

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED HOUSE BILL NO. 1489

Introduced by

Representatives R. Kelsch, Hawken, Monson

Senators Cook, Freborg, Holmberg

1 A BILL for an Act to create and enact four new sections to chapter 15.1-18 of the North Dakota
2 Century Code, relating to teacher qualifications; to amend and reenact sections 15.1-13-08,
3 15.1-18-01, and 15.1-18-02 of the North Dakota Century Code, relating to teacher
4 qualifications; to provide for a report; to repeal section 15.1-18-03 of the North Dakota Century
5 Code, relating to high school teacher qualifications; to provide directives; and to provide an
6 effective date.

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

8 **SECTION 1. AMENDMENT.** Section 15.1-13-08 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15.1-13-08. Board duties.** The board shall:

- 11 1. Supervise the licensure of teachers.
- 12 2. Set standards for and approve teacher preparation programs.
- 13 3. Seek the advice of teachers, administrators, school board members, teacher
14 education professors, and other interested citizens in developing and updating
15 codes or standards of ethics, conduct, professional performance, and professional
16 practices.
- 17 4. Adopt, in accordance with chapter 28-32, codes or standards of ethics, conduct,
18 professional performance, and professional practices.
- 19 5. Make recommendations for the inservice education of individuals engaged in the
20 profession of teaching.
- 21 6. Issue major equivalency endorsements and minor equivalency endorsements.
- 22 7. Appoint an executive director to serve at its discretion.
- 23 8. Authorize the executive director to employ personnel, subject to approval by the
24 board.

1 **SECTION 2. AMENDMENT.** Section 15.1-18-01 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **15.1-18-01. Early childhood education teaching license.** The education standards
4 and practices board shall ~~develop and implement~~ issue an optional early childhood education
5 teaching license or endorsement to an applicant who meets the requirements set by the board.
6 The optional early childhood education teaching license may be used in nonparental settings
7 such as early childhood programs, preschool programs, and head start programs.

8 **SECTION 3. AMENDMENT.** Section 15.1-18-02 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15.1-18-02. ~~Kindergarten through grade eight—Teacher~~ Prekindergarten and**
11 **kindergarten teacher qualifications - Exceptions.**

- 12 ~~1.~~ In order to teach prekindergarten and kindergarten, an individual must:
- 13 a. ~~Be be licensed to teach by the education standards and practices board or~~
14 ~~approved to teach by the education standards and practices board and have~~
15 ~~a kindergarten endorsement; or~~
- 16 b. ~~Be licensed to teach by the education standards and practices board or~~
17 ~~approved to teach by the education standards and practices board and~~
18 ~~demonstrate to the satisfaction of the education standards and practices~~
19 ~~board that the individual will obtain a kindergarten endorsement within two~~
20 ~~years from the date of the assignment to teach kindergarten.~~
- 21 ~~2.~~ In order to teach ~~any grade from one through eight~~, an individual must:
- 22 a. ~~Be licensed to teach by the education standards and practices board or~~
23 ~~approved to teach by the education standards and practices board and have~~
24 ~~a major, a minor, or an endorsement in elementary education; or~~
- 25 b. ~~Be licensed to teach by the education standards and practices board or~~
26 ~~approved to teach by the education standards and practices board and~~
27 ~~demonstrate to the satisfaction of the education standards and practices~~
28 ~~board that the individual will obtain an endorsement in elementary education~~
29 ~~within two years from the date of the assignment to teach any grade from one~~
30 ~~through eight.~~

Fifty-eighth
Legislative Assembly

- 1 3. ~~Notwithstanding subsection 2, an individual may teach any grade from five through~~
2 ~~eight if the individual:~~
- 3 a. ~~Is licensed to teach by the education standards and practices board or~~
4 ~~approved to teach by the education standards and practices board and has a~~
5 ~~major or an endorsement in middle school education; or~~
- 6 b. ~~Is licensed to teach by the education standards and practices board or~~
7 ~~approved to teach by the education standards and practices board and~~
8 ~~demonstrates to the satisfaction of the education standards and practices~~
9 ~~board that the individual will obtain an endorsement in middle school~~
10 ~~education within two years from the date of assignment to teach any grade~~
11 ~~from five through eight.~~
- 12 4. ~~Notwithstanding subsection 2, an individual may teach grade seven or eight if the~~
13 ~~individual is licensed to teach by the education standards and practices board or~~
14 ~~approved to teach by the education standards and practices board and has a~~
15 ~~major or a minor in the assigned course area or field.~~
- 16 5. ~~Notwithstanding subsection 2, an individual may teach special education, foreign~~
17 ~~language, art, music, physical education, business education, and computer~~
18 ~~education at any grade level from kindergarten through eight, provided the~~
19 ~~individual is licensed to teach by the education standards and practices board or~~
20 ~~approved to teach by the education standards and practices board and meets the~~
21 ~~requirements imposed by the superintendent of public instruction.~~
- 22 6. ~~An individual may obtain an endorsement by completing teaching requirements~~
23 ~~and the minimum number of credit hours in courses prescribed by the education~~
24 ~~standards and practices board.~~
- 25 7. ~~This section does not apply to an eminence credentialed teacher and:~~
- 26 1. Have a major in elementary education and a kindergarten endorsement;
27 2. Have a major equivalency in elementary education and a kindergarten
28 endorsement;
- 29 3. Have a major in elementary education and an early childhood education
30 endorsement;

1 4. Have a major equivalency in elementary education and an early childhood
2 education endorsement;

3 5. Have a major in early childhood education; or

4 6. Have a major equivalency in early childhood education.

5 **SECTION 4.** A new section to chapter 15.1-18 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Elementary school teacher qualifications.**

8 1. In order to teach any grade from one through six in an elementary school, an
9 individual must be licensed to teach by the education standards and practices
10 board and:

11 a. Have a major in elementary education; or

12 b. Have a major equivalency in elementary education.

13 2. Notwithstanding the provisions of subsection 1, an individual may teach any grade
14 from one through three in an elementary school provided the individual is licensed
15 to teach by the education standards and practices board and:

16 a. Has a major in early childhood education; or

17 b. Has a major equivalency in early childhood education.

18 3. In order to teach any grade from one through eight in a self-contained classroom,
19 an individual must be licensed to teach by the education standards and practices
20 board and:

21 a. Have a major in elementary education; or

22 b. Have a major equivalency in elementary education.

23 **SECTION 5.** A new section to chapter 15.1-18 of the North Dakota Century Code is
24 created and enacted as follows:

25 **Middle school teacher qualifications.** In order to teach any grade from five through
26 eight in a middle school, an individual must be licensed to teach by the education standards
27 and practices board and:

28 1. Have a major in middle level education, with content in the areas taught by the
29 individual and defined by the education standards and practices board as core
30 academic areas;

- 1 2. Have a major equivalency in middle level education, with content in the areas
2 taught by the individual and defined by the education standards and practices
3 board as core academic areas; or
- 4 3. Have a major, a major equivalency, a minor, or a minor equivalency in each area
5 taught by the individual and not defined by the education standards and practices
6 board as a core academic area.

7 **SECTION 6.** A new section to chapter 15.1-18 of the North Dakota Century Code is
8 created and enacted as follows:

9 **High school qualifications.** In order to teach grades seven through twelve, an
10 individual must be licensed to teach by the education standards and practices board and:

- 11 1. Have a major in the areas taught by the individual and defined by the education
12 standards and practices board as core academic areas;
- 13 2. Have a major equivalency in the areas taught by the individual and defined by the
14 educational standards and practices board as core academic areas; or
- 15 3. Have a major, a major equivalency, a minor, or a minor equivalency in each area
16 taught by the individual and not defined by the education standards and practices
17 board as a core academic area.

18 **SECTION 7.** A new section to chapter 15.1-18 of the North Dakota Century Code is
19 created and enacted as follows:

20 **Specialty areas - Teacher qualification.** Notwithstanding the requirements of this
21 chapter:

- 22 1. An individual may teach art, business education, computer education, a foreign
23 language, music, physical education, and special education at any grade level
24 from one through eight, provided the individual:
 - 25 a. Is licensed to teach by the education standards and practices board;
 - 26 b. Is approved to teach in that area by the education standards and practices
27 board; and
 - 28 c. Meets all requirements set forth in rule by the superintendent of public
29 instruction.
- 30 2. An individual may teach Native American languages provided the individual is an
31 eminence credentialed teacher.

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

4 **SECTION 8. TEACHER QUALIFICATIONS - ACCREDITATION RULES -**

5 **DIRECTIVES.** For purposes of accreditation, the superintendent of public instruction may not
6 establish teacher qualification requirements that exceed those established by the education
7 standards and practices board.

8 **SECTION 9. CONTINUING EDUCATION - PAYMENT - DIRECTIVES.** A school

9 board's right to reimburse teachers for the cost of continuing education activities undertaken in
10 connection with the No Child Left Behind Act of 2001 may not be contractually curtailed.

11 **SECTION 10. REPORT - TEACHER LICENSURE PROCESS.** On or before July 1,

12 2004, the education standards and practices board shall report to a committee designated by
13 the legislative council regarding potential changes to the licensure process and the impact of
14 those changes.

15 **SECTION 11. REPEAL.** Section 15.1-18-03 of the North Dakota Century Code is

16 repealed.

17 **SECTION 12. EFFECTIVE DATE.** Sections 2 through 7 and section 11 of this Act

18 become effective on July 1, 2006.