



Division of Academic Standards, Instruction, and Assessment

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's I.D. Number RD-04924, CAH Docket 65-9005-40585.

Proposed Rules Governing K-12 Academic Standards in Health, *Minnesota Rules Chapter 3501*

Introduction. The Department of Education (Department) intends to adopt rules without a public hearing following the procedures in the rules of the Court of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. However, if 25 or more persons submit a written request for a hearing on the rules by **4:30 p.m. on February 9, 2026**, the Department will hold a public hearing via WebEx video conferencing technology. The Honorable Ann O'Reilly, Administrative Law Judge, will preside.

Hearing. If 25 or more persons submit a written request for hearing by 4:30 p.m. on February 9, 2026, the Administrative Law Judge will conduct the virtual hearing **on March 16 and 17, 2026**. The details for joining the hearings are set forth below.

The hearing on **March 16, 2026**, will commence at **9:00 a.m.** and will end at 4:00 p.m., or when the last person present has the opportunity to be heard, whichever comes first.

The hearing on **March 17, 2026**, will commence at **2:00 p.m.** and will end at 6:00 p.m., or when the last person present has the opportunity to be heard, whichever comes first.

To join the hearing on either day, use the following instructions.

For a video and audio connection, join the hearing through an internet connect:

Web link: <https://minnesota.webex.com>

Meeting Number for March 16, 2026 (access code): 2485 327 6667

Meeting Number for March 17, 2026 (access code): 2498 270 9965

Password: health2025

For an audio-only connection, join the hearing by telephone:

Call: 1-415-655-0003 or 1-855-282-6330 (Toll Free)

March 16, 2026

Access Code: 2485 327 6667#

Password: 46239799#

March 17, 2026

Access Code: 24982709965#

Password: 39548734#

NOTE: The hearings will begin promptly at the start time and will continue until the stated end time or last person present has had an opportunity to be heard, whichever comes first. Therefore, it is important to arrive at the start of the hearing.

To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person **after February 9, 2026, but before March 16, 2026**.

Agency Contact Person. To ask questions or submit written requests for a public hearing, please contact the agency contact person. The agency contact person is Catherine Rogers, Associate General Counsel, Minnesota Department of Education, 400 NE Stinson Blvd., Minneapolis, Minnesota 55413. You may email her at catherine.rogers@state.mn.us or call her at 612-279-3592. TTY users may call the Department at 1-800-627-3529.

Subject of Rules and Statutory Authority. The proposed rules are about adding K-12 Academic Standards in Health to *Minnesota Rules Chapter 3501*. Minn. Stat. § 120B.021 and [Laws of Minnesota 2024, Chapter 115, article 2, section 21](#) authorize the Department to adopt rules for statewide K-12 academic standards in Health Education.

Minnesota has K-12 academic standards in several legislative-required content areas, including Health. Academic standards are essential because they help identify the student learning requirements for graduation and they serve as a guide for local curriculum adoption, development, and improvement. Student mastery of the academic standards is generally measured through local assessments.

In 2024, the Minnesota Legislature directed the Department to initiate rulemaking for statewide Academic Standards in Health Education. The proposed standards are based on extensive national research, committee experience, expert guidance, discussion, and stakeholder feedback. The proposed standards were developed in consultation with the Health Standards Committee, a committee of more than 30 members, which included parents of school-age children; members of the public from across the state; licensed health teachers; licensed elementary and secondary school principals; current members of local school boards and charter school boards; postsecondary faculty teaching core subjects; representatives from the Minnesota business community; representatives from Tribal Nations, the Tribal Nations Education Committee, and communities in Minnesota, including Anishinaabe and Dakota; and current students, with input from the Minnesota Youth Council. The proposed K-12 academic standards in Health Education form the foundation of skills-based health education by combining functional health knowledge with the development of essential health skills.

Comments. You have until **4:30 p.m. on February 9, 2026**, to submit written comments in support of or in opposition to the proposed rules. Your comment must be in writing and received by the due date. Commenting is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose changes to the rule. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Comments can be submitted electronically through the Court of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions> or by U.S. Mail delivered to the agency contact person at the address set forth above. **It is strongly recommended that all comments be submitted electronically using the eComments website.** All comments submitted directly to the agency contact person will be filed on the eComments website by the agency contact person as the comments are received. You

may review the proposed rules, the Statement of Need and Reasonableness (SONAR), and all comments received on the eComments website by using the link above.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a public hearing on the proposed rules. You must request a public hearing in writing to the agency contact person, Catherine Rogers, at the contact information set forth above. Your request must be received by **4:30 p.m. on February 9, 2026**. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is invalid and the Department 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 to be made to the proposed rules. Requests for hearing received by the Department on or before February 9, 2026, will be available for review at the Department's office or on the Department's website at <https://education.mn.gov/M DE/dse/stds/hpe>.

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

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The Department might modify the proposed rules due to public comment or the rule hearing process. The Department must support modifications by data and views submitted to the Department or presented at the hearing. The adopted rules may not differ substantially from those proposed rules unless the Department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

Cancellation of Hearing. The Department will cancel the hearing scheduled for March 16 and 17, 2026, if the Department does not receive requests for a hearing from 25 or more persons. If you request a public hearing, the Department will notify you whether the hearing will be held before the scheduled hearing date. You may also contact the agency contact person at catherine.rogers@state.mn.us after February 9, 2026, to determine whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the above date, time, and place. Administrative Law Judge Ann O'Reilly is assigned to conduct the hearing. The Court of Administrative Hearings Rulemaking Coordinator, William Moore, can be reached at the Court of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone (651) 651-7900 and fax (651) 539-0310, and email William.t.moore@state.mn.us.

Hearing Procedure. If the Department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may

present your views orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing, the Administrative Law Judge may order that this five-day comment period be extended for a longer period, not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the Department and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge before 4:30 p.m. on the due date. The Court of Administrative Hearings strongly encourages all persons submitting comments and responses to do so using the Court of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>. If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile to the agency contact person identified above.

All comments or responses received will be available for public review on the eComments website and at the Department of Education. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge, through William Moore, the Rules Coordinator listed above.

Statement of Need and Reasonableness. The Statement of Need and Reasonableness (SONAR) summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable costs of the proposed rules. The SONAR is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. It is available at no cost on the Department's website at <https://education.mn.gov/MDE/about/rule/rule/health>.

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

Adoption Procedure if No Hearing. If no hearing is required, the Department may adopt the rules after the end of the comment period. The Department will submit the rules and supporting documents to the Court of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted. If you want to receive notice of this, a copy of the adopted rules, or to register with the Department to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, the Administrative Law Judge will issue a report on the proposed rules after the close of the hearing record. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and you can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date the Department adopts the rules, and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Digitally signed and dated:

Willie L. Jett II, Commissioner
Minnesota Department of Education