

Sixty-second  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1270**

Introduced by

Representatives Hawken, R. Kelsch, Mueller

Senators Fischer, Freborg, Heckaman

1 A BILL ~~for an Act to amend and reenact sections 15.1-13-02, 15.1-13-04, 15.1-13-05, and~~  
2 ~~15.1-13-08 of the North Dakota Century Code, relating to the education standards and practices~~  
3 ~~board; to provide for a transition; to provide an effective date; and to declare an emergency; for~~  
4 an Act to amend and reenact sections 15.1-13-09 and 15.1-13-20 of the North Dakota Century  
5 Code, relating to the licensing of teachers from other states; and to repeal section 15.1-13-21 of  
6 the North Dakota Century Code, relating to reciprocal teaching licenses.

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

8 ~~— **SECTION 1. AMENDMENT.** Section 15.1-13-02 of the North Dakota Century Code is~~  
9 ~~amended and reenacted as follows:~~

10 ~~— **15.1-13-02. Education standards and practices board -- Membership.**~~

11 ~~— 1. The governor shall appoint to the education standards and practices board:~~

12 ~~— a. Four individuals who are public school classroom teachers;~~

13 ~~— b. One individual who is a nonpublic school classroom teacher;~~

14 ~~— c. Two individuals who are school board members;~~

15 ~~— d. Two individuals who are administrators; and~~

16 ~~— e. One dean of a college of education or chairman of a department of education.~~

17 ~~— The education standards and practices board consists of:~~

18 ~~— 1. The following gubernatorial appointed members:~~

19 ~~— a. One individual employed as an early childhood teacher;~~

20 ~~— b. One individual employed as an elementary teacher;~~

21 ~~— c. One individual employed as a middle school teacher;~~

22 ~~— d. One individual employed as a high school teacher;~~

23 ~~— e. One school board member;~~

24 ~~— f. One school administrator holding a doctoral degree;~~

- 1 ~~g. The dean of a college of arts or the dean's designee;~~  
2 ~~h. The dean of a college of sciences or the dean's designee;~~  
3 ~~i. The dean of a college of education or the dean's designee;~~  
4 ~~j. The president or chairman of a professional licensing board in this state;~~  
5 ~~k. The parent of a student enrolled in an elementary or high school;~~  
6 ~~l. Two members of the legislative assembly; and~~  
7 ~~m. One resident of this state;~~  
8 ~~2. The lieutenant governor, who shall serve as the chairman; and~~  
9 ~~3. The superintendent of public instruction or the superintendent's designee, who shall~~  
10 ~~serve as a nonvoting ex officio member.~~

11 ~~**SECTION 2. AMENDMENT.** Section 15.1-13-04 of the North Dakota Century Code is~~  
12 ~~amended and reenacted as follows:~~

13 ~~**15.1-13-04. Term of office -- Vacancy.**~~

14 ~~The term of office for a member of the board is threetwo years, beginning on July first of the~~  
15 ~~year of appointment. No person may serve for1, 2011. A member may not serve more than~~  
16 ~~twothree consecutive terms. If a vacancy occurs, it must be filled for the duration of the~~  
17 ~~unexpired term in the same manner as an original appointment.~~

18 ~~**SECTION 3. AMENDMENT.** Section 15.1-13-05 of the North Dakota Century Code is~~  
19 ~~amended and reenacted as follows:~~

20 ~~**15.1-13-05. Officers.**~~

21 ~~The board annually shall select a chairman andshall elect one member to serve as a vice~~  
22 ~~chairman. The executive director of the board or the executive director's designee shall serve~~  
23 ~~as secretary.~~

24 ~~**SECTION 4. AMENDMENT.** Section 15.1-13-08 of the North Dakota Century Code is~~  
25 ~~amended and reenacted as follows:~~

26 ~~**15.1-13-08. Board duties.**~~

27 ~~1. The board shall:~~

28 ~~1. a. Supervise the licensure of teachers.;~~

29 ~~2. b. Set standards for and approve teacher preparation programs.;~~

30 ~~3. c. Seek the advice of teachers, administrators, school board members, teacher-~~

31 ~~education professors, and other interested citizens in developing and updating~~

1 codes or standards of ethics, conduct, professional performance, and  
2 professional practices.;

3 ~~4. d. Adopt, in accordance with chapter 28-32, codes or standards of ethics, conduct,~~  
4 ~~professional performance, and professional practices.;~~

5 ~~5. e. Make recommendations for the inservice education of individuals engaged in the~~  
6 ~~profession of teaching.;~~

7 ~~6. f. Issue major equivalency endorsements and minor equivalency endorsements.;~~

8 ~~7. g. Appoint an executive director to serve at its discretion.; and~~

9 ~~8. h. Authorize the executive director to employ personnel, subject to approval by the~~  
10 ~~board.~~

11 ~~2. In addition to any other duties set forth in this section, during the 2011-13 biennium,~~  
12 ~~the board shall:~~

13 ~~a. Review the criteria for and manner in which teacher licensure is undertaken,~~  
14 ~~including provisional licensure, reciprocal licensure, and reentry licensure;~~

15 ~~b. Review the criteria for and manner in which disciplinary action is taken against an~~  
16 ~~individual who fails to abide by the tenets of the teaching profession;~~

17 ~~c. Evaluate the established standards for teacher preparation programs, including~~  
18 ~~the sufficiency of academic and pedagogical requirements, and compare the~~  
19 ~~curricular requirements for majors within the colleges of education to those of~~  
20 ~~other colleges;~~

21 ~~d. Review the manner in which other professional licensing boards provide for all~~  
22 ~~forms of licensure, determine professional development requirements, and~~  
23 ~~provide for reporting of professional development activities as a condition of~~  
24 ~~continued licensure;~~

25 ~~e. Review the supporting organization to ensure that its overall structure,~~  
26 ~~functionality, and leadership allow it to fully and capably meet all current and~~  
27 ~~prospective duties; and~~

28 ~~f. Recommend any statutory changes deemed necessary to the sixty-third~~  
29 ~~legislative assembly.~~

30 ~~**SECTION 5. TRANSITION.** The term of any individual appointed to the education-~~  
31 ~~standards and practices board before July 1, 2011, expires on June 30, 2011. In accordance-~~

~~with section 15.1-13-02, the governor may appoint any qualified individual who served on the education standards and practices board before July 1, 2011, and shall consider the appointment to be an initial appointment for the purpose of determining term limitations.~~

~~—SECTION 6. EFFECTIVE DATE. This Act becomes effective on June 30, 2011.~~

~~—SECTION 7. EMERGENCY. This Act is declared to be an emergency measure.~~

**SECTION 1. AMENDMENT.** Section 15.1-13-09 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-13-09. Board powers.**

The board may:

1. Adopt rules in accordance with chapter 28-32.
2. ~~Contract with other states for the reciprocal approval of teacher preparation programs.~~
3. Apply for and receive federal or other funds on behalf of the state for purposes related to its duties.
- 4.3. Perform any duty related to the improvement of instruction through teacher education, professional development, and continuing education programs.

**SECTION 2. AMENDMENT.** Section 15.1-13-20 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-13-20. ~~Interim reciprocal teaching license -- Period of validity~~ Applicants licensed in other states.**

1. The board shall grant ~~an interim reciprocal~~a teaching license ~~in accordance with sections 15.1-18-02 and 15.1-18-03 to an individual~~to an applicant who holds a regular teaching license or certificate from another state, provided:
  - a. The ~~individual's~~applicant's licensure or certification is based upon a minimum of a bachelor's degree with a major that meets the issuing state's requirements in early childhood education, elementary education, middle level education, or a content area taught at a public high school;
  - b. The ~~individual's~~applicant's licensure or certification is based upon the completion of a professional education sequence from a state-approved teacher education program and includes supervised student teaching;
  - c. The ~~individual~~applicant submits ~~to the required fee and~~ a criminal history record check, as required of initial applicants by this chapter; and

d. The criminal history record check reveals nothing for which a North Dakota applicant would be denied initial licensure; ~~and.~~

~~e. The individual submits a plan for meeting all requirements necessary to become a licensed teacher in this state.~~

~~2. An interim reciprocal license granted under this section is valid for two years.~~

~~3. The individual shall submit evidence of progress on the plan required by subsection 1 to the board prior to renewal of the interim reciprocal license.~~

~~4. The board may renew the interim reciprocal license for one additional two-year period if the board finds that the individual has demonstrated satisfactory progress.~~

~~5. Notwithstanding any other law, an interim reciprocal license granted under this section is the equivalent of a teaching license granted under this chapter.~~

2. A license granted under this section is valid for two years if the applicant has not been licensed in another state for at least eighteen months. In all other cases, a license granted under this section is valid for five years.

**SECTION 3.** Section 15.1-13-21 of the North Dakota Century Code is repealed.