

Introduced by

Representatives Schreiber-Beck, D. Johnson

Senator Oban

1 A BILL for an Act to create and enact a new section to chapter 15.1-32 of the North Dakota  
2 Century Code, relating to services provided by special education technicians; and to amend and  
3 reenact section 15.1-02-16 of the North Dakota Century Code, relating to a certificate of  
4 completion for special education technicians.

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

6 **SECTION 1. AMENDMENT.** Section 15.1-02-16 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **15.1-02-16. Superintendent of public instruction - Issuance of credentials to teachers**  
9 **and administrators.**

10 The superintendent of public instruction may adopt rules governing the issuance of:

- 11 1. Credentials for teachers of driver's education;
- 12 2. Credentials for teachers of early childhood special education;
- 13 3. Credentials for elementary school principals;
- 14 4. Credentials for teachers of students who are emotionally disturbed;
- 15 5. Credentials for teachers of students who are gifted and talented;
- 16 6. Credentials for secondary school principals;
- 17 7. Credentials for library media;
- 18 8. Credentials for teachers of title I;
- 19 9. Credentials for teachers of students who have intellectual disabilities;
- 20 10. Credentials for teachers of students who are physically disabled;
- 21 11. Credentials for coordinators of programs for students with limited English proficiency;
- 22 12. Credentials for school counselors;
- 23 13. Credentials for special education directors;
- 24 14. Credentials for special education strategists;

- 1 15. Credentials for teachers of students who have specific learning disabilities;
- 2 16. Credentials for superintendents;
- 3 17. Credentials for teachers of students who have vision impairments;
- 4 18. Credentials for teachers of students who are deaf or hard of hearing;
- 5 19. Credentials for teachers of computer and cyber science; and
- 6 20. ~~Certificate~~Certificates of completion for special education technicians; and
- 7 21. Certificates of completion for paraprofessionals.

8 **SECTION 2.** A new section to chapter 15.1-32 of the North Dakota Century Code is created  
9 and enacted as follows:

10 **Special education technicians - Services.**

- 11 1. For purposes of this section:
  - 12 a. "Special education technician" means an individual who holds a certificate of  
13 completion for a special education technician and provides services under this  
14 section to individuals receiving special education services in an educational  
15 setting.
  - 16 b. "Supervising special education teacher" means an individual who holds a valid  
17 teaching license issued by the board and has a minimum of one year full-time  
18 experience providing special education services from the date of licensure.
- 19 2. A special education technician may provide services only under the direct supervision  
20 of a supervising special education teacher.
- 21 3. A special education technician may:
  - 22 a. Conduct academic and behavioral screenings pursuant to protocols developed  
23 by the supervising special education teacher;
  - 24 b. Perform documented tasks developed by the supervising special education  
25 teacher;
  - 26 c. Document student progress toward meeting identified goals and objectives;
  - 27 d. Report the information documented under subdivision c to the supervising special  
28 education teacher;
  - 29 e. Assist the supervising special education teacher with regulatory paperwork as  
30 directed;
  - 31 f. Prepare educational materials;

- 1           g. Assist the supervising special education teacher with scheduling;  
2           h. Maintain the educational space and equipment; and  
3           i. Complete other duties as assigned by the supervising special education teacher.  
4       4. A special education technician may not:  
5           a. Make independent decisions regarding changes to a student's individualized  
6           education program;  
7           b. Conduct evaluations consisting of:  
8           (1) Standardized or nonstandardized diagnostic tests; or  
9           (2) Formal or informal assessments;  
10          c. Interpret test results;  
11          d. Take referrals;  
12          e. Dismiss student caseloads;  
13          f. Participate in conferences or other multidisciplinary team meetings without the  
14          presence of the supervising special education teacher;  
15          g. Disclose confidential information orally or in writing unless authorized by the  
16          supervising special education teacher;  
17          h. Provide counseling to students or family members of students regarding special  
18          education disability classifications; or  
19          i. Sign formal and regulatory documentation as a supervising special education  
20          teacher.