

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: perform duties as requested by the special
education director, local administrator, or supervising special education teacher
 - 22
 - 23 ~~a. Conduct academic and behavioral screenings pursuant to protocols developed~~
24 ~~by the supervising special education teacher;~~
 - 25 ~~b. Perform documented tasks developed by the supervising special education~~
26 ~~teacher;~~
 - 27 ~~c. Document student progress toward meeting identified goals and objectives;~~
 - 28 ~~d. Report the information documented under subdivision c to the supervising special~~
29 ~~education teacher;~~
 - 30 ~~e. Assist the supervising special education teacher with regulatory paperwork as~~
31 ~~directed;~~
 - 32 ~~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; ~~unless otherwise qualified to do so.~~

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~~ ~~a supervising~~ special education teacher; ~~or service~~
provider

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.