

CHAPTER 3530
DEPARTMENT OF CHILDREN, FAMILIES,
AND LEARNING
LIBRARIES; SCHOOL DISTRICT AND
COMMUNITY SERVICES

	LIBRARIES		
3530.0200	GRANT APPLICATION.	3530.3100	PARTICIPATION IN PROGRAM AND DELIVERY OF SERVICES.
3530.0400	NOTIFICATION, REVIEW, AND REQUEST FOR ADDITIONAL INFORMATION.	3530.3200	SCHOOL DISTRICT PLAN AND PROGRAM REPORT.
3530.0500	GRANT AWARDS.	3530.3300	SCREENING PROGRAM STAFF.
3530.0900	REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS.	3530.3400	SCREENING PROCEDURES.
3530.1000	CRITERIA FOR ELIGIBILITY.	3530.3700	PRIVATE DATA.
3530.1200	AUDIT.	3530.3800	INCLUSION IN SCHOOL RECORDS.
3530.1500	SERVICE FOR THE BLIND AND PHYSICALLY HANDICAPPED AND INSTITUTIONS.	3530.4200	SERVICES PROHIBITED.
3530.2200	MULTICOUNTY MULTITYPE COOPERATION.	3530.4300	SPECIAL EDUCATION.
3530.2300	OFFICE OF PUBLIC LIBRARIES AND INTERLIBRARY COOPERATION REVIEW.	3530.4310	FEES.
3530.2400	CRITERIA FOR ELIGIBILITY.		CIVIL DEFENSE
3530.2500	CALCULATION OF OPERATING GRANT AMOUNTS.	3530.4400	DISASTER PLAN.
3530.2600	AUDIT.	3530.4500	PLANNING COORDINATOR.
	SCHOOL LUNCH, USDA DONATED FOOD AND MILK PROGRAMS	3530.4700	CIVIL DEFENSE SCHOOL BUILDING CONSTRUCTION.
3530.2700	SCHOOL LUNCH PROGRAM.		COMMUNITY SERVICES
	EARLY CHILDHOOD HEALTH AND DEVELOPMENTAL SCREENING	3530.5600	COMMUNITY SERVICES DEFINED.
3530.3000	DEFINITIONS.	3530.5800	FINANCING.
		3530.5900	THE DISTRICT ADVISORY COUNCIL.
		3530.6000	COMMUNITY SCHOOL DIRECTORS.
		3530.6200	ANNUAL REPORT.

LIBRARIES

3530.0200 GRANT APPLICATION.

Subpart 1. **Who may apply.** Regional library systems designated as eligible under provisions of Minnesota Statutes, section 134.34, subdivision 3, may apply for establishment grants as specified in part 3530.0800 and for regional library basic system support grants as specified in parts 3530.0900 to 3530.1200 and for special project grants as specified in parts 3530.1300 and 3530.1400. County and city public libraries which are participating in the aforementioned regional library systems may also apply for special project grants as specified in parts 3530.1300 and 3530.1400. The Minnesota Department of Corrections and the Minnesota Department of Human Services may apply for grants for institution library service and for library service for the blind and physically handicapped as specified in part 3530.1500. Multicounty multitype library systems designated by the commissioner of Children, Families, and Learning as eligible under provisions of Minnesota Statutes, section 134.351, subdivision 1, may apply for development grants as specified in parts 3530.1600 to 3530.2100 and for operating grants as specified in parts 3530.2200 to 3530.2600.

Subp. 2. **Application forms.** All applications for grants shall be made on application forms provided by the Office of Public Libraries and Interlibrary Cooperation (OPLIC), Division of Special Services, Minnesota Department of Children, Families, and Learning. Content of application form varies with each type of grant and is specified in parts 3530.0800 to 3530.2600.

Subp. 3. **Application dates.** All grant applications shall be filed on or before July 1 to be considered for funding during the succeeding state fiscal year provided that applications for establishment grants shall be filed by regional library systems on or before July 1 or on or before January 1, to be considered for funding for the succeeding 12-month period. Applications for special project grants and for multicounty multitype library cooperation development grants shall be filed on a date established

MINNESOTA RULES 2001

679 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 3530.0500

by the commissioner of Children, Families, and Learning and published in the newsletter of OPLIC not less than 90 days before such date.

Subp. 4. **Assurances.** Grant applicants shall sign a statement of assurance that:

A. grant funds shall be used only for the purposes for which granted as specified in the approved grant application or approved by the director of OPLIC in an amendment to the original application filed under provisions of parts 3530.0600 and 3530.0700;

B. a narrative report indicating program or project results accomplished and a report of grant expenditures shall be filed with OPLIC on forms supplied by OPLIC no later than 90 days after the completion of the project or program, or the end of the state fiscal year, whichever is earlier provided that such period allowed shall not be less than 90 days;

C. if participation by a regional library system or a member local governmental unit is discontinued, ownership of the discontinuing system or unit's assets, including cash or the fair market value thereof if such assets cannot be transferred by the grantee, acquired during the last three years of participation from establishment grant and regional library basic system support grant funds, shall revert to the commissioner of Children, Families, and Learning for reassignment for library services elsewhere; and

D. it will comply with the provisions of title VI of the Civil Rights Act of 1964, (United States Code, title 42, section 2000d et seq.), its regulations and all other applicable federal and state laws, rules, and regulations.

Statutory Authority: *MS s 134.32 subd 8; 134.36.*

History: *L 1984 c 654 art 5 s 58; L 1995 1Sp3 art 16 s 13; L 1998 c 398 art 5 s 55*

3530.0300 [Repealed, L 1993 c 224 art 12 s 39]

3530.0400 NOTIFICATION, REVIEW, AND REQUEST FOR ADDITIONAL INFORMATION.

Applicants shall be notified of the receipt of their applications. The director of the Office of Public Libraries and Interlibrary Cooperation shall review all applications for accuracy and completeness. Within 15 working days of receiving the application the director may request in writing the following additional information so that an applicant may more accurately or clearly describe the program or project for which grant funds are sought:

A. clarification of project or program objectives to better communicate functions or services to be performed;

B. clarification of proposed project or program implementation to better communicate how functions or services will be performed;

C. clarification of proposed project or program evaluation to better communicate evaluation methods to be used; and

D. any other information which would strengthen or clarify the application.

If the additional information requested is not provided by the applicant within ten working days after the date of the request for additional information, the grant application shall be evaluated solely on the basis of the information it contains.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

3530.0500 GRANT AWARDS.

Grants shall be awarded by the commissioner of Children, Families, and Learning for projects and programs in compliance with the law and parts 3530.0200 to 3530.2600, subject to the availability of funds and such standards as are set forth for a grant program. All grant applicants shall be notified in writing within five working days of the action of the commissioner of Children, Families, and Learning.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

History: *L 1998 c 398 art 5 s 55*

MINNESOTA RULES 2001

3530.0900 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 680

3530.0600 [Repealed, L 1993 c 224 art 12 s 39]

3530.0700 [Repealed, L 1993 c 224 art 12 s 39]

3530.0800 [Repealed, L 1993 c 224 art 12 s 39]

3530.0900 REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS.

Regional library systems may apply for regional library basic system support grants. Applicants shall submit the following information:

- A. name, address, and telephone number of applicant;
- B. name of contact person;
- C. names of participating governmental units and identification of nonparticipating governmental units within participating counties;
- D. name, educational background, and library work experience of the chief administrative officer;
- E. purposes for which grant funds are requested, including a statement of program objectives and identification of results to be accomplished;
- F. provision for each participating governmental unit of the following financial information: the amount provided by the governmental unit for operating purposes of public library service during the preceding fiscal year; the amount provided by the governmental unit for operating purposes of public library service during the current fiscal year; and
- G. proposed expenditures to be made from grant funds.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

3530.1000 CRITERIA FOR ELIGIBILITY.

Regional library systems shall be designated as eligible by the commissioner of Children, Families, and Learning provided they meet the criteria in Minnesota Statutes, section 134.34, and the following:

A. Employment of a chief administrative officer who has had at least two years of public library administrative experience and has received the master's degree in library science from a library education program accredited by the American Library Association.

B. Regional library systems shall provide to OPLIC by June 30 of each even-numbered year a long range plan which addresses the succeeding five years. Upon request by the regional library system, OPLIC staff shall provide consultation and advice on the content of the long range plan. The plan shall include narrative descriptions, goals, and objectives which address the following:

- (1) service area; including steps to encourage participation of appropriate adjacent nonparticipating counties and cities;
- (2) funding; including cost projections to implement the first year of the plan;
- (3) personnel; including projections of numbers and qualifications needed to implement the plan;
- (4) collection development; including types and quantities, written materials selection policies of the applicant or of its members, a coordinated program of acquisition, identification and rectification of deficiencies, and sharing of resources;
- (5) programs of service; including minimum hours of operation of public service outlets and provision of bookmobile service;
- (6) physical facilities; including accessibility by the physically handicapped;
- (7) multitype library cooperation; and
- (8) any other topics deemed appropriate by the regional library system.

Statutory Authority: *MS s 134.32 subd 8; 134.36; L 1998 c 398 art 5 s 55*

MINNESOTA RULES 2001

681 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 3530.1500

3530.1100 [Repealed, L 1993 c 224 art 12 s 39]

3530.1200 AUDIT.

Regional library systems which receive regional library basic system support grants shall annually submit to OPLIC an audit of receipts and disbursements within 180 days after the end of the regional library system's fiscal year. The audit shall be performed by the staff of the state auditor's office, by a certified public accountant, or by a public accountant as defined in and in accordance with Minnesota Statutes, sections 6.64 to 6.71.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

3530.1300 [Repealed, L 1993 c 224 art 12 s 39]

3530.1400 [Repealed, L 1993 c 224 art 12 s 39]

3530.1500 SERVICE FOR THE BLIND AND PHYSICALLY HANDICAPPED AND INSTITUTIONS.

Subpart 1. **Application.** The Minnesota Department of Corrections and the Minnesota Department of Human Services may apply annually for grants to improve library services for institutionalized persons and for the blind and physically handicapped as authorized by Minnesota Statutes, section 134.32, subdivision 6, and by the Library Services and Construction Act, United States Code, title 20, section 351 et seq. (1970). Applicants shall submit the following information:

- A. name, address, and telephone number;
- B. name of contact person;
- C. locations where program activities will be carried out;
- D. purposes for which grant funds are requested, including a statement of program objectives and identification of results to be accomplished;
- E. proposed expenditures to be made from grant funds;
- F. dollar amounts provided for library services by the department during the preceding fiscal year; and
- G. numbers of services provided and numbers of persons served during the preceding year.

Funds are granted for library services for residents of corrections and welfare institutions and shall not be expended for library services for institution staff.

Subp. 2. **Office of Public Libraries and Interlibrary Cooperation review.** The director of OPLIC shall review applications received and shall make recommendations to the commissioner of Children, Families, and Learning regarding grant amounts based on the applicants' ability to provide services according to the information in the application.

Subp. 3. **Commissioner's action.** The commissioner of Children, Families, and Learning shall review the funding recommendations of the director of OPLIC and shall award grants using the same information used by the director of OPLIC and subject to the availability of funds.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

History: *L 1984 c 654 art 5 s 58*

3530.1600 [Repealed, L 1993 c 224 art 12 s 39]

3530.1700 [Repealed, L 1993 c 224 art 12 s 39]

3530.1800 [Repealed, L 1993 c 224 art 12 s 39]

3530.1900 [Repealed, L 1993 c 224 art 12 s 39]

3530.2000 [Repealed, L 1993 c 224 art 12 s 39]

MINNESOTA RULES 2001

3530.1500 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 682

3530.2100 [Repealed, L 1993 c 224 art 12 s 39]

3530.2200 MULTICOUNTY MULTITYPE COOPERATION.

Multicounty multitype library systems approved under provisions of Minnesota Statutes 1979 Supplement, section 134.351, subdivision 1, may annually apply for an operating grant as authorized by Minnesota Statutes 1979 Supplement, section 134.353. Applicants shall submit the following information:

A. name, address, and telephone number of applicant multicounty multitype library system;

B. name, address, and telephone number of contact person representing the applicant;

C. identification of participating libraries by type of library;

D. copies of organizational agreements required by Minnesota Statutes 1979 Supplement, section 134.351, subdivision 3;

E. narrative descriptions of the programs to be operated with grant funds including objectives and results to be accomplished;

F. statement of relationship of programs to the plan developed under the provisions of Minnesota Statutes 1979 Supplement, section 134.352; and

G. proposed expenditures for costs incurred in providing the services required by the organizational agreement as specified in Minnesota Statutes 1979 Supplement, section 134.351, subdivision 3 and for the costs of providing any additional cooperative services agreed to by participating libraries and consistent with provisions of Minnesota Statutes 1979 Supplement, section 134.351, subdivision 2.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

3530.2300 OFFICE OF PUBLIC LIBRARIES AND INTERLIBRARY COOPERATION REVIEW.

The director of OPLIC shall review all applications for compliance with Minnesota Statutes 1979 Supplement, section 134.351, and parts 3530.2200 to 3530.2600. The director of OPLIC shall report recommendations to the commissioner of Children, Families, and Learning for action.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

History: *L 1998 c 398 art 5 s 55*

3530.2400 CRITERIA FOR ELIGIBILITY.

Subpart 1. **Eligibility.** In order to be eligible to apply for operating grants, applicants shall have met the requirements in Minnesota Statutes 1979 Supplement, section 134.351, subdivisions 3, 4, and 5 and the following.

Subp. 2. **Plan.** Applicants shall provide to OPLIC by the application date a five-year plan which addresses the provisions of the five qualifying services required in Minnesota Statutes 1979 Supplement, section 134.351, subdivision 3, and any other cooperative services to which participants have agreed and for which funding is sought. The plan shall include projected dates for implementation and cost estimates for implementing the first year of the plan.

Subp. 3. **Participation in regional public library system.** Each public library participating in a multicounty multitype library system shall also participate in its regional public library system, and a public library which has remained independent of its regional public library system shall not participate in a multicounty multitype library system.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

3530.2500 CALCULATION OF OPERATING GRANT AMOUNTS.

The commissioner of Children, Families, and Learning shall annually determine the amount of funds to be provided as operating grants after considering the availabili-

MINNESOTA RULES 2001

683 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 3530.2700

ty of funds for multicounty multitype library system grant programs. Of the amount to be provided as operating grants, 60 percent shall be divided into equal amounts for each eligible applicant, 20 percent shall be divided on an equal amount per capita and 20 percent shall be divided on an equal amount per square mile.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

History: *L 1998 c 398 art 5 s 55*

3530.2600 AUDIT.

Multicounty multitype library systems which receive grants shall annually submit to OPLIC an audit of receipts and disbursements within 180 days after the end of the multicounty multitype library system's fiscal year. The audit shall be performed by the staff of the state auditor's office, by a certified public accountant, or by a public accountant as defined in and in accordance with Minnesota Statutes 1978, sections 6.64 to 6.71.

Statutory Authority: *MS s 134.32 subd 8; 134.36*

3530.2610 [Repealed, L 2001 1SP3 art 4 s 6]

3530.2612 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2614 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2616 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2618 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2620 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2622 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2624 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2626 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2628 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2630 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2632 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2634 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2636 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2638 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2640 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2642 [Repealed, L 2001 1SP9 art 4 s 34]

3530.2644 [Repealed, L 2001 1SP9 art 4 s 34]

SCHOOL LUNCH, USDA DONATED FOOD AND MILK PROGRAMS

3530.2700 SCHOOL LUNCH PROGRAM.

Subpart 1. **Eligibility.** All public schools, secondary grade level and under, and all public school pupils, kindergarten and grades 1 to 12, are eligible to participate in the school lunch program.

Subp. 2. **Sponsorship and responsibility.** The school board of the district in which any school participates shall be the sponsor and be solely responsible for the administration of the program.

MINNESOTA RULES 2001

3530.2700 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 684

Subp. 3. **Participation and reimbursement.** Participation and reimbursement shall be subject to the terms of an agreement between the school board and the commissioner of Children, Families, and Learning based upon the Minnesota state plan for participation in the benefits of the National School Lunch Act or any subsequent amendments thereto.

Subp. 4. **School lunch facilities.** Facilities, including space and equipment, shall reasonably conform to the recommended standards for the school lunch unit in the elementary building and for the school lunch unit in the secondary school building as stated in the Guide for the Educational Planning of School Buildings and Sites in Minnesota, Code V-A-2 Revised, 1966, and any subsequent revision.

Subp. 5. **Records and reports.** The school district shall maintain such records and the school officials submit such reports as the commissioner of Children, Families, and Learning may require.

Subp. 6. **Accounting.** The receipts and expenditures for the programs of all participating schools shall be accounted for in the financial records of the district.

Subp. 7. **Review and audit.** The school district shall maintain for a period of six years all accounts and records pertaining to its participation in the school lunch program, and these accounts and records shall be available to the state and to the United States Department of Agriculture for review and audit at any reasonable time and place.

Statutory Authority: *MS s 121.05*

History: *L 1995 1Sp3 art 16 s 13*

3530.2800 [Repealed, L 1993 c 224 art 12 s 39]

3530.2900 [Repealed, L 1993 c 224 art 12 s 39]

EARLY CHILDHOOD HEALTH AND DEVELOPMENTAL SCREENING

3530.3000 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 3530.3000 to 3530.4310, the terms defined in this part have the meanings given them.

Subp. 2. **Assessment.** "Assessment" has the same meaning as "screening."

Subp. 3. **Developmental screening.** "Developmental screening" means identification of the motor, language, social-emotional, and cognitive status of the child.

Subp. 4. **Health maintenance referral.** "Health maintenance referral" means a referral made for periodic medical or dental examinations, immunizations, or health or nutritional counseling.

Subp. 5. **Licensed, registered, or certified.** "Licensed," "registered," or "certified" means licensed, registered, or certified in Minnesota.

Subp. 6. **Parent.** "Parent" means the mother, father, or legally appointed guardian. If a child is a ward of the commissioner of human services or other public official, the parent is the commissioner or such official. If the parent or guardian is unknown or cannot be found after reasonable efforts have been made, the parent is an agency or other person appointed pursuant to Minnesota Statutes or court order.

Subp. 7. **Early childhood health and developmental screening program.** "Early childhood health and developmental screening program" or "screening program" means the systematic procedures developed to conduct screening of preschool children.

Subp. 8. **Referral.** "Referral" means an organized system for providing information to the parent at the summary interview about the names of agencies or providers to possibly be used for evaluation or diagnosis.

Subp. 9. **Screening.** "Screening" means the use of procedures to sort out apparently well children from those in need of more definitive study of health or developmental problems.

MINNESOTA RULES 2001

685 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 3530.3300

Subp. 10. **Screening personnel.** "Screening personnel" means professional, para-professional, and volunteer staff who conduct activities as part of the screening program.

Statutory Authority: *MS s 123.703*

History: *L 1984 c 654 art 5 s 58; 1Sp1985 c 12 art 6 s 27*

3530.3100 PARTICIPATION IN PROGRAM AND DELIVERY OF SERVICES.

Subpart 1. **Available screening.** All children shall have available without cost the services of trained personnel to screen for possible health and developmental problems once prior to entering school.

Subp. 2. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 3. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 4. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 5. **Exclusion from providing screening.** If an individual or group is excluded from performing a screening component it may submit a complaint to the school board. The school board must take action it determines is advisable.

Statutory Authority: *MS s 123.703*

3530.3200 SCHOOL DISTRICT PLAN AND PROGRAM REPORT.

Subpart 1. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 2. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 3. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 4. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 5. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 6. **Final aid payment.** The final aid payment shall be paid at the conclusion of the screening program or the fiscal year, whichever occurs first. A district's plan must have been approved and report submitted before the aid is paid.

Statutory Authority: *MS s 123.703*

History: *1Sp1985 c 12 art 6 s 27*

3530.3300 SCREENING PROGRAM STAFF.

Subpart 1. **Early childhood screening coordinator.** Each district shall designate an early childhood screening coordinator to be responsible for administering all components of the screening program. The coordinator may be a volunteer.

Subp. 2. **Screening personnel.** In selecting personnel for screening programs, school districts shall give first priority to volunteers who have the qualifications required by subparts 4 to 9. Second priority shall be given to others who possess at least minimum qualifications and who can provide services determined to be most cost effective. Personnel may perform one or more of the functions described in this part if they meet each of the qualifications.

Subp. 3. **Services delegated by professionals.** If a qualified professional delegates services, the professional must assure that all delegated services comply with parts 3530.3000 to 3530.4310 and that adequate supervision is provided. The professional is responsible for services delegated and provided by other persons.

Subp. 4. **Professional health screener qualifications.** A person who performs professional health screening must be a licensed medical physician, dentist, registered nurse, chiropractor, optometrist, podiatrist, or psychologist. A professional health screener who is not a licensed physician, or a registered nurse must have successfully completed Department of Health training seminars or equivalent training programs to prepare individuals to perform child screening. The seminars or programs must be designated by the Department of Health in consultation with the Department of Children, Families, and Learning.

MINNESOTA RULES 2001

3530.3300 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 686

Subp. 5. **Developmental screener qualifications.** A person who performs developmental screening without supervision must be licensed as a special education teacher, school psychologist, kindergarten teacher, prekindergarten teacher, registered nurse, or licensed physician and must have completed training seminars provided by the Department of Children, Families, and Learning or equivalent training as determined by the Department of Children, Families, and Learning in consultation with the Department of Health. Other persons who perform developmental screening must meet supervision requirements in subpart 8.

Subp. 6. **Vision and hearing screener qualifications.** A person who performs vision or hearing screening must have been trained by the Department of Health to perform vision or hearing screening; or a program providing equivalent preparation as determined by the Department of Health in consultation with the Department of Children, Families, and Learning.

Subp. 7. **Laboratory assistant qualifications.** A person who performs laboratory tests must have been trained by the Department of Health to perform the specific tests used in the screening program; or a program providing equivalent preparation as determined by the Department of Health in consultation with the Department of Children, Families, and Learning.

Subp. 8. **Clinic assistant qualifications.** A clinic assistant is a lay person or a paraprofessional who may perform any component of the screening program. The clinic assistant must be under the supervision of a professional qualified for the screening component for which the clinic assistant is used. The professional must be present at the screening site. A clinic assistant must have been trained by Department of Children, Families, and Learning or Department of Health professional staff to administer the health or developmental screening measures to be performed by the clinic assistant; or a program providing equivalent preparation as determined by the Department of Children, Families, and Learning or the Department of Health.

Subp. 9. **Dental screener qualifications.** A person who performs dental assessments must be a:

A. licensed dental hygienist or a registered or certified dental assistant; or

B. registered nurse who has been trained by the Department of Health or approved by the Department of Health in consultation with the Department of Children, Families, and Learning, as having been trained to perform dental screening; or

C. licensed dentist, licensed physician, school nurse practitioner, or pediatric nurse practitioner using screening procedures according to parts 3530.3400 to 3530.4310.

Subp. 10. **Equivalent training programs.** The Department of Health, in consultation with the Department of Children, Families, and Learning, shall approve a program as providing equivalent training for the purpose of subparts 4, and 6 to 8 if the program meets all of the following:

A. it provides information and training required to perform the specific screening and referral activities specified in subparts 4, and 6 to 9;

B. it must offer the same or greater number of course contact hours as the Department of Health training seminars;

C. the instructor qualifications must be at least equivalent to the instructor qualifications of Department of Health training seminar instructors; and

D. the course materials must be consistent with materials used in Department of Health training seminars.

Subp. 11. **Volunteer.** A volunteer may be a lay person, paraprofessional, or professional who performs screening without fee or payment. A volunteer may perform

MINNESOTA RULES 2001

687 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 3530.4200

any of the screening components if the volunteer meets the qualifications established in this part.

Statutory Authority: *MS s 123.703*

History: *1Sp1985 c 12 art 6 s 27; L 1995 1Sp3 art 16 s 13*

3530.3400 SCREENING PROCEDURES.

Subpart 1. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 2. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 3. **Developmental tests.** A developmental screener must measure the child's cognition, fine and gross motor skills, speech and language, and social-emotional development. The procedures must include at least:

A. a parent report of the child's functioning history in skills development, emotional status, and behavior status; and

B. direct observation of the child's functioning. Standardized developmental screening instruments approved by the Department of Children, Families, and Learning must be used. They must contain norms for the age range tested and written procedures for administration, scoring, and interpretation.

Subp. 4. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 5. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 6. [Repealed, L 1993 c 224 art 12 s 39]

Subp. 7. [Repealed, L 1993 c 224 art 12 s 39]

Statutory Authority: *MS s 123.703*

History: *L 1995 1Sp3 art 16 s 13*

3530.3500 [Repealed, L 1993 c 224 art 12 s 39]

3530.3600 [Repealed, L 1993 c 224 art 12 s 39]

3530.3700 PRIVATE DATA.

Data on individual children is private as defined by state statutes and shall not be disclosed to a third party, including the district, without the informed consent of the parent. All information must be made available to the parent.

Statutory Authority: *MS s 123.703*

3530.3800 INCLUSION IN SCHOOL RECORDS.

Data on individual children obtained in the screening program shall be incorporated into school district records, except as indicated in part 3530.3700. Screening data that are not substantiated may not be incorporated in the child's school record as confirmed health or developmental problems.

Statutory Authority: *MS s 123.703*

3530.3900 [Repealed, L 1993 c 224 art 12 s 39]

3530.4000 [Repealed, L 1993 c 224 art 12 s 39]

3530.4100 [Repealed, L 1993 c 224 art 12 s 39]

3530.4200 SERVICES PROHIBITED.

Diagnosis, treatment, or therapy shall not be provided in the screening program but may be provided as a part of a related program.

Statutory Authority: *MS s 123.703*

MINNESOTA RULES 2001

3530.4300 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 688

3530.4300 SPECIAL EDUCATION.

Educational placement decisions, diagnostic conclusions, and objectives for individual educational plans may not be based solely or primarily on the screening data made available to the district from the screening program.

Statutory Authority: *MS s 123.703*

3530.4310 FEES.

Districts may charge parents a fee for any of the optional screening components. Parents may refuse the optional components and receive the required components free of charge.

Statutory Authority: *MS s 123.703*

CIVIL DEFENSE

3530.4400 DISASTER PLAN.

Each school board shall have a plan that will detail the action to be taken in the event the district is threatened by or affected by a disaster.

The plan shall be organized in accordance with the Minnesota School Disaster Planning Guide, published and distributed by the Department of Children, Families, and Learning.

A current copy of the plan shall be available for review and evaluation by a representative of the Department of Children, Families, and Learning.

The plan shall be tested and evaluated at least once a year.

Statutory Authority: *MS s 121.11 subd 7*

History: *L 1995 1Sp3 art 16 s 13*

3530.4500 PLANNING COORDINATOR.

Each school board shall designate a staff member as the school district disaster planning coordinator and it shall be the coordinator's responsibility to develop and implement the civil defense disaster plan for the district.

Statutory Authority: *MS s 121.11 subd 7*

History: *17 SR 1279*

3530.4700 CIVIL DEFENSE SCHOOL BUILDING CONSTRUCTION.

Consideration should be given to the employment of slanting techniques in all remodeling and new construction.

Slanting techniques refer to design procedures and materials employment that can increase substantially the shelter potential of a structure often at little or no additional cost.

Statutory Authority: *MS s 121.15*

3530.5500 [Repealed, L 1993 c 224 art 12 s 39]

COMMUNITY SERVICES

3530.5600 COMMUNITY SERVICES DEFINED.

Community services, as defined for school districts, includes services rendered by a school district beyond the regular K to 12 program, as recommended by the community services advisory council and approved by the local board of education.

Statutory Authority: *MS s 121.86*

3530.5700 [Repealed, L 1993 c 224 art 12 s 39]

3530.5800 FINANCING.

All community service activities, regardless of financing, shall be operated from the community service fund, no. 4, and not the general fund, no. 1. Year-end balances from

MINNESOTA RULES 2001

689 LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES 3530.6200

this fund are to be reserved for future community service activities and shall not be transferred to other funds. Capital expenditure fund moneys may be transferred into the community service fund for equipment or other capital expenditures. In addition, general fund moneys may be transferred into the community service fund for any purpose of that fund. All fees collected for any community service program shall also be deposited into the community service fund.

Statutory Authority: *MS s 121.86*

3530.5900 THE DISTRICT ADVISORY COUNCIL.

The advisory council on community services to the district shall be composed of members who represent a cross-section of various community organizations, agencies, and interested citizens. The important factor in determining the size of the council is to have representation and input from the various facets of the school district population. Recommendations for the use of community service funds shall be made by the advisory council to the district board of education. The school board retains final authority in deciding which programs are to be adopted and how they are to be implemented. Each advisory council shall have a minimum of four meetings per year.

Statutory Authority: *MS s 121.86*

3530.6000 COMMUNITY SCHOOL DIRECTORS.

Where a school district employs a district wide director, all community services funds shall be administered by the community services director, under the supervision of the local superintendent. However, any community services program financed by categorical aids from the Department of Children, Families, and Learning may be exempted from this part by action of the local board of education.

Statutory Authority: *MS s 121.86*

History: *L 1995 1Sp3 art 16 s 13*

3530.6100 [Repealed, L 1993 c 224 art 12 s 39]

3530.6200 ANNUAL REPORT.

Each year on or before August 15, each district having a community service levy shall report to the Department of Children, Families, and Learning on forms authorized by the commissioner.

Statutory Authority: *MS s 121.86*

History: *L 1995 1Sp3 art 16 s 13*

3530.6300 [Repealed, 16 SR 1086]

3530.6400 [Repealed, 16 SR 1086]

3530.6500 [Renumbered 4880.0100]

3530.6600 [Renumbered 4880.0200]

3530.6700 [Renumbered 4880.0300]

3530.6800 [Renumbered 4880.0400]

3530.6900 [Renumbered 4880.0500]

3530.7000 [Renumbered 4880.0600]

3530.7100 [Renumbered 4880.0700]

3530.7200 [Renumbered 4880.0800]

MINNESOTA RULES 2001

LIBRARIES; SCHOOL DISTRICT AND COMMUNITY SERVICES

690

3530.7300 [Renumbered 4880.0900]

3530.7400 [Renumbered 4880.1000]

3530.7500 [Renumbered 4880.1100]

3530.7600 [Renumbered 4880.1200]

3530.7700 [Renumbered 4880.1300]

3530.7800 [Renumbered 4880.1400]