

Fifty-ninth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1076

Introduced by

Education Committee

(At the request of the Education Standards and Practices Board)

1 A BILL for an Act to amend and reenact sections 15.1-06-06, 15.1-13-13, 15.1-18-07,  
2 15.1-18-10, and 15.1-18.1-02 of the North Dakota Century Code, relating to licensing,  
3 qualifications, and national certification of teachers.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 15.1-06-06 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15.1-06-06. Approval of public and nonpublic schools.** Each public and nonpublic  
8 school in this state offering elementary or secondary education to students must be approved  
9 by the superintendent of public instruction. Except as otherwise provided by law, the  
10 superintendent may not approve a school unless:

- 11 1. Each classroom teacher holds a valid teaching ~~certificate~~ license issued by the  
12 education standards and practices board or is approved to teach by the education  
13 standards and practices board;
- 14 2. The students are offered all subjects required by law; and
- 15 3. The school is in compliance with all local and state health, fire, and safety laws.

16 **SECTION 2. AMENDMENT.** Section 15.1-13-13 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18 **15.1-13-13. Provisional teaching license - Period of effectiveness - Renewal.** The  
19 board may issue a provisional teaching license to an applicant awaiting completion of the  
20 background check required by section 15.1-13-14 or awaiting documentation of the original  
21 application. The provisional license is valid for a period of forty days and may be renewed with  
22 the approval of the board. The board may adopt rules governing the issuance of a provisional  
23 teaching license. An individual applying for a provisional teaching license may be charged a

1 fee established by the board. However, an individual applying for the renewal of a provisional  
2 teaching license may not be charged a fee.

3 **SECTION 3. AMENDMENT.** Section 15.1-18-07 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5 **15.1-18-07. (Effective after June 30, 2006) Elementary school teacher**  
6 **qualifications.**

- 7 1. In order to teach any grade from one through six in an elementary school, an  
8 individual must be licensed to teach by the education standards and practices  
9 board and:
  - 10 a. Have a major in elementary education; or
  - 11 b. Have a major equivalency in elementary education.
- 12 2. Notwithstanding the provisions of subsection 1, an individual may teach any grade  
13 from one through three in an elementary school provided the individual is licensed  
14 to teach by the education standards and practices board and:
  - 15 a. Has a major in early childhood education; or
  - 16 b. Has a major equivalency in early childhood education.
- 17 3. In order to teach ~~any grade from one through~~ grade eight in ~~a self-contained~~  
18 ~~classroom~~ an elementary school, an individual must be licensed to teach by the  
19 education standards and practices board and:
  - 20 a. Have a major in elementary education; or
  - 21 b. Have a major equivalency in elementary education.

22 **SECTION 4. AMENDMENT.** Section 15.1-18-10 of the North Dakota Century Code is  
23 amended and reenacted as follows:

24 **15.1-18-10. (Effective after June 30, 2006) Specialty areas - Teacher qualification.**  
25 Notwithstanding the requirements of this chapter:

- 26 1. An individual may teach art, business education, computer education, a foreign  
27 language, music, physical education, and special education at any grade level  
28 from ~~one~~ kindergarten through eight, provided the individual:
  - 29 a. Is licensed to teach by the education standards and practices board;
  - 30 b. Is approved to teach in that area by the education standards and practices  
31 board; and

c. Meets all requirements set forth in rule by the superintendent of public instruction.

2. An individual may teach native American languages provided the individual is an eminence-credentialed teacher.

3. An individual may teach in the areas of trade, industry, technical occupations, or health occupations, provided the individual has been issued a license to teach in such areas by the education standards and practices board.

**SECTION 5. AMENDMENT.** Section 15.1-18.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18.1-02. Board duties.** The board shall:

1. Inform teachers of the national board certification program and the scholarships and services the national board provides to teachers seeking certification.

2. Collect and review in the order received scholarship applications from individuals who are licensed to teach by the board or approved to teach by the board.

3. a. Approve no more than seventeen applications per year;

b. During each year of the biennium, reserve three of the available scholarships for individuals teaching at low-performing schools;

~~c. During each year of the biennium, award no more than two of the remaining fourteen available scholarships to applicants employed by the same school district;~~

~~d.~~ Require the recipient to serve during the school year as a full-time classroom teacher in a public or nonpublic school in this state; and

~~e.~~ d. Require the recipient to participate in mentoring programs ~~and teacher evaluation programs~~ developed and implemented in the employing school or school district.

4. Ensure that all scholarship recipients receive adequate information regarding the level of commitment required to acquire certification.

5. If any individual who receives a scholarship under this section does not complete the certification process within the time allotted by the board, the individual must reimburse the state an amount equal to one-half of the amount awarded to the individual as a scholarship.

- 1           6. At the conclusion of each of the first four school years after the individual receives  
2           national board certification, the individual is entitled to receive an additional one  
3           thousand five hundred dollars if:
  - 4           a. The individual served during the school year as a full-time classroom teacher  
5           in a public or nonpublic school; and
  - 6           b. The individual participated in any efforts of the employing school district to  
7           develop and implement teacher mentoring programs.
- 8           7. Collect and review in the order received scholarship applications for national board  
9           recertification from individuals who are licensed to teach by the board or approved  
10           to teach by the board. The board shall:
  - 11           a. Approve no more than two applications per year;
  - 12           b. Require the recipient to serve during the school year as a full-time classroom  
13           teacher in a public or nonpublic school in this state; and
  - 14           c. Require the recipient to participate in mentoring programs developed and  
15           implemented in the employing school or school district.