitems (2) and (3);
- 26.15 F. Standard 16;
- 26.16 G. Standard 17;
- 26.17 H. Standard 18;
- 26.18 I. Standard 20;
- 26.19 J. Standard 22;
- 26.20 K. Standard 23;
- 26.21 L. Standard 25;
- 26.22 M. Standard 26;

27.1 N. Standard 27;

27.2 O. Standard 28, subitem (2); and

27.3 P. Standard 29.

27.4 Subp. 4. **Candidate tracking.**

27.5 A. A unit with restricted approval must have an assessment system to track
27.6 candidates.

27.7 B. A unit with restricted approval must track candidate field experiences, including:

27.8 (1) field experience hours completed that align to the scope and content of
27.9 the licensure field sought;

27.10 (2) experience with students who differ in race, ethnicity, home language,
27.11 and socioeconomic status; and

27.12 (3) experience with students with a range of exceptionalities, including
27.13 students on an individualized education plan.

27.14 Subp. 5. **Initial approval process.** An organization must apply for restricted approval
27.15 under the procedures of this subpart.

27.16 A. The provider must submit its notice of intent to apply for restricted approval.

27.17 B. The provider and board staff must jointly agree upon dates for the site visit
27.18 approximately three to six months prior to the site visit.

27.19 C. At least three months prior to the site visit, the provider must provide input
27.20 regarding review team membership.

27.21 D. At least one month prior to the site visit, the provider must submit a site visit
27.22 schedule to board staff and must submit the self-study and any supplemental information
27.23 to board staff and the review team.

28.1 E. The review team must conduct a site visit to verify evidence of the applicable
28.2 standards. The site visit may be virtual.

28.3 F. The review team must report findings and make a recommendation to the board
28.4 regarding the approval status according to the procedures in part 8705.1100, subpart 1a,
28.5 item H.

28.6 Subp. 6. **Board determinations for initial approval.** The board must take one of the
28.7 actions in part 8705.1100, subpart 1b.

28.8 Subp. 7. **Continuing unit approval.** Continuing restricted approval is valid for up to
28.9 six years. A unit must apply for continuing restricted approval by meeting the standards
28.10 and requirements in subparts 3 and 4, and according to the procedures in subpart 5.

28.11 Subp. 8 **Board determinations for continuing approval.** The board must take one
28.12 of the actions in part 8705.1100, subpart 2b.

28.13 **8705.1500 MIDCYCLE UNIT REVIEW.**

28.14 Subpart 1. **Submission required.** To maintain continuing unit approval, a unit must
28.15 submit a midcycle self-study.

28.16 Subp. 2. **Midcycle self-study.** The unit must submit a self-study that provides the
28.17 following:

28.18 A. a description of major changes to the unit and any impact of those changes to
28.19 unit standards. The description must also address how the unit is complying with new state
28.20 statutory requirements, if any;

28.21 B. a description of the action steps taken to address any standards identified as
28.22 "Met with Concern" or "Not Met" during the previous site visit, including evidence of how
28.23 the unit is demonstrating compliance with these standards;

29.1 C. identification of unit strengths and areas of improvement, including but not
29.2 limited to:

29.3 (1) data and analysis of the survey results collected from program completers
29.4 and supervisors; and

29.5 (2) data and analysis of candidate scores in performance assessments;

29.6 D. a summary and evaluation of work completed with the designated school
29.7 partner;

29.8 E. a summary of feedback gathered from stakeholders, including candidates,
29.9 program completers, school partners, teacher educators, and representatives from the
29.10 community, and how this feedback has informed continuous improvement; and

29.11 F. a description of how data has informed continuous improvement efforts.

29.12 **Subp. 3. Midcycle self-study review procedures and board determinations.**

29.13 A. Midcycle self-studies must be initially reviewed by board staff.

29.14 B. A self-study must be reviewed by the board when:

29.15 (1) the unit and programs do not show evidence of compliance with state and
29.16 federal requirements;

29.17 (2) there are major changes to the unit that adversely affect how standards
29.18 are met;

29.19 (3) insufficient evidence was submitted to demonstrate that standards
29.20 previously found as "Not Met" or "Met with Concern" are "Met";

29.21 (4) continuous improvement data, including data and analysis, identifies a
29.22 concern in unit effectiveness or operations; or

(5) insufficient evidence was submitted to demonstrate the unit is using data and stakeholders to implement effective unit-wide or programmatic changes.

Subp. 4. Exemptions.

A. A unit with accreditation from a board-approved national education accreditation agency is exempt from the requirements in subpart 2, items C to F, when the unit submits its most recent annual report, which was submitted to the board-approved national accrediting agency, and the national accrediting agency's findings.

B. A restricted unit is exempt from the requirements in this part.

8705.2000 PROGRAM REVIEW PANEL (PRP).

The Professional Educator Licensing and Standards Board must establish a program review panel (PRP) as a standing committee of the board to assist with program review and approval processes. PRP membership must include but is not limited to representation from the Professional Educator Licensing and Standards Board, Minnesota Association of Colleges for Teacher Education, approved alternative preparation providers, and Education Minnesota. The PRP will consult with content experts as needed. PRP members will recuse themselves from reviews of their current or former unit or programs or other perceived conflicts of interest. Professional Educator Licensing and Standards Board staff will facilitate the work of the PRP and serve as nonvoting members. The PRP will make recommendations to the board regarding approval of licensure programs referred to them.

8705.2100 REQUEST FOR INITIAL PROGRAM APPROVAL (RIPA).

[For text of subpart 1, see Minnesota Rules]

Subp. 2. Request for initial program approval (RIPA). The request for initial program approval (RIPA) must be submitted according to the procedures in this subpart.

31.1 A. The unit leader or designee shall submit to the board an application for each
31.2 new teacher preparation program for which approval is requested through the online educator
31.3 preparation provider application system (EPPAS).

31.4 B. Programs that have submitted applications may not begin enrolling candidates
31.5 prior to approval by the board.

31.6 C. The unit must verify that sufficient financial, physical, human resources, and
31.7 qualified teacher educators, have been dedicated to the program to sustain it if approved.

31.8 D. Program applications must include all requirements in subitems (1) to (6).

31.9 (1) The application must provide evidence of the following program
31.10 development standards:

31.11 (a) a summary of the program development process, including name and
31.12 contact information for individuals engaged in program development, including the
31.13 designated school partner, teacher educators, content instructors, and practicing teachers in
31.14 the licensure field; and

31.15 (b) the name and contact information for the designated program leader,
31.16 who is responsible for delivery of this program and is qualified as a methods instructor
31.17 pursuant to part 8705.1010, subpart 5.

31.18 (2) For initial licensure programs, the application must provide evidence of
31.19 teaching and assessing the standards of effective practice (SEP) under part 8710.2000,
31.20 including:

31.21 (a) candidates with a professional sequence of learning opportunities
31.22 based on the standards under part 8710.2000; and

31.23 (b) evidence of how the program will provide opportunities for candidate
31.24 learning and assessment specific to each standard.

32.1 (3) For initial and additional licensure programs, the application must provide
32.2 evidence of teaching and assessing content standards for one or more licensure programs
32.3 under parts 8710.3000 to 8710.8080, including:

32.4 (a) the program provides candidates with a sequence of learning
32.5 opportunities based on the specific content standards of one or more licensure program
32.6 under parts 8710.3000 to 8710.8080, including field specific methods instruction and reading
32.7 methods; and

32.8 (b) evidence of how the program will provide opportunities for candidate
32.9 learning and assessment specific to each standard of the identified licensure program.

32.10 (4) The application must provide evidence that

32.11 the program provides and requires clinical experiences aligned to the scope and content
32.12 of the licensure field sought, as required in part 8705.1010, subpart 3;

32.13 (5) The application must provide evidence of its program type. A program
32.14 can have more than one program type. Program types include:

32.15 (a) "Baccalaureate," defined as a licensure program that grants credit
32.16 and is designed for candidates who are seeking their undergraduate degree at the same time
32.17 as completing a teacher preparation program.

32.18 (b) "Classroom-based," defined as a licensure program designed for
32.19 on-site learning where more than 80 percent of the instructional content is provided in a
32.20 shared physical space.

32.21 (c) "Hybrid," defined as a licensure program designed for a combination
32.22 of classroom-based and online learning, where 20 to 80 percent of the instructional content
32.23 is provided in a shared physical space and the remaining is provided in a virtual format.

33.1 (d) "Online," defined as a licensure program designed for distant learning
33.2 where more than 80 percent of the instructional content is provided through a virtual format.
33.3 Candidates must complete field experiences and student teaching in a face-to-face format.

33.4 (e) "Other," a provider can request recognition of additional licensure
33.5 program types. The board must approve or deny the request.

33.6 (f) "Post-baccalaureate," defined as a licensure program that grants credit
33.7 and is designed for candidates who have already completed an undergraduate degree. The
33.8 program may or may not lead to an advanced degree.

33.9 (g) "Residency," defined as a program offered in partnership with a
33.10 designated school partner that provides a year-long clinical experience integrating learning
33.11 opportunities and student teaching. A residency program uses a cohort-based model that
33.12 pairs candidates, often referred to as residents, with cooperating teachers. The residency
33.13 program must ensure each candidate is placed for a full academic year to co-teach and
33.14 participate in professional development for at least 80 percent of the contracted school week.
33.15 The residency program must ensure that each cooperating teacher serves as the teacher of
33.16 record and receives ongoing professional development in co-teaching, mentoring, and
33.17 coaching skills. Candidates may receive a stipend, salary, or other form of commensurate
33.18 financial support during the residency program.

33.19 (h) "Transfer," defined as a licensure program that meets only a subset
33.20 of licensure standards and does not recommend candidates for licensure. This program type
33.21 is only available to units approved as restricted units.

33.22 (6) The application must identify a process for continuous improvement that
33.23 includes:

33.24 (a) identification of three key assessments used to assess all candidates
33.25 and identify areas to track for program efficacy, including at least one assessment monitoring

34.1 applicable content standards in parts 8710.3000 to 8710.8080. Each assessment must monitor
34.2 no more than ten specific substandards in part 8710.2000 or content standards;

34.3 (b) attestation that all candidates must attempt board-approved content
34.4 and pedagogy exams prior to recommendation, for data on program efficacy;

34.5 (c) attestation that all candidates must submit a complete board-adopted
34.6 performance assessment prior to recommendation, for data on program efficacy; and

34.7 (d) attestation that the implementation of the battery of board-adopted
34.8 surveys must be provided for candidates, program completers at completion and one year
34.9 after completion, and the program completer's current supervisor one year after completion.

34.10 **Subp. 3. Initial review procedures.**

34.11 A. RIPAs must be initially reviewed by trained content experts and board staff
34.12 according to timelines and consistent with standards adopted by the Professional Educator
34.13 Licensing and Standards Board. During the initial review, each applicable standard in this
34.14 chapter and parts 8710.2000 to 8710.8000 that align to the licensure area must be identified
34.15 as "Met," "Met with Concern," or "Not Met." If the applicable standards are found to be
34.16 "Met" and there are no requests for a discretionary variance from standards in this chapter
34.17 or chapter 8710, the program will be recommended to the board for approval.

34.18 B. If during the initial review applicable standards are identified as "Met with
34.19 Concern" or "Not Met," the provider may choose to make changes to learning opportunities
34.20 and assessments for a second review.

34.21 C. The program review panel (PRP) must review all RIPAs with standards
34.22 identified as "Met with Concern" or "Not Met" and all RIPAs seeking a discretionary
34.23 variance from board rule. The PRP must make a recommendation to the board regarding
34.24 whether the program should be approved.

35.1 Subp. 4. **Board determinations.** The board must take one of the following actions
35.2 based upon the PRP's recommendation.

35.3 A. The board may grant initial approval for up to three years to launch the program
35.4 and to begin to collect candidate and program efficacy data needed for continuing approval.

35.5 A program with initial approval must seek continuing approval by submitting a program
35.6 effectiveness report for continuing approval (PERCA) on the same reporting cycle as the
35.7 unit.

35.8 (1) Continuing approval is granted when:

35.9 (a) data from a minimum of ten program completers shows that
35.10 candidates meet board-adopted thresholds on state-required examinations and performance
35.11 assessments; and

35.12 (b) the program continues to demonstrate compliance with the standards
35.13 and requirements of this chapter.

35.14 (2) If, after three years, the program has fewer than ten program completers,
35.15 another three years of "initial approval" shall be granted. If, after six years of "initial
35.16 approval," there are fewer than ten program completers, the program will be forwarded to
35.17 the PRP.

35.18 (3) If data from at least ten program completers shows that candidates do not
35.19 meet board-adopted thresholds on state-required examinations and performance assessments,
35.20 the program must be forwarded to the PRP.

35.21 B. The board may deny the request for initial approval. The program may not
35.22 enroll candidates. The provider may not submit a request for initial program approval until
35.23 after one year has passed since the date of the denial action.

36.1 **8705.2200 PROGRAM EFFECTIVENESS REPORT FOR CONTINUING**
36.2 **APPROVAL (PERCA).**

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

36.4 **Subp. 2. Program effectiveness report for continuing approval (PERCA).**

36.5 A. A unit must seek continuing approval of a program every three years by
36.6 submitting a program effectiveness report for continuing approval (PERCA) that includes
36.7 the following:

36.8 (1) the number of candidates enrolled and the number of program completers
36.9 in each of the last three years;

36.10 (2) aggregate candidate scores and pass rates in state-required examinations
36.11 in the last three years; and

36.12 (3) aggregate candidate scores and pass rates in board-adopted performance
36.13 assessments in the last three years.

36.14 B. The unit must report when the primary placement of one or more standards
36.15 has been changed by revising the learning opportunities and assessments described in the
36.16 online educator preparation provider application system (EPPAS) at the time of the PERCA
36.17 submission.

36.18 C. PERCAs must be reviewed according to the initial program review procedure
36.19 in part 8705.2100, subpart 3, when:

36.20 (1) significant program changes have been made such that the primary
36.21 placement of at least 25 percent of standards resulted;

36.22 (2) changes to one or more methods courses have been made; or

36.23 (3) learning opportunities and assessments specific to unit Standard 2,
36.24 subitems (4) to (8), are modified.

37.1 Subp. 3. **Program effectiveness reports for continuing approval (PERCA) review**
37.2 **procedures.**

37.3 A. PERCAs must be initially reviewed by board staff. PERCAs must be submitted
37.4 to the program review panel for review when:

37.5 (1) program changes to learning opportunities or assessments have been made
37.6 and standards are found to be "Met with Concern" or "Not Met";

37.7 (2) the program is out of compliance with one or more of the requirements
37.8 set forth in this chapter, chapter 8710, or Minnesota Statutes, chapter 122A;

37.9 (3) the program has an existing status of "approval with a continuous focus
37.10 area" and has failed to fully address its continuous focus area;

37.11 (4) the program has an existing status of "probationary"; or

37.12 (5) the program has failed to fully meet the requirements set forth by a required
37.13 interim report.

37.14 B. The PRP or board staff must make a recommendation to the board regarding
37.15 whether to approve the program.

37.16 Subp. 3a. **Board determinations.** Based on the findings of the PERCA submission
37.17 and recommendations of the PRP or board staff, the board must make one of the program
37.18 approval decisions in items A to D.

37.19 A. The board must grant continuing approval for three years when the program
37.20 report provides evidence that the program meets adopted performance standards, statutory
37.21 and rule requirements, and evidences that candidates have attained competency of licensure
37.22 standards. For federal Title II reporting, the board must identify the program as "effective"
37.23 in the state report card.

38.1 B. The board must grant continuing approval with focus areas for three years
38.2 when the program report revealed that one or more standards, rules, or candidate performance
38.3 measures were not in compliance with board criteria, including when less than 70 percent
38.4 of candidates meet board-adopted thresholds on state-required examinations and
38.5 board-adopted performance assessments. Continuing program approval status is granted
38.6 with board-identified areas of focus for continuous improvement. The continuous
38.7 improvement portion of the PERCA report must include evidence of progress in the identified
38.8 focus areas in the subsequent reporting cycle. The board must make the status of approval
38.9 with continuous improvement focus and the identified focus areas publicly available on the
38.10 board's website. Based on evidence of progress specific to the focus areas, the board may
38.11 grant an additional two years of continuing approval with continuous improvement focus.
38.12 For federal Title II reporting, the board must identify the program as "at risk of low
38.13 performing" in the state report card.

38.14 C. The board must place a program on probation for up to two years when the
38.15 program does not demonstrate acceptable progress on focused continuous improvement
38.16 plans. Probationary status authorizes the program to continue with one year to demonstrate
38.17 progress on identified unmet standards, rules, or candidate performance measures. After
38.18 one year, and based on a written progress report, the board may grant a second one-year
38.19 extension of the probationary status prior to discontinuing the identified program. Candidates
38.20 enrolled in a formerly approved program that is placed on probationary status must be
38.21 notified of the program's status. Probationary status may result in federal reporting or
38.22 financial aid implications or may impact other accreditations. For federal Title II reporting,
38.23 the board must identify the program as "low performing" in the state report card.

38.24 D. The board must discontinue a program when the failure of the program to meet
38.25 the requirements and standards in this chapter, chapter 8710, or Minnesota Statutes, chapter
38.26 122A, results in an inability to prepare candidates for licensure. When discontinuing a
38.27 program, the board must establish a timeline to accommodate candidates enrolled in the

program. No new candidates may be admitted into a discontinued program after the date the board acts to discontinue the program. The provider must submit to the board a list of candidates enrolled in the program and their expected completion dates. The provider must individually notify those candidates in writing of the program's discontinuation and their program completion options. The unit may not apply for program approval for a program that has been discontinued until at least three years have passed since the board action.

Subp. 4. [See repealer.]

8705.2600 BOARD ACTIONS, DISCRETIONARY VARIANCES, AND APPEALS.

Subpart 1. **Interim conditional approval.** When amendments or additions to Minnesota statutes or to Professional Educator Licensing and Standards Board rules regarding teacher licensure requirements necessitate substantial unit or preparation program revisions, the board may grant interim conditional approval to any currently approved unit and its currently approved teacher preparation programs upon receipt of assurances on a form established by the board that the new requirements will be met by their effective date. The unit or program is returned to its former status upon full compliance with new requirements on a schedule determined by the board.

Subp. 2. **Revocation or suspension of approval.** The board may revoke or suspend the approval status of a unit or program when the board determines that the unit violated ethical or legal practices or board rules. A provider may reapply for approval after two years have passed since the date of the board action.

Subp. 3. **Appeal of board decision.** A provider may appeal a decision by the board regarding the approval status of a unit or a program to prepare candidates for teacher licensure pursuant to Minnesota Statutes, chapter 14.

40.1 **Subp. 4. Voluntary discontinuation.**

40.2 A. For a unit to voluntarily discontinue an approved licensure program, the unit
40.3 must submit a letter signed by the unit's administration to the executive director of the board,
40.4 including:

40.5 (1) a brief rationale for discontinuing the program;

40.6 (2) the last date when new candidates are allowed to enter the program; and

40.7 (3) a list of candidates enrolled with expected completion dates.

40.8 B. The unit must notify all enrolled candidates in writing of the program's
40.9 discontinuation and their program completion options.

40.10 C. A provider must submit a request for initial program approval (RIPA)
40.11 application according to part 8705.2100 to obtain approval of a program that has been
40.12 voluntarily discontinued.

40.13 **Subp. 5. Discretionary variance.** The board may grant a discretionary variance to
40.14 authorize a provider or program to meet a requirement in this chapter in a manner other
40.15 than as specified in rule or to waive the requirement entirely when application of the
40.16 requirement would result in undue hardship. A provider may request a discretionary variance
40.17 by using a form developed by the board. To apply for a discretionary variance, a provider
40.18 must:

40.19 A. identify the requirement for which the variance is requested;

40.20 B. describe why adherence to the particular rule requirement would impose an
40.21 undue burden or hardship; and

40.22 C. describe the alternative practices or measures in place to protect the rights and
40.23 learning opportunities of candidates and students and the rationale.

The board shall review discretionary variance requests. If the discretionary variance request is denied, the board shall provide the reason for the denial. The board may attach conditions to granting the variance if it is determined that conditions are needed to protect the rights of candidates and students.

Subp. 6. Interim reports.

A. If the board identifies new or repeated violations of the requirements set forth in this chapter, chapter 8710, or Minnesota Statutes, chapter 122A, the board may require the unit to submit an interim report. The unit must submit an interim report within two months of receiving notice, and the report must include evidence of how the violations were resolved and how the unit or program has achieved compliance.

B. Upon receipt of the interim report, the board must take one or more of the following actions:

(1) notify the unit in writing that sufficient evidence has been submitted to determine that the violations identified in the interim report are "Met";

(2) change the unit's approval status to "approved with focus areas" for the remainder of the unit's approval period or until the unit provides evidence that all requirements identified in the interim report are "Met";

(3) change the unit's approval status to probationary for the remainder of the unit's approval period but no longer than two years or until the unit provides additional evidence that all requirements identified in the interim report are "Met";

(4) disapprove the unit;

(5) change a program's approval status to "approved with focus areas" for the remainder of the program's approval period or until the program provides evidence that all requirements identified in the interim report are "Met";

(6) change a program's approval status to "probationary" for the remainder of the program's approval period but no longer than two years or until the program provides evidence that all requirements identified in the interim report are "Met"; or

(7) discontinue its program or programs.

C. When taking a board action against a unit or program, the board must consider the nature and severity of the violation of law or rule and the effect of the violation on the rights of the candidates in the program.

REPEALER. Minnesota Rules, parts 8705.0200, subparts 2, 7, and 9; 8705.0300; 8705.1000; 8705.1100, subparts 1, 3, 4, and 5; 8705.1200; 8705.2200, subpart 4; 8705.2300; and 8705.2400, are repealed.

EFFECTIVE DATE. (a) Organizations seeking initial unit approval or initial program approval must meet the standards in this chapter effective January 1, 2021. Organizations may choose to meet the standards in this chapter prior to January 1, 2021.

(b) A unit must meet the standards in parts 8705.1010 and 8705.1100 by the date of the unit's first site visit occurring on or after July 1, 2022. The unit may choose to meet the standards in this chapter prior to July 1, 2022.

(c) A unit must meet the standards in parts 8705.2000 to 8705.2200 for each program seeking continuing approval by the date of the program's first PERCA submission occurring on or after July 1, 2020.

(d) Standard 24 in part 8705.1010, subpart 5, is effective three years after the date of adoption.

Date Filed: March 5, 2021
Document Number: 212617
Office of the Minnesota Secretary of State
Steve Simon