

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

ORDINANCE #05/03, AS AMENDED

**BYLAWS OF THE FOND DU LAC OJIBWE SCHOOL
CONTINUING EDUCATION COMMITTEE**

**Adopted by Resolution #1174/03 of the Fond du Lac Reservation
Business Committee on August 12, 2003.**

**Amended by Resolution #1248/05 of the Fond du Lac Reservation
Business Committee on August 25, 2005.**

CONTENTS

		<u>Page</u>
CHAPTER 1	AUTHORITY, PURPOSE & SCOPE	1
CHAPTER 2	DEFINITIONS AND INTERPRETATION	3
CHAPTER 3	ESTABLISHMENT OF THE FOND DU LAC OJIBWE SCHOOL CONTINUING EDUCATION COMMITTEE	4
CHAPTER 4	APPEAL PROCEDURES	9
CHAPTER 5	AMENDMENT OR REPEAL	10
	CERTIFICATION	10

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

ORDINANCE #05/03, AS AMENDED

BYLAWS OF THE FOND DU LAC OJIBWE SCHOOL
CONTINUING EDUCATION COMMITTEE

CHAPTER 1

AUTHORITY, PURPOSE AND SCOPE

Section 101 Authority

This Ordinance is enacted pursuant to the inherent sovereign authority of the Fond du Lac Reservation Business Committee, as the governing body of the Fond du Lac Band of Lake Superior Chippewa, as recognized under Section 16 of the Indian Reorganization Act, 25 U.S.C. § 476, the Indian Self-Determination and Education Assistance Act, 25 U.S.C. § 450 et seq., the Tribal Self-Governance Act of 1994, 25 U.S.C. § 458aa et al., and Article VI of the Revised Constitution of the Minnesota Chippewa Tribe.

Section 102 Purposes

The purposes of this Ordinance are to establish a system for evaluating continuing education activities of teachers who serve the Fond du Lac Band; to assign appropriate clock hours for those activities; and to recommend renewal of five-year continuing or professional teaching licenses in a manner which comports with the applicable rules of the Minnesota Board of Teaching.

The purpose of continuing education is to enhance the capabilities of the professional educator in performing assigned professional responsibilities. It is not intended to be primarily a reward for effort expended in lieu of other compensation. All activities for which clock hours are granted must address the standards set forth in Minnesota Rules 8710.2000, which are attached to this Ordinance.

Mandated continuing education cannot provide an absolute assurance of maturing professionalism. The major responsibility for professional growth lies with the individual. Each person who is professionally licensed must appraise his/her own growth needs and

possible growth alternatives and by actively pursuing opportunities to upgrade and improve professional capabilities. The Continuing Education Committee will provides assistance through interpretation of applicable rules and guidelines in order to provide equitable implementation and to encourage a variety of growth possibilities.

Section 103 Scope

The standards and procedures established by this Ordinance apply to all individuals who provide teaching services to the Fond du Lac Band under professional licenses which are subject to the continuing education rules of the Minnesota Board of Teaching, including vocational licenses.

Section 104 Reservation of Rights

The Reservation Business Committee reserves the right to amend or repeal all or any part of this Ordinance at any time. There shall be no vested private right of any kind created by this Ordinance. All the rights, privileges, or immunities conferred by this Ordinance or by acts done pursuant thereto shall exist subject to the power of the Reservation Business Committee. Nothing in this Ordinance shall be construed to constitute a waiver of the sovereign immunity of the Fond du Lac Band or a consent to jurisdiction by any government or forum not expressly authorized to exercise jurisdiction under this Ordinance.

CHAPTER 2

DEFINITIONS AND INTERPRETATION

Section 201 Definitions

- a. "Fond du Lac Band" shall mean the Fond du Lac Band of Lake Superior Chippewa.
- b. "Fond du Lac Reservation Business Committee" shall mean the governing body of the Fond du Lac Band.

Section 202 Interpretation

The provisions of this Ordinance shall be interpreted and administered in a manner which is intended to improve the quality of educational services provided by the Fond du Lac Band through its Division of Education.

CHAPTER 3

ESTABLISHMENT OF THE FOND DU LAC OJIBWE SCHOOL
CONTINUING EDUCATION COMMITTEE

Section 301 Establishment of the Fond du Lac Ojibwe School
Continuing Education Committee

The Fond du Lac Ojibwe School Continuing Education Committee is hereby established.

Section 302 Composition of the Committee

Members of the Continuing Education Committee shall be as follows:

- a. Five licensed teachers elected by and from among the licensed teachers employed at the Ojibwe School;
- b. One licensed person who holds an administrator's license representing the elementary and secondary administration designated by the Superintendent of Education of the Fond du Lac Band;
- c. One resident of the Fond du Lac Reservation who is not an employee of the Fond du Lac Education Division to be designated by the Fond du Lac Ojibwe School Board. School Board members are not considered to be employees of the Fond du Lac Education Division; and
- d. One licensed teacher representing the Head Start Program designated by the Head Start Director.

Section 303 Election Procedures for Committee Members

- a. The Continuing Education Committee will hold yearly elections by secret balloting.
- b. Notice of positions open on the Committee and solicitation of nominations will be publicized by the Superintendent of Education each April with a written notice to all staff members at least one month before the election.
- c. Licensed teachers employed by the Fond du Lac Band at the Ojibwe School are eligible to vote.

- d. Members of the Continuing Education Committee will be elected in May of each year for terms to begin no later than the following September. The term of office is two years. Names of Committee members will be made known to all staff following the elections in each year.
- e. In order to fill vacancies that occur during a term, the Committee will appoint an eligible replacement.

Section 304 Committee Meetings

- a. No later than the last day of September of each year the Committee will hold an organizational meeting, at which time a Chairperson and Secretary will be chosen and an orientation provided for new members. This meeting is also a regularly scheduled work meeting. A schedule of monthly meetings will be established and published to those subject to the Committee's jurisdiction.
- b. If it becomes necessary to change the date of the monthly meeting, the Committee will notify the affected persons at least one week prior to the new meeting date. Additional meetings may be called by the chairperson of the Committee or by written request of three or more of the members.
- c. For the purpose of transacting business, a quorum is more than 50 percent of the total voting membership of the Committee. A majority vote of Committee members present and voting is sufficient to take action.
- d. In order to facilitate planning of the meeting agenda, licensed staff are to submit their applications for clock hours to the Committee at least one week before a regularly scheduled meeting. To avoid a backlog of work for the Committee at any one meeting, applicants should submit requests for final approval of clock hours within one year after completion of the renewal activity.
- e. Approval for emergency requests during periods when the Committee does not meet (for example, summers) may be obtained by contacting the Chairperson or Secretary, who are authorized to consult with one or two other Committee members and take action on the emergency request. However, when a designated member other than the chairperson signs a renewal application in an emergency situation, in order to avoid return of the application because of an apparently incorrect signature, the chairperson's name is to be signed with the notation "...by (the secretary) (name of designee)". This procedure is limited to actual hardship situations and is not to be employed simply as a convenience measure or as a substitute for proper Committee action.

- f. At regular meetings of the Committee, the Chairperson apprises the members of any correspondence. The Committee receives clock hour applications and assigns the numbers of clock hours earned on permanent record forms for each licensed staff person. In order to ensure consistent and equitable interpretation, any applications that do not readily conform to established guidelines are discussed by the Committee and clock hours assigned based upon a file of past decisions and practices that is maintained for each category. A Committee member's signature is affixed to each approved clock hour application.

Section 305 Responsibilities of the Committee

- a. Establish written operational guidelines:
1. Establish meeting schedule and procedures, and assign clock hour allocations for each activity category in accordance with applicable rules.
 2. Inform staff of Committee membership in the spring by notice to all teachers.
 3. Distribute a copy of these Bylaws to each affected individual whenever significant changes are made.
 4. Hold an annual open hearing in September to allow teachers of the Ojibwe School to review guidelines and Committee operation. Notice of the hearing will be provided by written notice from the secretary at least five days in advance of the hearing. A working draft of local guidelines and proposed revisions will be available from Committee members prior to the local hearing. If possible, all Committee members will be present at the hearing. The hearing shall continue until all persons who wish to speak have had an opportunity to do so. Although input received at the hearing is not binding, the local Committee will consider modifications consistent with licensure rules, if the information received during the hearing indicates that changes are necessary or desirable.
- b. Provide recommendations to the Minnesota Board of Teaching for the renewal of teaching licenses.
1. Act, within a reasonable time, upon requests for recommendation for renewal of license by determining whether the applicant has met renewal requirements.
 2. Endorse the application for renewal of the continuing or professional license of each qualified applicant, as

evidenced by the chairperson's signature. The applicant shall assume the responsibility for making certain that the endorsed application is forwarded to the state.

3. Provide supporting evidence to the Board of teaching when an appeal is taken from a decision of the Committee.
- c. Forward complete information to the Board of Teaching in a timely manner.
- d. Provide those services and reports that may be required from time to time by the Minnesota Board of Teaching.
- e. Provide recommendations to appropriate personnel concerning the service needs of the Ojibwe School.

Section 306 Responsibilities of Committee Members

- a. Chairperson. In addition to sharing operational duties with other Committee members, the Chairperson calls and conducts meetings, prepares agendas, signs approved renewal applications, provides leadership in orienting new Committee members, serves as liaison and contact person in the Committee's relationship with outside agencies and individuals, and coordinates revision of local guidelines when needed.
- b. Secretary. In addition to sharing operational duties with other Committee members, the Secretary records the minutes of each meeting and distributes them to the Committee members and administration, at least five days before the next meeting of the Committee, handles Committee correspondence and announcements/posting, maintains relicensure records, chairs the Committee when the Chairperson is absent.

Section 307 Responsibilities of Licensees

- a. It is the responsibility of the person seeking renewal of a license to submit the application, appropriate verification, and other supporting materials to the Committee, in accordance with procedures and the due dates established by the Committee and stated in these guidelines. It is also the responsibility of the applicant to make certain that the completed application and processing fee are forwarded to the Personnel Licensing Section, Minnesota Department of Education, after endorsement by the Committee. When the renewed license is received by the applicant, a copy is to be forwarded to the Fond du Lac Human Resources Department to be placed in the permanent record file. The other copy is to be kept by the applicant. Although record keeping is one of the Committee's

functions, licensure is a personal responsibility, and each applicant is required to maintain his/her own set of records.

- b. Forms needed for the relicensure procedure may be obtained in the administrative office of the Ojibwe School.
- c. Clock hours are to be earned in two or more of the categories listed in the Minnesota Rules (attached).
- d. Although activities of several kinds are to be undertaken for clock hours, each must provide opportunity for new professional growth, as opposed to repetition of previous growth/knowledge.
- e. The applicant is to have clock hours granted by the Committee when the experience was completed. If a licensed person employed by the Ojibwe School becomes employed by a different school district during a renewal period, the applicant should request the Committee to transfer clock hours already earned and granted during that renewal period to the local Committee in the new district.

Section 308 Adoption of Teachers' Code of Ethics

The Code of Ethics for Teachers is hereby adopted as governing all teachers employed at the Ojibwe School, and is attached to this Ordinance. All teachers are expected to know, understand, and abide by the Code of Ethics.

Section 309 Committee Discretion on Granting Clock Hours

Decisions concerning whether to grant clock hours and the number of hours to be granted (within parameters of the rules) are made by the Continuing Education Committee, which also must consider other relevant factors. For example, it may determine that hours should not be granted a second time for activities that are not essentially different. On the other hand, it may determine that additional hours are applicable if new dimensions can be validated for a second experience, according to the description of the activity and the professional development objectives provided on the clock hour request form.

CHAPTER 4

APPEALS

Section 401 Appeals of Committee Decisions on Clock Hours

- a. When an applicant has not been granted the requested number of clock hours by the Committee, an appeal may be made to the Committee within 20 working days after notification of the decision. Failure to file a written request with the Committee for an appeal within 20 working days constitutes a waiver of the individual's right to appeal.
- b. Decisions by the Committee may be appealed to the Reservation Business Committee by the applicant within 30 calendar days after the date of denial.
- c. In cases where the applicant has not been granted the required number of clock hours for relicensure, the Committee will not endorse the application for renewal of the continuing license.
- d. In the event that the clock hours under appeal result in loss of licensure, it shall be the responsibility of the appellant to inform the Board of Teaching. The Board shall extend the previous license until all avenues of appeal have been exhausted.

CHAPTER 5

AMENDMENT OR REPEAL

Section 501 Amendment or Repeal


This Ordinance may be amended or repealed by duly-enacted resolution of the Reservation Business Committee.

CERTIFICATION

We do hereby certify that the foregoing Ordinance #05/03 was duly presented and adopted by Resolution #1174/03 by a vote of 3 for, 0 against, 0 silent, with a quorum of 4 being present at a Special Meeting of the Fond du Lac Reservation Business Committee held on August 12, 2003, and subsequently amended by Resolution #1248/05 on August 25, 2005, on the Fond du Lac Reservation.



Peter J. Defoe, Chairman



Kevin R. Dupuis, Sr., Sec./Treas.

APPENDICES

1. Minnesota Continuing Education Rules
2. Standards of Effective Practice for Teachers
3. Code of Ethics for Teachers
4. Clock Hour Application Forms

APPENDIX 1
MINNESOTA BOARD OF TEACHING RULES
RELATED TO CONTINUING EDUCATION/RENEWAL/RELICENSURE

8710.7000 DUTY OF LICENSEE TO RENEW

It shall be the responsibility of the person seeking the renewal of a continuing or professional teaching license to comply with licensure renewal requirements in part 8710.7100 and to submit the application, appropriate verification, and other supporting materials to the local continuing education/relicensure committee, in accordance with procedures and due dates established by that committee under part 8710.7200.

STAT AUTH: MS s 122A.09; 122A.18

HIST: 25 SR 588

Current as of 07/27/01

8710.7100 ISSUANCE AND RENEWAL OF PROFESSIONAL TEACHING
LICENSES

Subpart 1. **Scope.** This part applies to persons who have held entrance licenses and are seeking to obtain first professional licenses or to renew continuing or professional licenses issued by the Board of Teaching, except continuing licenses valid only for substitute teaching.

Subp. 2. **Professional licenses to substitute teach only.** An applicant who holds or has held a valid entrance, continuing, or professional license to teach issued by the Board of Teaching shall be granted a five-year license for short-call substitute teaching. This subpart also applies to an applicant who holds or has held a license to teach issued by another state if that license was issued based on completion of baccalaureate or postbaccalaureate teacher preparation programs.

Subp. 3. **Renewal of professional license.** A license renewal period begins on July 1 of the year of expiration. An application for renewal is accepted for processing by the Department of Children, Families, and Learning after January 1 of the year of expiration. A valid professional license shall be renewed for a subsequent period of five years when an applicant presents verification by the local continuing education/relicensure committee that the applicant has, within the past five years, successfully completed at least 125 clock hours of professional development as specified in part 8710.7200.

STAT AUTH: MS s 122A.09; 122A.18

HIST: 25 SR 588

Current as of 07/27/01

8710.7200 CLOCK HOURS; REQUIREMENTS FOR RENEWAL OF
PROFESSIONAL LICENSES

Subpart 1. Definition. "Clock hour" means an hour of actual instruction, or planned group or individual professional development activity as approved by the local continuing education/relicensure committee.

Subp. 2. Renewal clock hours. Verification by the local continuing education/relicensure committee that the applicant has completed 125 approved clock hours is required for renewal. Instruction and professional development activities meet requirements to renew licenses only if they address one or more of the standards in part 8710.2000. Effective for renewal of continuing licenses which expire on June 30, 2001, and after, applicants must include in their 125 clock hours instruction or other professional development activities which address positive behavioral intervention strategies and accommodation, modification, and adaptation of curriculum, materials, and instruction to appropriately meet the needs of varied students in achieving graduation standards.

Subp. 3. Categories for clock hour allocation. Verification of completion of experiences must be submitted by the applicant to the local committee. Clock hours must be earned in two or more of the categories in items A to I:

A. relevant coursework completed at accredited colleges and universities;

B. educational workshops, conferences, institutes, seminars, or lectures in areas appropriate to licenses held;

C. staff development activities, inservice meetings, and courses;

D. site, district, regional, state, national, or international curriculum development;

E. engagement in formal peer coaching or mentorship relationships with colleagues that addresses one or more of the standards in part 8710.2000;

F. professional service in the following areas:

(1) supervision of clinical experiences of persons enrolled in teacher preparation programs;

(2) participation on national, state, and local committees involved with licensure, teacher education, or professional standards; or

(3) participation in national, regional, or state accreditation;

G. leadership experiences in the following areas:

- (1) development of new or broader skills and sensitivities to the school, community, or profession;
- (2) publication of professional articles in a professional journal in an appropriate field; or
- (3) volunteer work in professional organizations related to the areas of licensure held;

H. opportunities to enhance knowledge and understanding of diverse educational settings in the following areas:

- (1) experiences with students of another age, ability, culture, or socioeconomic level; or
- (2) systematic, purposeful observation during visits to schools and to related business and industry; and

I. preapproved travel or work experience:

- (1) travel for purposes of improving instructional capabilities related to the field of licensure; or
- (2) work experience in business or industry appropriate to the field of licensure.

Subp. 4. Maximum allocation. Effective for all experiences completed after June 30, 2000, the local continuing education/relicensure committee shall grant clock hours on the following basis:

A. Relevant coursework under subpart 3, item A, must be granted 16 clock hours for each quarter credit earned, and 24 clock hours for each semester credit earned.

B. Successful completion of activities under subpart 3, items B to I, must be granted one clock hour for each hour of participation with the following exceptions:

- (1) Supervision of clinical experiences of persons enrolled in teacher licensure programs for one quarter equals 16 clock hours or one semester equals 24 clock hours. No more than 30 clock hours may be granted in a five-year relicensure period for supervision.

- (2) One week of preapproved travel or work experience for purposes of improving instructional capabilities equals ten clock hours. No more than 30 clock hours may be granted in a five-year relicensure period for travel or work experience. The limit of 30 clock hours may be waived when the local committee determines that the preapproved travel or work experience is critical to the teacher's advanced or current skills for the teacher's assignment; for example, travel to experience language or cultural immersion by a teacher of world language.

Subp. 5. Exception for national board certification. A local continuing education committee shall accept verification that a teacher is actively engaged in and making progress toward National Board of Professional Standards Certification or other national professional teaching certification approved by the Board of Teaching at the time of renewal as equivalent to fulfilling all clock hour requirements for continuing license renewal. A local continuing education committee shall accept verification that a teacher has earned National Board or other approved certification as equivalent to all clock hour requirements during the life of the certificate. If the certificate expires during the five-year renewal period, the local committee shall prorate hours completed under this exception and require completion of a prorated number of clock hours for the years the certificate is not in effect.

Subp. 6. Exception for local option. The Board of Teaching shall approve requests submitted by local committees that, through their school district master contracts or other official agreements between the local school board and its teachers, wish to substitute development and implementation of individualized professional development plans for some or all of the clock hour requirements for renewal of continuing licenses, provided that each individualized professional development plan:

A. is designed primarily to enhance the teacher's ability to effect increased student learning;

B. focuses on standards in part 8710.2000 and specific content knowledge required for the teacher's assignment;

C. includes management and monitoring of student learning, including positive behavioral interventions and adaptation and modification of curriculum, instruction, and assessment to assist varied student learners in achieving graduation standards;

D. includes a focus on research-based best practice;

E. identifies the procedures and criteria by which successful development and implementation of the individualized professional development plan will be validated and communicated with the local continuing education committee; and

F. requires that each teacher's individualized professional development plan equal or exceed 125 hours of professional development activities during the five-year period.

Subp. 7. Experience for clock hour credit. Except for subpart 3, item H, subitem (1), teaching experiences for which licensure is required shall not qualify for clock hour credit.

Subp. 8. Period for earning clock hours. An applicant requesting renewal of a license to teach must earn a minimum of 125 clock hours during each five-year period preceding application for licensure

renewal. An applicant may not bank clock hours for purposes of relicensure, but clock hours earned after an application for renewal has been submitted may be applied to the next renewal period.

Subp. 9. School staff development. Instruction and professional development activities provided by a school may be included among the clock hours in this part.

Subp. 10. Renewal of license for two or more areas. An applicant who seeks renewal of a continuing license for two or more areas should allocate at least 30 clock hours to each of the licensure areas for a total of no fewer than 125 clock hours, with priority given to work in areas where the candidate is employed during the licensure period. An applicant who holds an administrative license or licenses may allocate clock hours for the renewal of teaching licensure under this subpart.

Subp. 11. Denial of clock hours. A local committee shall not grant clock hours for experiences that are primarily for personal rather than professional improvement or for experiences that duplicate other granted clock hour experiences without new or enhanced professional development value.

STAT AUTH: MS s 122A.09; 122A.18

HIST: 25 SR 588

Current as of 07/27/01

8710.7300 LOCAL COMMITTEES FOR CONTINUING EDUCATION AND RELICENSURE

Subpart 1. Membership. A local committee 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.

C. One resident of the district who is not an employee of the district, to be designated by the local school board. School board members are not considered to be employees of the district.

Subp. 2. Notice of election; election. All members of an appropriate voting group shall be notified of the date of the election at least five days prior to the election. The election shall be held at a convenient time and place and shall be by secret ballot.

Members of the local committee shall be elected in May of each year for terms to begin no later than the following September 1. The term of office of members of the local committee shall be two years.

Subp. 3. Continuing education committee. In districts where either teachers or administrators with the specified qualifications are not available for service on the local committee, the superintendent will report the situation to the Board of Teaching who shall make special provisions for establishing a continuing education committee.

Subp. 4. Organizational meeting. The local committee shall hold its organizational meeting no later than September of each year. At the organizational meeting the local committee shall elect a chair and secretary whose duties shall be established by the local committee.

Subp. 5. School district assistance. Release time or a per diem stipend may be provided by the local school district to each local committee member to attend local committee meetings.

Clerical assistance and supplies as requested by the local committee may be provided by the local school district in sufficient amount to enable the local committee to comply with the recordkeeping and reporting required.

Subp. 6. Quorum; calling meetings. A quorum shall be more than 50 percent of the total voting membership of the committee. A majority vote of those voting members present shall be sufficient to take action. Meetings may be called by the chair of the committee or by written request of three or more of the members. Notice of meetings shall be provided to each member of the committee at least five days prior to the date of the meeting, and shall be posted or otherwise advertised in such a manner as to provide reasonable notice to those teachers subject to the actions of the committee.

Subp. 7. Duties. The duties of the local committee are as follows:

A. Set procedures for its own operation:

(1) establish written guidelines which include time, place, and procedures for local committee meetings; and procedures for local committee operations, including a procedure for emergency approval during periods when the committee is not regularly meeting;

(2) make the guidelines available to persons interested in or affected by decisions of the local committee, together with a list of the current local committee membership; and

(3) hold a hearing annually to allow the teachers in the district to review proposed or revised guidelines established by the local committee.

A working draft of local guidelines and proposed revisions shall be made available prior to the local hearing.

The local committee shall schedule the hearing at a time and place which is convenient for those interested in or affected by the guidelines to be able to attend.

Adequate and proper notice shall be given to all such persons within the district.

All local committee members should be present at the hearing.

The hearing shall continue until all persons who wish to speak have had an opportunity to do so.

Although input received at the hearing is not binding, the local committee is encouraged to modify its guidelines, insofar as modifications are consistent with chapters 8700 and 8710, if the information received during the hearing indicates that changes are necessary or desirable.

B. Provide recommendations to the Board of Teaching for the renewal of teaching licenses:

(1) Make recommendations regarding the issuance of the first continuing license by verifying one year of successful teaching experience for individuals on an entrance license. Successful teaching shall be determined by satisfying one or more of the following three criteria: a teacher receives an offer of a contract for the ensuing year; a teacher gains tenure or acquires a continuing contract; or supportive evidence is presented from supervisory personnel, professional colleagues, and/or administrators.

This experience shall be verified by the local committee chair or designee, whose name shall be on file with the Board of Teaching.

(2) Act, within a reasonable time, upon requests for recommendation for renewal of the continuing license by determining whether the applicant has met the requirements for renewal in part 8710.7100.

(3) Endorse the application for first issuance or renewal of the continuing license of each qualified applicant. The applicant shall assume the responsibility for forwarding the endorsed application to the department of children, families, and learning.

(4) Provide supporting evidence to the Board of Teaching when a decision of the local committee is appealed.

C. Forward to the Board of Teaching the following information according to the due dates in this rule:

(1) Prior to November 1 of each year, verification of the current membership of the local committee.

(2) Prior to receiving approval from the Board of Teaching to

operate as a local committee, a copy of the published local committee guidelines. At the time that substantial changes are made in local guidelines, a revised copy of these guidelines shall be forwarded to the Board of Teaching.

(3) During February of each year, any recommendations for modifications of state continuing licensure renewal requirements, based upon an evaluation of procedures and criteria or granting clock hours.

D. Provide those services and reports that may be required from time to time by the Board of Teaching.

E. Provide recommendations to appropriate personnel concerning the in-service needs of the district.

Subp. 8. Transfer of clock hours. If a licensed person under the jurisdiction of one local committee moves to the jurisdiction of a different local committee during a renewal period, clock hours already earned and granted during that renewal period are transferred to the new local committee. Clock hours shall be accepted by that committee.

Subp. 9. Grantor of clock hours. Clock hours shall be granted by the committee of the district where the applicant was employed at the time that the experience was completed.

Persons who have not been or are not currently employed by a school will be granted clock hours in either of the following ways:

A. by the local committee of the district where the applicant was last employed; or

B. by the local committee of the district where the applicant currently resides, if accepted by the local committee.

Subp. 10. Renewal for persons not continually employed in Minnesota. Persons who have never been employed on a continuing basis by a school district in Minnesota shall affiliate with the local committee in the district in which they reside.

Subp. 11. Renewal for out-of-state residents. A person residing out of Minnesota who wishes to maintain continuing Minnesota licensure may make application for renewal to the Board of Teaching according to parts 8710.7100 and 8710.7300.

Subp. 12. Rule information. The board of teaching shall provide each local committee with current Board of Teaching rules which pertain to licensure.

Subp. 13. Option for formation of joint local committees. Two or more districts situated in close proximity to each other shall have the option of joining together to establish a joint local committee.

A plan for two or more districts to formulate a joint local

committee shall be drawn up by a committee consisting of two teachers, one administrator, and one school board member or a designee, from each participating district, and be ratified by at least 70 percent of the licensed personnel employed by each participating district. The plan shall provide for fair representation of all licensed personnel.

The ratified plan shall be submitted by the superintendent of the district employing the largest number of licensed personnel to the Board of Teaching.

The joint local committee shall be treated as any local committee and shall comply with parts 8700.0900 to 8700.2000 and 8710.7300 to 8710.7700.

Subp. 14. Local committees in school district consortia and Department of Children, Families, and Learning.

A. Licensed personnel employed by a Minnesota public school district consortium that is authorized by Minnesota statutes or a consortium of charter schools may establish a local committee for the same purpose as local committees established by public school districts. The Department of Children, Families, and Learning may establish a local committee to serve licensed teachers who work for state government.

B. When possible, the committees authorized in item A shall be established according to subpart 1. The committees shall function in the same manner as provided for committees of public school districts and in a way that provides fair representation for all licensed personnel and objective evaluation of requests for renewal of licenses. Duties of the committee and criteria for granting clock hours shall be identical to those for committees of public school districts.

STAT AUTH: MS s 122A.09; 122A.18; 125.05; 125.185

HIST: 12 SR 412; 14 SR 165; 7 SR 1279; L 1998 c 397 art 11 s 3; 25 SR 588

Current as of 07/27/01

8710.7400 LOCAL COMMITTEES IN NONPUBLIC SCHOOLS

Subpart 1. Nonpublic school only. Licensed personnel in a nonpublic school may establish a local committee for the same purpose as local committees established by public school districts. Licensed personnel in two or more nonpublic schools may combine to form a local committee upon the agreement of 70 percent of the licensed personnel in each school. The chair of the committee shall submit to the Board of Teaching, on an annual basis no later than November 1 of each year, verification of the membership of the committee and verification of the school or schools whose personnel have established the committee.

Subp. 2. Nonpublic and public schools. Licensed personnel in one or more nonpublic schools may join with an appropriate public school district in the establishment of a local committee, provided that 70 percent of the licensed personnel from each nonpublic school and 70 percent of the licensed personnel employed by the public school district agree to such a committee. The superintendent of the district shall submit to the director of licensing verification of the membership of the committee and verification of the nonpublic schools whose personnel have joined in the establishment of the committee.

Subp. 3. Committee conduct. Insofar as possible, the committees authorized in subparts 1 and 2 shall be established and shall function in the same manner as provided for committees of public school districts and in such way as to provide fair representation for all licensed personnel and objective evaluation of requests for renewal of licenses. Duties of the committee and criteria for granting clock hours shall be identical to those for committees of public school districts.

STAT AUTH: MS s 122A.09; 122A.18; 125.05; 125.185
HIST: 17 SR 1279; L 1998 c 397 art 11 s 3; 25 SR 588
Current as of 07/27/01

8710.7500 LOCAL COMMITTEE OF COLLEGE OR UNIVERSITY

A college or university approved to prepare teachers for licensure in education may form a local committee or combine with other approved colleges or universities to form joint committees. Licensed personnel in approved colleges or universities may affiliate with a local committee established in a local school district or nonpublic school. Duties of the committee and criteria for granting clock hours shall be identical to those for committees of public school districts.

STAT AUTH: MS s 122A.09; 122A.18; 125.05; 125.185
HIST: L 1998 c 397 art 11 s 3; 25 SR 588
Current as of 07/27/01

8710.7600 RIGHT OF APPEAL.

Subpart 1. Appeal to local committee. When an applicant has not been granted the requested number of clock hours by a local continuing education/relicensure committee, an appeal may be made to the local committee. An applicant must appeal to the local committee within 20 working days after notification of the decision of the local committee. Failure to file a written request with the local committee for an appeal within 20 working days constitutes a waiver of the individual's right to appeal.

Subp. 2. Appeal to Board of Teaching. Decisions by a local committee for continuing education/relicensure denying the appeal may be appealed to the Board of Teaching by the applicant according to part 8710.0900.

Subp. 3. Nonendorsement of application by local committee. In cases where the applicant has not been granted the required number of clock hours for relicensure, local committees shall not endorse the application for renewal of the continuing license.

Subp. 4. Licensure extension during appeal. The Board of Teaching shall extend the previous continuing license until all avenues of administrative appeal have been exhausted.

STAT AUTH: MS s 122A.09; 122A.18; 125.05; 125.185

HIST: 12 SR 412; L 1998 c 397 art 11 s 3; 23 SR 1928; 25 SR 588

Current as of 07/27/01

8710.7700 REVIEW OF LOCAL COMMITTEE FUNCTIONS

The Board of Teaching shall review the compliance of the local committees with parts 8710.7300, 8710.7400, and 8710.7500, as applicable, at least once in each five-year period beginning in the 2000 calendar year.

STAT AUTH: MS s 122A.09; 122A.18; 125.05; 125.185

HIST: L 1998 c 397 art 11 s 3; 25 SR 588

Current as of 07/27/01

APPENDIX 2
STANDARDS OF EFFECTIVE PRACTICE FOR TEACHERS
(MINNESOTA RULES PART 8710.2000)

Subpart 1. Standards. A candidate for teacher licensure shall show verification of completing the standards in subparts 2 to 11 in a teacher preparation program approved under part 8700.7600.

Subp. 2. Standard 1, subject matter. A teacher must understand the central concepts, tools of inquiry, and structures of the disciplines taught and be able to create learning experiences that make these aspects of subject matter meaningful for students. The teacher must:

A. understand major concepts, assumptions, debates, processes of inquiry, and ways of knowing that are central to the disciplines taught;

B. understand how students' conceptual frameworks and misconceptions for an area of knowledge can influence the students' learning;

C. connect disciplinary knowledge to other subject areas and to everyday life;

D. understand that subject matter knowledge is not a fixed body of facts but is complex and ever developing;

E. use multiple representations and explanations of subject matter concepts to capture key ideas and link them to students' prior understandings;

F. use varied viewpoints, theories, ways of knowing, and methods of inquiry in teaching subject matter concepts;

G. evaluate teaching resources and curriculum materials for comprehensiveness, accuracy, and usefulness for presenting particular ideas and concepts;

H. engage students in generating knowledge and testing hypotheses according to the methods of inquiry and standards of evidence used in the discipline;

I. develop and use curricula that encourage students to understand, analyze, interpret, and apply ideas from varied perspectives; and

J. design interdisciplinary learning experiences that allow students to integrate knowledge, skills, and methods of inquiry across several subject areas.

Subp. 3. Standard 2, student learning. A teacher must understand how students learn and develop and must provide learning opportunities that support a student's intellectual, social, and personal development. The teacher must:

A. understand how students internalize knowledge, acquire skills, and develop thinking behaviors, and know how to use instructional strategies that promote student learning;

B. understand that a student's physical, social, emotional, moral, and cognitive development influence learning and know how to address these factors when making instructional decisions;

C. understand developmental progressions of learners and ranges of individual variation within the physical, social, emotional, moral, and cognitive domains, be able to identify levels of readiness in learning, and understand how development in any one domain may affect performance in others;

D. use a student's strengths as a basis for growth, and a student's errors as opportunities for learning;

E. assess both individual and group performance and design developmentally appropriate instruction that meets the student's current needs in the cognitive, social, emotional, moral, and physical domains;

F. link new ideas to familiar ideas; make connections to a student's experiences; provide opportunities for active engagement, manipulation, and testing of ideas and materials; and encourage students to assume responsibility for shaping their learning tasks; and

G. use a student's thinking and experiences as a resource in planning instructional activities by encouraging discussion, listening and responding to group interaction, and eliciting oral, written, and other samples of student thinking.

Subp. 4. Standard 3, diverse learners. A teacher must understand how students differ in their approaches to learning and create instructional opportunities that are adapted to students with diverse backgrounds and exceptionalities. The teacher must:

A. understand and identify differences in approaches to learning and performance, including varied learning styles and performance modes and multiple intelligences; and know how to design instruction that uses a student's strengths as the basis for continued learning;

B. know about areas of exceptionality in learning, including learning disabilities, perceptual difficulties, and special physical or mental challenges, gifts, and talents;

C. know about the process of second language acquisition and about strategies to support the learning of students whose first language is not English;

D. understand how to recognize and deal with dehumanizing biases, discrimination, prejudices, and institutional and personal racism and sexism;

E. understand how a student's learning is influenced by individual experiences, talents, and prior learning, as well as language, culture, family, and community values;

F. understand the contributions and lifestyles of the various racial, cultural, and economic groups in our society;

G. understand the cultural content, world view, and concepts that comprise Minnesota-based American Indian tribal government, history, language, and culture;

H. understand cultural and community diversity; and know how to learn about and incorporate a student's experiences, cultures, and community resources into instruction;

I. understand that all students can and should learn at the highest possible levels and persist in helping all students achieve success;

J. know about community and cultural norms;

K. identify and design instruction appropriate to a student's stages of development, learning styles, strengths, and needs;

L. use teaching approaches that are sensitive to the varied experiences of students and that address different learning and performance modes;

M. accommodate a student's learning differences or needs regarding time and circumstances for work, tasks assigned, communication, and response modes;

N. identify when and how to access appropriate services or resources to meet exceptional learning needs;

O. use information about students' families, cultures, and communities as the basis for connecting instruction to students' experiences;

P. bring multiple perspectives to the discussion of subject matter, including attention to a student's personal, family, and community experiences and cultural norms; and

Q. develop a learning community in which individual differences are respected.

Subp. 5. Standard 4, instructional strategies. A teacher must understand and use a variety of instructional strategies to encourage student development of critical thinking, problem solving, and performance skills. The teacher must:

A. understand Minnesota's graduation standards and how to implement them;

B. understand the cognitive processes associated with various kinds of learning and how these processes can be stimulated;

C. understand principles and techniques, along with advantages and limitations, associated with various instructional strategies;

D. enhance learning through the use of a wide variety of materials and human and technological resources;

E. nurture the development of student critical thinking, independent problem solving, and performance capabilities;

F. demonstrate flexibility and reciprocity in the teaching process as necessary for adapting instruction to student responses, ideas, and needs;

G. design teaching strategies and materials to achieve different instructional purposes and to meet student needs including developmental stages, prior knowledge, learning styles, and interests;

H. use multiple teaching and learning strategies to engage students in active learning opportunities that promote the development of critical thinking, problem solving, and performance capabilities and that help students assume responsibility for identifying and using learning resources;

I. monitor and adjust strategies in response to learner feedback;

J. vary the instructional process to address the content and purposes of instruction and the needs of students;

K. develop a variety of clear, accurate presentations and representations of concepts, using alternative explanations to assist students' understanding and present varied perspectives to encourage critical thinking; and

L. use educational technology to broaden student knowledge about technology, to deliver instruction to students at different levels and paces, and to stimulate advanced levels of learning.

Subp. 6. Standard 5, learning environment. A teacher must be able to use an understanding of individual and group motivation and behavior to create learning environments that encourage positive social interaction, active engagement in learning, and self-motivation. The teacher must:

A. understand human motivation and behavior and draw from the foundational sciences of psychology, anthropology, and sociology to develop strategies for organizing and supporting individual and group work;

B. understand how social groups function and influence people, and how people influence groups;

- C. know how to create learning environments that contribute to the self-esteem of all persons and to positive interpersonal relations;
- D. know how to help people work productively and cooperatively with each other in complex social settings;
- E. understand the principles of effective classroom management and use a range of strategies to promote positive relationships, cooperation, and purposeful learning in the classroom;
- F. know factors and situations that are likely to promote or diminish intrinsic motivation and how to help students become self-motivated;
- G. understand how participation supports commitment;
- H. establish a positive climate in the classroom and participate in maintaining a positive climate in the school as a whole;
- I. establish peer relationships to promote learning;
- J. recognize the relationship of intrinsic motivation to student lifelong growth and learning;
- K. use different motivational strategies that are likely to encourage continuous development of individual learner abilities;
- L. design and manage learning communities in which students assume responsibility for themselves and one another, participate in decision making, work both collaboratively and independently, and engage in purposeful learning activities;
- M. engage students in individual and group learning activities that help them develop the motivation to achieve, by relating lessons to students' personal interests, allowing students to have choices in their learning, and leading students to ask questions and pursue problems that are meaningful to them and the learning;
- N. organize, allocate, and manage the resources of time, space, activities, and attention to provide active engagement of all students in productive tasks;
- O. maximize the amount of class time spent in learning by creating expectations and processes for communication and behavior along with a physical setting conducive to classroom goals;
- P. develop expectations for student interactions, academic discussions, and individual and group responsibility that create a positive classroom climate of openness, mutual respect, support, inquiry, and learning;
- Q. analyze the classroom environment and make decisions and adjustments to enhance social relationships, student motivation and engagement, and productive work; and

R. organize, prepare students for, and monitor independent and group work that allows for full, varied, and effective participation of all individuals.

Subp. 7. Standard 6, communication. A teacher must be able to use knowledge of effective verbal, nonverbal, and media communication techniques to foster active inquiry, collaboration, and supportive interaction in the classroom. The teacher must:

A. understand communication theory, language development, and the role of language in learning;

B. understand how cultural and gender differences can affect communication in the classroom;

C. understand the importance of nonverbal as well as verbal communication;

D. know effective verbal, nonverbal, and media communication techniques;

E. understand the power of language for fostering self-expression, identity development, and learning;

F. use effective listening techniques;

G. foster sensitive communication by and among all students in the class;

H. use effective communication strategies in conveying ideas and information and in asking questions;

I. support and expand learner expression in speaking, writing, and other media;

J. know how to ask questions and stimulate discussion in different ways for particular purposes, including probing for learner understanding, helping students articulate their ideas and thinking processes, promoting productive risk-taking and problem-solving, facilitating factual recall, encouraging convergent and divergent thinking, stimulating curiosity, and helping students to question; and

K. use a variety of media communication tools, including audiovisual aids and computers, including educational technology, to enrich learning opportunities.

Subp. 8. Standard 7, planning instruction. A teacher must be able to plan and manage instruction based upon knowledge of subject matter, students, the community, and curriculum goals. The teacher must:

- A. understand learning theory, subject matter, curriculum development, and student development and know how to use this knowledge in planning instruction to meet curriculum goals;
- B. plan instruction using contextual considerations that bridge curriculum and student experiences;
- C. plan instructional programs that accommodate individual student learning styles and performance modes;
- D. create short-range and long-range plans that are linked to student needs and performance;
- E. plan instructional programs that accommodate individual student learning styles and performance modes;
- F. design lessons and activities that operate at multiple levels to meet the developmental and individual needs of students and to help all progress;
- G. implement learning experiences that are appropriate for curriculum goals, relevant to learners, and based on principles of effective instruction including activating student prior knowledge, anticipating preconceptions, encouraging exploration and problem solving, and building new skills on those previously acquired; and
- H. evaluate plans in relation to short-range and long-range goals, and systematically adjust plans to meet student needs and enhance learning.

Subp. 9. Standard 8, assessment. A teacher must understand and be able to use formal and informal assessment strategies to evaluate and ensure the continuous intellectual, social, and physical development of the student. The teacher must:

- A. be able to assess student performance toward achievement of the Minnesota graduation standards under chapter 3501;
- B. understand the characteristics, uses, advantages, and limitations of different types of assessments including criterion-referenced and norm-referenced instruments, traditional standardized and performance-based tests, observation systems, and assessments of student work;
- C. understand the purpose of and differences between assessment and evaluation;
- D. understand measurement theory and assessment-related issues, including validity, reliability, bias, and scoring concerns;
- E. select, construct, and use assessment strategies, instruments, and technology appropriate to the learning outcomes being evaluated and to other diagnostic purposes;

F. use assessment to identify student strengths and promote student growth and to maximize student access to learning opportunities;

G. use varied and appropriate formal and informal assessment techniques including observation, portfolios of student work, teacher-made tests, performance tasks, projects, student self-assessments, peer assessment, and standardized tests;

H. use assessment data and other information about student experiences, learning behaviors, needs, and progress to increase knowledge of students, evaluate student progress and performance, and modify teaching and learning strategies;

I. implement students' self-assessment activities to help them identify their own strengths and needs and to encourage them to set personal goals for learning;

J. evaluate the effect of class activities on both individuals and the class as a whole using information gained through observation of classroom interactions, questioning, and analysis of student work;

K. monitor teaching strategies and behaviors in relation to student success to modify plans and instructional approaches to achieve student goals;

L. establish and maintain student records of work and performance;
and

M. responsibly communicate student progress based on appropriate indicators to students, parents or guardians, and other colleagues.

Subp. 10. Standard 9, reflection and professional development. A teacher must be a reflective practitioner who continually evaluates the effects of choices and actions on others, including students, parents, and other professionals in the learning community, and who actively seeks out opportunities for professional growth. The teacher must:

A. understand the historical and philosophical foundations of education;

B. understand methods of inquiry, self-assessment, and problem-solving strategies for use in professional self-assessment;

C. understand the influences of the teacher's behavior on student growth and learning;

D. know major areas of research on teaching and of resources available for professional development;

E. understand the role of reflection and self-assessment on continual learning;

F. understand the value of critical thinking and self-directed learning;

G. understand professional responsibility and the need to engage in and support appropriate professional practices for self and colleagues;

H. use classroom observation, information about students, and research as sources for evaluating the outcomes of teaching and learning and as a basis for reflecting on and revising practice;

I. use professional literature, colleagues, and other resources to support development as both a student and a teacher;

J. collaboratively use professional colleagues within the school and other professional arenas as supports for reflection, problem-solving, and new ideas, actively sharing experiences, and seeking and giving feedback;

K. understand standards of professional conduct in the Code of Ethics for Minnesota Teachers in part 8700.7500; and

L. understand the responsibility for obtaining and maintaining licensure, the role of the teacher as a public employee, and the purpose and contributions of educational organizations.

Subp. 11. Standard 10, collaboration, ethics, and relationships. A teacher must be able to communicate and interact with parents or guardians, families, school colleagues, and the community to support student learning and well-being. The teacher must:

A. understand schools as organizations within the larger community context and understand the operations of the relevant aspects of the systems within which the teacher works;

B. understand how factors in a student's environment outside of school, including family circumstances, community environments, health and economic conditions, may influence student life and learning;

C. understand student rights and teacher responsibilities to equal education, appropriate education for students with disabilities, confidentiality, privacy, appropriate treatment of students, and reporting in situations of known or suspected abuse or neglect;

D. understand the concept of addressing the needs of the whole learner;

E. understand the influence of use and misuse of tobacco, alcohol, drugs, and other chemicals on student life and learning;

F. understand data practices;

G. collaborate with other professionals to improve the overall learning environment for students;

H. collaborate in activities designed to make the entire school a productive learning environment;

I. consult with parents, counselors, teachers of other classes and activities within the school, and professionals in other community agencies to link student environments;

J. identify and use community resources to foster student learning;

K. establish productive relationships with parents and guardians in support of student learning and well-being; and

L. understand mandatory reporting laws and rules.

STAT AUTH: MS s 122A.09; 122A.18

HIST: 23 SR 1928

Current as of 07/27/01

APPENDIX 3
MINNESOTA CODE OF ETHICS FOR TEACHERS

8700.7500 CODE OF ETHICS FOR MINNESOTA TEACHERS

Subpart 1. Scope. Each teacher, upon entering the teaching profession, assumes a number of obligations, one of which is to adhere to a set of principles which defines professional conduct. These principles are reflected in the following code of ethics, which sets forth to the education profession and the public it serves standards of professional conduct and procedures for implementation.

This code shall apply to all persons licensed according to rules established by the Board of Teaching.

Subp. 2. Standards of professional conduct. The standards of professional conduct are as follows:

- A. A teacher shall provide professional education services in a nondiscriminatory manner.
- B. A teacher shall make reasonable effort to protect the student from conditions harmful to health and safety.
- C. In accordance with state and federal laws, a teacher shall disclose confidential information about individuals only when a compelling professional purpose is served or when required by law.
- D. A teacher shall take reasonable disciplinary action in exercising the authority to provide an atmosphere conducive to learning.
- E. A teacher shall not use professional relationships with students, parents, and colleagues to private advantage.
- F. A teacher shall delegate authority for teaching responsibilities only to licensed personnel.
- G. A teacher shall not deliberately suppress or distort subject matter.
- H. A teacher shall not knowingly falsify or misrepresent records or facts relating to that teacher's own qualifications or to other teachers' qualifications.
- I. A teacher shall not knowingly make false or malicious statements about students or colleagues.
- J. A teacher shall accept a contract for a teaching position that requires licensing only if properly or provisionally licensed for that position.

Subp. 3. Statutory enforcement of code: complaints, investigation, and hearing.

A. The enforcement of the provisions of the code of ethics for Minnesota teachers shall be in accord with Minnesota Statutes, section 214.10: "Minnesota Statutes, section 214.10, complaints; investigation and hearing.

Subd. 1. Receipt of complaint. The executive secretary of a board, a board member or any other person who performs services for the board who receives a complaint or other communication, whether oral or written, which complaint or communication alleges or implies a violation of a statute or rule which the board is empowered to enforce, shall promptly forward the substance of the communication on a form prepared by the attorney general to the designee of the attorney general responsible for providing legal services to the board. Before proceeding further with the communication, the designee of the attorney general may require the complaining party to state the complaint in writing on a form prepared by the attorney general. Complaints which relate to matters within the jurisdiction of another governmental agency shall be forwarded to that agency by the executive secretary. An officer of that agency shall advise the executive secretary of the disposition of that complaint. A complaint received by another agency which relates to a statute or rule which a licensing board is empowered to enforce shall be forwarded to the executive secretary of the board to be processed in accordance with this section.

Subd. 2. Investigation and hearing. The designee of the attorney general providing legal services to a board shall evaluate the communications forwarded by the board or its members or staff. If the communication alleges a violation of statute or rule which the board is to enforce, the designee is empowered to investigate the facts alleged in the communication. In the process of evaluation and investigation, the designee shall consult with or seek the assistance of the executive secretary or, if the board determines, a member of the board who has been designated by the board to assist the designee. The designee may also consult with or seek the assistance of any other qualified persons who are not members of the board who the designee believes will materially aid in the process of evaluation or investigation. The executive secretary or the consulted board member may attempt to correct improper activities and redress grievances through education, conference, conciliation, and persuasion, and in these attempts may be assisted by the designee of the attorney general. If the attempts at correction or redress do not produce satisfactory results in the opinion of the executive secretary or the consulted board member, or if after investigation the designee providing legal services to the board, the executive secretary or the consulted board member believes that the communication and the investigation suggest illegal or unauthorized activities warranting board action, the designee shall inform the executive secretary of the board who shall schedule a disciplinary hearing in accordance with Minnesota Statutes, chapter 14. Before the holding of a disciplinary hearing may be directed,

the designee or executive secretary shall have considered the recommendations of the consulted board member. Before scheduling a disciplinary hearing, the executive secretary must have received a verified written complaint from the complaining party. A board member who was consulted during the course of an investigation may participate at the hearing but may not vote on any matter pertaining to the case. The executive secretary of the board shall promptly inform the complaining party of the final disposition of the complaint. Nothing in this section shall preclude the board from scheduling, on its own motion, a disciplinary hearing based upon the findings or report of the board's executive secretary, a board member or the designee of the attorney general assigned to the board. Nothing in this section shall preclude a member of the board or its executive secretary from initiating a complaint.

Subd. 3. Discovery; subpoenas. In all matters pending before it relating to its lawful regulation activities, a board may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary material. Any person failing or refusing to appear or testify regarding any matter about which the person may be lawfully questioned or produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by order to the board or by a subpoena of the board to do so may, upon application to the district court in any district, be ordered to comply therewith. The chair of the board acting on behalf of the board may issue subpoenas and any board member may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any person named therein, anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions, with the same fees and mileage and in the same manner as prescribed by law for service of process issued out of the district court of this state. Fees and mileage and other costs shall be paid as the board directs."

Subp. 4. Complaints handled by board. When oral complaints alleging violations of the code of ethics are received, the executive secretary of the Board of Teaching shall request the complaining party to submit the complaint in writing within ten days.

Upon the receipt of a complaint in writing alleging violations of the code of ethics, the teacher named in the complaint shall be notified in writing within ten days of the receipt of the complaint.

The teacher shall be entitled to be represented by the teacher's own counsel or representative at each stage of the investigation and hearing.

Subp. 5. Enforcement procedures. The Board of Teaching may impose one or more of the following penalties when it has found a violation of the code of ethics. These actions shall be taken only after all previous efforts at remediation have been exhausted.

A. The Board of Teaching may enter into agreements with teachers accused of violating the code of ethics which would suspend or terminate proceedings against the teacher on conditions agreeable to both parties.

B. A letter of censure from the Board of Teaching may be sent to the person determined to be in violation of the standards of the code of ethics. A copy of the letter shall be filed with the Board of Teaching. Such letters shall be kept on file for a period of time not to exceed one calendar year.

C. A teacher who has been found to have violated the code of ethics may be placed on probationary licensure status for a period of time to be determined by the Board of Teaching. The board may impose conditions on the teacher during the probationary period which are to be directed toward improving the teacher's performance in the area of the violation. During this period, the teacher's performance or conduct will be subject to review by the Board of Teaching or its designee. Such review will be directed toward monitoring the teacher's activities or performance with regard to whatever conditions may be placed on the teacher during the probationary period. Before the end of the probationary period the Board of Teaching shall decide to extend or terminate the probationary licensure status or to take further disciplinary actions as are consistent with this rule.

D. The license to teach of the person determined to be in violation of the standards of the code of ethics may be suspended for a period of time determined by the Board of Teaching.

E. The license to teach of the person determined to be in violation of the standards of the code of ethics may be revoked by the Board of Teaching.

STAT AUTH: MS s 125.185, subd 1

**APPENDIX 4
CLOCK HOUR APPROVAL APPLICATION FORM**

This form is to be submitted to the local continuing education committee according to rules established by the local committee.

NAME

ADDRESS

LICENSES HELD

LICENSE EXPIRATION DATE

APPLICANT SIGNATURE: _____ DATE _____

REQUEST FOR:

_____ Pre-Approval of Clock Hours subject to actual completion

_____ Final Approval of Clock Hours for professional activity completed

ACTIVITY CATEGORY (See Back) _____

CLOCK HOURS REQUESTED _____

_____ This activity addressed positive behavioral intervention strategies.

_____ This activity addressed modification, accommodation, or adaptation of curriculum, instruction, or materials for students with special needs as they work toward achieving graduation standards.

DESCRIPTION OF THE EXPERIENCE (Include objective, amount of time engaged, and evaluation of the experience. Attach additional pages for documentation, explanation, and detail as appropriate)

LOCAL COMMITTEE ACTION: _____ Approved for _____ Clock Hours

_____ Not approved because:

DATE _____ COMMITTEE
SIGNATURE _____

MINNESOTA RULE 8710.7200 CLOCK HOURS; REQUIREMENTS

Subp. 2. Renewal clock hours. Verification by the local continuing education/relicensure committee that the applicant has completed 125 approved clock hours is required for renewal. Instruction and professional development activities meet requirements to renew licenses only if they address one or more of the standards in part 8710.2000. Effective for renewal of continuing licenses which expire on June 30, 2001, and after, applicants must include in their 125 clock hours instruction or other professional development activities which address positive behavioral intervention strategies and accommodation, modification, and adaptation of curriculum, materials, and instruction to appropriately meet the needs of varied students in achieving graduation standards.

Subp. 3. Categories for clock hour allocation. Verification of completion of experiences must be submitted by the applicant to the local committee. Clock hour must be earned in two or more of the categories in items A to I:

- A. relevant coursework completed at accredited colleges and universities;
- B. educational workshops, conferences, institutes, seminars, or lectures in areas appropriate to licenses held;
- C. staff development activities, inservice meetings, and courses;
- D. site, district, regional, state, national, or international curriculum development;
- E. engagement in formal peer coaching or mentorship relationships with colleagues that addresses one or more of the standards in part 8710.2000;
- F. professional service in the following areas: (1) supervision of clinical experiences of persons enrolled in teacher preparation programs; (2) participation on national, state, and local committees involved with licensure, teacher education, or professional standards; or (3) participation in national, regional, or state accreditation;
- G. leadership experiences in the following areas: (1) development of new or broader skills and sensitivities to the school, community, or profession; (2) publication of professional articles in a professional journal in an appropriate field; or (3) volunteer work in professional organizations related to the areas of licensure held;
- H. opportunities to enhance knowledge and understanding of diverse educational settings in the following areas: (1) experiences with students of another age, ability, culture, or socioeconomic level; or (2) systematic, purposeful observation during visits to schools and to related business and industry; and

I. preapproved travel or work experience: (1) travel for purposes of improving instructional capabilities related to the field of licensure; or (2) work experience in business or industry appropriate to the field of licensure.

Subp. 4. Maximum allocation. Effective for all experiences completed after June 30, 2000, the local continuing education/relicensure committee shall grant clock hours on the following basis:

A. Relevant coursework under subpart 3, item A, must be granted 16 clock hours for each quarter credit earned, and 24 clock hours for each semester credit earned.

B. Successful completion of activities under subpart 3, items B to I, must be granted one clock hour for each hour of participation with the following exceptions: (1) Supervision of clinical experiences of persons enrolled in teacher licensure programs for one quarter equals 16 clock hours or one semester equals 24 clock hours. No more than 30 clock hours may be granted in a five year relicensure period for supervision.

(2) One week of preapproved travel or work experience for purposes of improving instructional capabilities equals ten clock hours. No more than 30 clock hours may be granted in a five year relicensure period for travel or work experience. The limit of 30 clock hours may be waived when the local committee determines that the preapproved travel or work experience is critical to the teacher's advanced or current skills for the teacher's assignment; for example, travel to experience language or cultural immersion by a teacher of world language.

Subp. 5. Exception for national board certification. A local continuing education committee shall accept verification that a teacher is actively engaged in and making progress toward National Board of Professional Standards Certification or other national professional teaching certification approved by the Board of Teaching at the time of renewal as equivalent to fulfilling all clock hour requirements for continuing license renewal. A local continuing education committee shall accept verification that a teacher has earned National Board or other approved certification as equivalent to all clock hour requirements during the life of the certificate. If the certificate expires during the five year renewal period, the local committee shall prorate hours completed under this exception and require completion of a prorated number of clock hours for the years the certificate is not in effect.

Subp. 6. Exception for local option. The Board of Teaching shall approve requests submitted by local committees that, through their school district master contracts or other official agreements between the local school board and its teachers, wish to substitute development and implementation of individualized professional development plans for some or all of the clock hour requirements for renewal of continuing licenses, provided that each individualized professional development plan: A. is designed primarily to enhance the teacher's ability to effect increased student learning; B. focuses on standards in part 8710.2000 and specific content

knowledge required for the teacher's assignment; C. includes management and monitoring of student learning, including positive behavioral interventions and adaptation and modification of curriculum, instruction, and assessment to assist varied student learners in achieving graduation standards; D. includes a focus on research-based best practice; E. identifies the procedures and criteria by which successful development and implementation of the individualized professional development plan will be validated and communicated with the local continuing education committee; and F. requires that each teacher's individualized professional development plan equal or exceed 125 hours of professional development activities during the five year period.

Subp. 7. Experience for clock hour credit. Except for subpart 3, item H, subitem (1), teaching experiences for which licensure is required shall not qualify for clock hour credit.

Subp. 8. Period for earning clock hours. An applicant requesting renewal of a license to teach must earn a minimum of 125 clock hours during each five year period preceding application for licensure renewal. An applicant may not bank clock hours for purposes of relicensure, but clock hours earned after an application for renewal has been submitted may be applied to the next renewal period.

Subp. 9. School staff development. Instruction and professional development activities provided by a school may be included among the clock hours in this part.

Subp. 10. Renewal of license for two or more areas. An applicant who seeks renewal of a continuing license for two or more areas should allocate at least 30 clock hours to each of the licensure areas for a total of no fewer than 125 clock hours, with priority given to work in areas where the candidate is employed during the licensure period. An applicant who holds an administrative license or licenses may allocate clock hours for the renewal of teaching licensure under this subpart.