



**2007 Annual Report
on Obsolete,
Unnecessary, or
Duplicative Rules**

December 2007

**Report
To the
Legislature**

**As required by
Minn. Stat. §
14.05**

COMMISSIONER:

Alice Seagren

FOR MORE INFORMATION CONTACT:

Amy Roberts

Minnesota Department of Education

T: (651) 582-8482

FAX: (651) 582-8613

E-MAIL: amy.roberts@state.mn.us

**2007 Annual
Report on
Obsolete,
Unnecessary,
or Duplicative
Rules**

**Report to the
Legislature**

1500 Highway 36 West

Roseville, MN 55113-4266

TTY: (800) 627-3529 OR (651) 582-8201

**As required by
Minnesota
Statute § 14.05**

Upon request, this report can be made available in alternative formats.

ESTIMATED COST OF PREPARING THIS REPORT

This report provides information that is maintained and published by the Department of Education as a part of its normal business functions. Therefore, the cost information reported below does not include the cost of gathering the data but rather is limited to the estimated cost of actually analyzing the data, determining recommendations and preparing this report document.

Special funding was not appropriated for the costs of preparing this report.

The estimated cost incurred by the Minnesota Department of Education in preparing this report is \$250.00.



November 27, 2007

Governor Tim Pawlenty

Rep. Margaret Kelliher, Chair
Legislative Coordinating Commission

Senator Charles W. Wiger, Chair
Senator David W. Hann, Ranking Minority Member
Senate Education Committee

Senator LeRoy Stumpf, Chair
Senator Gen Olson, Ranking Minority Member
Senate E-12 Education Budget Division

Rep. Carlos Mariani, Chair
Rep. Sondra Erickson, Ranking Minority Member
House Education Policy Committee

Rep. Mary Murphy, Chair
Rep. Randy Demmer, Ranking Minority Member
House Education Finance Committee

Rep. Mindy Greiling, Chair
Rep. Bud Heidgerken, Ranking Minority Member
House K-12 Finance Committee

Revisor of Statutes

Subject: Annual Report on Obsolete, Unnecessary or Duplicative Rules, as Required
by *Minnesota Statutes*, Section 14.05, Subdivision 5.

Minnesota Statutes, section 14.05, states:

Review and repeal of rules. By December 1 of each year, an agency must submit to the governor, the Legislative Coordinating Commission, the policy and funding committees and divisions with jurisdiction over the agency, and the revisor of statutes, a list of any rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules. By December 1, the agency must either report a timetable for repeal of the rule or portion of the rule, or must develop a bill for submission to the appropriate policy committee to repeal the obsolete, unnecessary, or duplicative rule. Such a bill must include proposed authorization to use the expedited procedures of section 14.389 to repeal or amend the

obsolete, unnecessary, or duplicative rule. A report submitted under this subdivision must be signed by the person in the agency who is responsible for identifying and initiating repeal of obsolete rules. The report also must identify the status of any rules identified in the prior year's report as obsolete, unnecessary, or duplicative. If none of an agency's rules are obsolete, unnecessary, or duplicative, an agency's December 1 report must state that conclusion.

2007 Obsolete Rules

The Minnesota Department of Education has not determined any rules to be obsolete, unnecessary or duplicative of other state or federal statutes or rules.

The Minnesota Department of Education is in the process of revising its special education rules, found in Minnesota Rules, Chapter 3525, which will reflect changes made to federal regulations in August 2006. The Department also is revising its state graduation test implementation and administration rules, to reflect changes in state statute. Finally, the Department is revising its secondary vocational education rules, found in Chapter 3505, to reflect recent changes in state and federal legislation.

The Minnesota Board of School Administrators has primary jurisdiction over the rules contained in Chapter 3512, governing qualifications and licensure of school personnel other than teachers. The Board currently is undertaking a rulemaking process to revise that rule chapter, in order to address technical and substantive changes needed since the rules were last updated.

Minnesota Rules, Chapter 3400, which governs child care funds, is administered by the Department of Human Services pursuant to statutory directive. That Department may in the future decide to renumber Chapter 3400, which is an active rule chapter and does not contain any obsolete, unnecessary, or duplicative rules.

Status of Rules Identified in the 2006 Obsolete Rules Report

In the 2006 Obsolete Rules Report, no statutes were identified by the Department as obsolete.

If you have any questions regarding this report, please contact me at 651/582-8482.

Sincerely,

Amy Roberts,
Director of Compliance and Assistance
Amy L. Roberts, J.D.