

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1231

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz

Senators Cleary, Davison, Kreun, Myrdal

1 A BILL for an Act ~~to create and enact a new section to chapter 15.1-13 of the North Dakota~~
2 ~~Century Code, relating to teacher license requirements for reading instruction competency;~~ to
3 amend and reenact ~~section~~sections 15.1-02-04, 15.1-13-35.1, and 15.1-32-26 of the North
4 Dakota Century Code, relating to the creation of a dyslexia and literacy task force, reading
5 instruction competency for teacher licensure, and the dyslexia screening and intervention
6 program; to repeal section 15.1-32-25 of the North Dakota Century Code, relating to mandatory
7 dyslexia screening; ~~to provide for a legislative management study;~~ to provide for a legislative
8 management report; and to provide an ~~effective~~expiration date.

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

10 ~~SECTION 1. A new section to chapter 15.1-13 of the North Dakota Century Code is created~~
11 ~~and enacted as follows:~~
12 ~~Teaching license – Reading instruction competency:~~
13 ~~1. The board shall ensure a candidate for teacher licensure demonstrates competencies~~
14 ~~in beginning reading instruction based on scientifically and research-based best~~
15 ~~practices. Competencies must include the acquisition of knowledge of the essential~~
16 ~~components of beginning reading instruction, including:~~
17 ~~a. Phonemic awareness;~~
18 ~~b. Phonics;~~
19 ~~c. Fluency;~~
20 ~~d. Vocabulary;~~
21 ~~e. Comprehension;~~
22 ~~f. How to assess student reading ability; and~~
23 ~~g. How to identify and correct reading difficulties.~~

- 1 ~~2. A kindergarten through grade three initial teacher licensure candidate must provide~~
2 ~~evidence that the candidate meets the competency standards of the components~~
3 ~~under subsection 1.~~
- 4 ~~3. A teacher licensure candidate satisfies the requirements of this section if the candidate~~
5 ~~demonstrates the candidate has received training in competencies related to reading~~
6 ~~instruction from an accredited or approved program, or demonstrates mastery of the~~
7 ~~topics provided under subsection 1. The board may issue a provisional license for up~~
8 ~~to two years to a teacher licensure candidate who does not meet the requirements of~~
9 ~~this section.~~

10 **SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **15.1-02-04. Superintendent of public instruction - Duties - Report. (Effective through**
13 **June 30, 2023)**

14 ~~The superintendent of public instruction:~~

- 15 ~~1. Shall supervise the provision of elementary and secondary education to the students~~
16 ~~of this state.~~
- 17 ~~2. Shall supervise the establishment and maintenance of schools and provide advice and~~
18 ~~counsel regarding the welfare of the schools.~~
- 19 ~~3. Shall supervise the development of course content standards.~~
- 20 ~~4. Shall supervise the assessment of students.~~
- 21 ~~5. Shall serve as an ex officio member of the board of university and school lands.~~
- 22 ~~6. Shall keep a complete record of all official acts and appeals.~~
- 23 ~~7. As appropriate, shall determine the outcome of appeals regarding education matters.~~
- 24 ~~8. Shall direct school district annexation, reorganization, and dissolution and employ and~~
25 ~~compensate personnel necessary to enable the state board of public school education~~
26 ~~to carry out its powers and duties regarding school district annexation, reorganization,~~
27 ~~and dissolution.~~
- 28 ~~9. Shall facilitate a process to review and update annually the statewide prekindergarten~~
29 ~~through grade twelve education strategic vision. The process must include input and~~
30 ~~participation from a steering committee that includes representatives of all state level~~
31 ~~entities receiving state education funding and education stakeholder groups. Each~~

- 1 ~~steering committee member entity receiving state education funds shall provide~~
2 ~~components of the entity's strategic plan which are aligned to the statewide strategic~~
3 ~~vision. The steering committee shall prepare a collaborative report of the strategic~~
4 ~~plans of each committee member entity receiving state education funds. The~~
5 ~~superintendent shall provide the collaborative report and any updates to the strategic~~
6 ~~vision to the legislative management during each interim and to a joint meeting of the~~
7 ~~education standing committees during each regular legislative session.~~
- 8 ~~10. Shall administer a student loan forgiveness program for individuals teaching at grade~~
9 ~~levels, in content areas, and in geographical locations identified as having a teacher~~
10 ~~shortage or critical need.~~
- 11 ~~11. Shall facilitate the development and implementation of a North Dakota learning~~
12 ~~continuum in collaboration with the department of career and technical education,~~
13 ~~upon the recommendation of the kindergarten through grade twelve education~~
14 ~~coordination council.~~
- 15 ~~12. Shall collaborate with workforce development stakeholders and the kindergarten~~
16 ~~through grade twelve education coordination council to determine how best to~~
17 ~~integrate computer science and cybersecurity into elementary, middle, and high school~~
18 ~~curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the~~
19 ~~superintendent shall provide a report to the legislative management regarding the~~
20 ~~outcome of this collaboration.~~
- 21 ~~**Superintendent of public instruction – Duties. (Effective after June 30, 2023)**~~
- 22 The superintendent of public instruction:
- 23 1. Shall supervise the provision of elementary and secondary education to the students
24 of this state.
- 25 2. Shall supervise the establishment and maintenance of schools and provide advice and
26 counsel regarding the welfare of the schools.
- 27 3. Shall supervise the development of course content standards.
- 28 4. Shall supervise the assessment of students.
- 29 5. Shall serve as an ex officio member of the board of university and school lands.
- 30 6. Shall keep a complete record of all official acts and appeals.
- 31 7. As appropriate, shall determine the outcome of appeals regarding education matters.

1 8. Shall direct school district annexation, reorganization, and dissolution and employ and
2 compensate personnel necessary to enable the state board of public school education
3 to carry out its powers and duties regarding school district annexation, reorganization,
4 and dissolution.

5 9. Shall facilitate a process to review and update annually the statewide prekindergarten
6 through grade twelve education strategic vision. The process must include input and
7 participation from a steering committee that includes representatives of all state-level
8 entities receiving state education funding and education stakeholder groups. Each
9 steering committee member entity receiving state education funds shall provide
10 components of the entity's strategic plan which are aligned to the statewide strategic
11 vision. The steering committee shall prepare a collaborative report of the strategic
12 plans of each committee member entity receiving state education funds. The
13 superintendent shall provide the collaborative report and any updates to the strategic
14 vision to the legislative management during each interim and to a joint meeting of the
15 education standing committees during each regular legislative session.

16 10. Shall facilitate the development and implementation of a North Dakota learning
17 continuum in collaboration with the department of career and technical education,
18 upon the recommendation of the kindergarten through grade twelve education
19 coordination council.

20 11. Shall appoint a task force in collaboration with the kindergarten through grade twelve-
21 education coordination council. The task force shall review all statutes in this code
22 relating to literacy, dyslexia, and related teacher training and report the findings and
23 recommendations of the task force, together with any legislation necessary to
24 implement the recommendations, to the sixty-ninth legislative assembly.

25 **SECTION 2. AMENDMENT.** Section 15.1-13-35.1 of the North Dakota Century Code is
26 amended and reenacted as follows:

27 **15.1-13-35.1. Teaching license - Reading instruction competency.**

28 1. The board shall ensure a candidate for teacher licensure who will be certified to be an-
29 early childhood or elementary teacher demonstrates competencies in beginning
30 reading instruction based on scientifically and research-based best practices.

- 1 Competencies must include the acquisition of knowledge of the essential components
2 of beginning reading instruction, including:
- 3 a. Phonemic awareness;
 - 4 b. Phonics;
 - 5 c. Fluency;
 - 6 d. Vocabulary;
 - 7 e. Comprehension;
 - 8 f. How to assess student reading ability; ~~and~~
 - 9 g. How to identify and correct reading difficulties;
 - 10 h. Scientifically based, evidence based, and research based curricula; and
 - 11 i. The use of systematic direct instruction to ensure all students obtain necessary
12 early reading skills.
- 13 2. A prekindergarten, kindergarten, elementary, and special education initial teacher
14 licensure candidate must provide evidence that the candidate meets the competency
15 standards of the components under subsection 1.
- 16 3. ~~A prekindergarten through grade twelve and a secondary education~~An early childhood-
17 and elementary initial teacher licensure candidate must provide evidence that the
18 candidate meets the competency standards of the components under subsection 1.
- 19 4. A teacher licensure candidate satisfies the requirements of this section if the candidate
20 demonstrates the candidate has received training in competencies related to reading
21 instruction from an accredited or approved program, or demonstrates mastery of the
22 topics provided under subsection 1. The board may issue a provisional license for up
23 to two years to a teacher licensure candidate who does not meet the requirements of
24 this section.

25 **SECTION 3. AMENDMENT.** Section 15.1-32-26 of the North Dakota Century Code is
26 amended and reenacted as follows:

27 **15.1-32-26. Dyslexia screening and intervention –~~Pilot program~~ - Report to legislative**
28 **management - Professional development.**

- 29 1. For purposes of this section:
- 30 ~~a. "Dyslexia";~~ "dyslexia" means a specific learning disability that is
31 ~~neurological~~neurobiological in origin and characterized by difficulties with

1 accurate or fluent recognition of words and poor spelling and decoding abilities,
2 independent of the individual's general intelligence level.

3 ~~b. "Specialist trained in dyslexia characteristics" means an individual who:~~

4 ~~(1) Has expertise providing training in phonological and phonemic awareness,~~
5 ~~sound and symbol relationships, alphabet knowledge, rapid naming skills,~~
6 ~~and encoding and decoding skills; and~~

7 ~~(2) Is fluent in the dyslexia intervention process; and~~

8 ~~(3) Has training in identifying dyslexia characteristics and intervention~~
9 ~~processes from an approved provider on a list maintained by the~~
10 ~~superintendent of public instruction.~~

11 2. ~~Beginning with the 2019-20 school year and continuing through the 2022-23 school~~
12 ~~year, the~~The superintendent of public instruction shall establish and operate a pilot
13 ~~program to provide~~ guidance and recommendations regarding proven strategies and in
14 early screening and intervention services for children with risk factors for dyslexia
15 characteristics, including low phonemic awareness.

16 3. ~~To be eligible to participate in the program, a~~Each school district, regional education-
17 ~~association, or special education unit must submit an application to the superintendent~~
18 ~~which~~shall:

19 a. ~~Identifies a method of screening children for low phonemic awareness and other~~
20 ~~risk factors for dyslexia;~~

21 b. ~~Provides for the enrollment of children identified as having risk factors for~~
22 ~~dyslexia in a reading program staffed by specialists trained in dyslexia and~~
23 ~~multisensory structured language programs; and~~

24 e. ~~Includes a methodology for evaluating the effects of the reading program on the~~
25 ~~identified risk factors of the child.~~

26 4. ~~Each grantee selected to participate in the program shall:~~

27 a. ~~Provide low phonemic awareness and other dyslexia risk factor screenings for~~
28 ~~children under seven years of age through a reading program established under~~
29 ~~subsection 3; For enrolled children seven years of age and younger, provide a~~
30 universal screening for dyslexia including core components of phonemic
31 awareness, decoding, and spelling, which must be approved by the

- 1 superintendent of public instruction ~~and which must be developed and overseen~~
2 ~~by a specialist trained in dyslexia characteristics;~~
- 3 b. Include a process to further evaluate identified risk factors;
- 4 c. Describe the intervention services for the identified dyslexia risk factors;
- 5 ~~b.d.~~ Provide reading intervention services to students identified as having
6 ~~dyslexia~~ with dyslexia characteristics;
- 7 ~~e.e.~~ Administer assessments, approved by the superintendent of public instruction, to
8 determine the effectiveness of the ~~program~~ intervention services in improving the
9 reading and learning skills of ~~children enrolled in the program~~ the child; and
- 10 ~~d.f.~~ Provide professional development on dyslexia ~~identification~~ characteristics and
11 interventions related to phonological and phonemic awareness, sound and
12 symbol relationships, alphabet knowledge, rapid naming skills, and encoding and
13 decoding skills. to grant participants appropriate kindergarten through grade three
14 personnel of the school district and special education unit. Professional
15 development ~~must~~ may meet the requirements for continuing education credits for
16 license renewal.
- 17 4. A school district or special education unit shall provide ~~an assessment~~ a universal
18 screener under subdivision a of subsection 3 upon request by a parent, legal guardian,
19 or teacher.
- 20 5. ~~The board of each participating grantee shall report annually to the superintendent of~~
21 ~~public instruction regarding the operation, results, and effectiveness of the pilot~~
22 ~~program in a manner prescribed by the superintendent. Before July 1, 2024~~ 2024, the
23 superintendent of public instruction shall ~~compile the information and~~ provide a report
24 to the legislative management with a recommendation ~~whether to continue the pilot~~
25 ~~program beyond the 2022-23 school year~~ regarding dyslexia screening and
26 intervention under this section.

27 **SECTION 4. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.

28 ~~—SECTION 3. LEGISLATIVE MANAGEMENT STUDY—LITERACY AND DYSLEXIA—~~

29 ~~STATUTORY REVIEW.~~ ~~During the 2023-24 interim, the legislative management shall consider~~
30 ~~studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related~~
31 ~~teacher training. The study must include a review of the pilot program established under section~~

1 ~~15.1-32-36. The legislative management shall report its findings and recommendations,~~
2 ~~together with any legislation necessary to implement the recommendations, to the sixty-ninth~~
3 ~~legislative assembly.~~

4 ~~— SECTION 5. EFFECTIVE DATE. Section 1 of this Act becomes effective on January 1,~~
5 ~~2025.~~

6 **SECTION 5. EXPIRATION DATE.** Section 1 of this Act is effective through December 31,
7 2024, and after that date is ineffective.