

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE BILL NO. 1489
(Representatives R. Kelsch, Hawken, Monson)
(Senators Cook, Freborg, Holmberg)

AN ACT to create and enact four new sections to chapter 15.1-18 of the North Dakota Century Code, relating to teacher qualifications; to amend and reenact sections 15.1-13-08, 15.1-18-01, and 15.1-18-02 of the North Dakota Century Code, relating to teacher qualifications; to provide for a report; to repeal section 15.1-18-03 of the North Dakota Century Code, relating to high school teacher qualifications; to provide directives; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

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

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

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

- ~~4.~~ In order to teach prekindergarten and kindergarten, an individual must:

- a. ~~Be be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and have a kindergarten endorsement; or~~
 - b. ~~Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrate to the satisfaction of the education standards and practices board that the individual will obtain a kindergarten endorsement within two years from the date of the assignment to teach kindergarten.~~
2. ~~In order to teach any grade from one through eight, an individual must:~~
- a. ~~Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and have a major, a minor, or an endorsement in elementary education; or~~
 - b. ~~Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrate to the satisfaction of the education standards and practices board that the individual will obtain an endorsement in elementary education within two years from the date of the assignment to teach any grade from one through eight.~~
3. ~~Notwithstanding subsection 2, an individual may teach any grade from five through eight if the individual:~~
- a. ~~Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and has a major or an endorsement in middle school education; or~~
 - b. ~~Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrates to the satisfaction of the education standards and practices board that the individual will obtain an endorsement in middle school education within two years from the date of assignment to teach any grade from five through eight.~~
4. ~~Notwithstanding subsection 2, an individual may teach grade seven or eight if the individual is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and has a major or a minor in the assigned course area or field.~~
5. ~~Notwithstanding subsection 2, an individual may teach special education, foreign language, art, music, physical education, business education, and computer education at any grade level from kindergarten through eight, provided the individual is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and meets the requirements imposed by the superintendent of public instruction.~~
6. ~~An individual may obtain an endorsement by completing teaching requirements and the minimum number of credit hours in courses prescribed by the education standards and practices board.~~
7. ~~This section does not apply to an eminence-credentialed teacher and:~~
1. Have a major in elementary education and a kindergarten endorsement;
 2. Have a major equivalency in elementary education and a kindergarten endorsement;
 3. Have a major in elementary education and an early childhood education endorsement;

4. Have a major equivalency in elementary education and an early childhood education endorsement;
5. Have a major in early childhood education; or
6. Have a major equivalency in early childhood education.

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

Elementary school teacher qualifications.

1. In order to teach any grade from one through six in an elementary school, an individual must be licensed to teach by the education standards and practices board and:
 - a. Have a major in elementary education; or
 - b. Have a major equivalency in elementary education.
2. Notwithstanding the provisions of subsection 1, an individual may teach any grade from one through three in an elementary school provided the individual is licensed to teach by the education standards and practices board and:
 - a. Has a major in early childhood education; or
 - b. Has a major equivalency in early childhood education.
3. In order to teach any grade from one through eight in a self-contained classroom, an individual must be licensed to teach by the education standards and practices board and:
 - a. Have a major in elementary education; or
 - b. Have a major equivalency in elementary education.

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

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

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

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

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

1. Have a major in the areas taught by the individual and defined by the education standards and practices board as core academic areas;

2. Have a major equivalency in the areas taught by the individual and defined by the educational standards and practices board as core academic areas; or
3. Have a major, a major equivalency, a minor, or a minor equivalency in each area taught by the individual and not defined by the education standards and practices board as a core academic area.

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

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

1. An individual may teach art, business education, computer education, a foreign language, music, physical education, and special education at any grade level from one through eight, provided the individual:
 - a. Is licensed to teach by the education standards and practices board;
 - b. Is approved to teach in that area by the education standards and practices 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 8. TEACHER QUALIFICATIONS - ACCREDITATION RULES - DIRECTIVES. For purposes of accreditation, the superintendent of public instruction may not establish teacher qualification requirements that exceed those established by the education standards and practices board.

SECTION 9. CONTINUING EDUCATION - PAYMENT - DIRECTIVES. A school board's right to reimburse teachers for the cost of continuing education activities undertaken in connection with the No Child Left Behind Act of 2001 may not be contractually curtailed.

SECTION 10. REPORT - TEACHER LICENSURE PROCESS. On or before July 1, 2004, the education standards and practices board shall report to a committee designated by the legislative council regarding potential changes to the licensure process and the impact of those changes.

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

SECTION 12. EFFECTIVE DATE. Sections 2 through 7 and section 11 of this Act become effective on July 1, 2006.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1489.

House Vote: Yeas 74 Nays 16 Absent 4

Senate Vote: Yeas 45 Nays 1 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2003.

Approved at _____ M. on _____, 2003.

Governor

Filed in this office this _____ day of _____, 2003,

at _____ o'clock _____ M.

Secretary of State