

21.0670.01003
Title.

Prepared by the Legislative Council staff for
Representative Schreiber-Beck
January 28, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1188

Page 1, line 1, remove "create and enact a new section to chapter 15.1-32 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to services provided by special education technicians; and to"

Page 1, line 4, after "technicians" insert "; and to declare an emergency"

Page 2, remove lines 8 through 31

Page 3, replace lines 1 through 20 with:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

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; and to declare an emergency.

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.~~

21 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.