

## Minnesota Office of Higher Education

### NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

#### **Proposed Rules Governing Teacher Shortage Loan Forgiveness Program, *Minnesota Rules*, Chapter 4830.9100-4830.9130; Revisor's ID Number RD4373**

**Introduction.** The Minnesota Office of Higher Education intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until Tuesday, January 3, 2017.

**Agency Contact Person.** You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is:

Megan Fitzgibbon  
Minnesota Office of Higher Education  
1450 Energy Park Drive Suite 350  
St. Paul MN 55108

[Megan.fitzgibbon@state.mn.us](mailto:Megan.fitzgibbon@state.mn.us)  
651 355-0606

You may also review the proposed rule and submit written comments via the Office of Higher Education website at <http://www.ohe.state.mn.us/sPages/ruleComments.cfm>.

**Subject of Rules and Statutory Authority.** The proposed rules are about “The Teacher Shortage Loan Forgiveness Program” that was newly enacted during the 2015 legislative session, effective August 1, 2015, [\*Minnesota Statutes 136A.1791\*](#). The Teacher Shortage Loan Forgiveness Program is designed to provide student loan debt relief to teachers working in identified shortage areas established by the Minnesota Department of Education Commissioner’s “Teacher Supply and Demand Report.” This report identifies the teacher licensure fields and economic development regions that are experiencing teacher shortages.

The loan forgiveness program was created as an incentive to encourage qualified licensed teachers to work in identified teacher shortage area classrooms and to reduce the number of school districts that are unable to hire fully licensed teachers in particular license fields. The statute establishes the maximum amount of loan forgiveness a teacher can receive, how many awards they can receive, how the award will be disbursed to eligible participants, and any penalties if a teacher submits a false or misleading application.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 136A.791 Subd. 10. A copy of the proposed rules is published in the [\*State Register\*](#) and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on Tuesday, January 3, 2017 to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Department encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Department hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on Tuesday, January 3, 2017. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the Department will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The Office of Higher Education may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Office of Higher Education encourages you to participate in the rulemaking process.

**Statement of Need and Reasonableness.** The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person or view at the Office of Higher Education's web site <http://www.ohe.state.mn.us/mPg.cfm?pageID=2168>. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

**Adoption and Review of Rules.** If no hearing is required, the Office of Higher Education may adopt the rules after the end of the comment period. The Office of Higher Education will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Office of Higher Education submits the rules to the Office of Administrative Hearings. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the Office of Higher Education contact person listed above.

A handwritten signature in black ink, appearing to read "Lawrence J. Pogemiller", is written over a horizontal line.

11/21/2016

Lawrence J. Pogemiller  
Commissioner