



North Dakota House of Representatives

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Minority Leader COMMITTEES:

Finance and Taxation

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Mr. Chairman and Members of the Senate Workforce Development Committee:

For the record, I'm Rep. Zac Ista from District 43 in Grand Forks.

This session, two of our top priorities are lowering costs for our citizens and, as your committee is focused on especially, enacting policies to recruit and retain talented workforce. HB 1238 helps achieve both priorities. By making educators eligible for a lifetime teaching license after 20 years in the profession (rather than the current 30-year benchmark), the bill will cut costs and red tape for teachers while incentivizing them to remain in the classroom.

For returning Senators, this bill will look familiar. You saw it last session as HB 1329, which, after passing overwhelmingly in the House, failed on a tied floor vote in the Senate. As you'll see from the strong support of those behind me and who have submitted testimony online, this bill certainly warrants another run at becoming law--and it is well on its way after passing in the House with 79 votes.

The concept of a lifetime teaching license is not new in North Dakota; it's been in place since 2001 for those teachers who have been in the classroom at least 30 years. Since 2011, over 2,600 educators have earned a lifetime teaching license, with over 250 new lifetime licensees in just the last two years. This strong and sustained interest in a lifetime teaching license is a testament to the enduring popularity of this option.

HB 1238 seeks to expand the pool of eligible teachers by changing the threshold for eligibility from 30 years to 20 years. This would allow more teachers in the prime of their careers to qualify, as opposed to current law that issues the lifetime license closer to the end of an average teaching career. In a time of increased concern about teacher recruitment and retention, we should be doing everything we reasonably can to keep our best teachers in the classrooms, and HB 1238 moves the needle in the right direction towards this goal.

The primary way it does this is by reducing the financial and time burden on teachers by eliminating two license renewal periods between years 20 and 30 of their careers. Under current law, teachers must renew their license every 5 years (after an initial 2-year licensure period at the beginning of their careers) with the Educational Standards and Practices Board. The license renewal fee is now \$140 (up from \$130 in 2023). By the time a teacher reaches lifetime license eligibility under current law, he or she will have paid nearly \$1,000 in license fees alone.

In addition, educators must also complete a minimum of 6 semester hours of re-education within their 5-year license period. Teachers typically take these college-level courses in the evenings, on weekends, or in the summer. The coursework is time-consuming, with each semester hour requiring multiple actual hours of work to complete. According to practitioners, teachers spend up to 180 hours completing these courses during each renewal period.

These courses typically are not free. Instead, teachers incur significant out-of-pocket costs to complete them, with each credit hour averaging \$50 plus fees. This equates to at least \$300 in course costs on top of the \$140 license fee each renewal period. In total, by the time a teacher reaches lifetime license eligibility after 30 years, he or she may have spent upwards of \$3,000 on the licensing process alone.

To the ESPB's credit, it is taking proactive steps towards reducing the cost of continuing education courses, which I anticipate it will describe in more detail in its own testimony regarding HB 1238. To further that effort, the Board requested an amendment (25.0477.01001) that would put in Century Code language requiring the Board to continue the work it is already doing towards making low and no-cost continuing education credits available for educators. I greatly appreciate the Board's outreach on this issue, and I would consider the amendment to be a friendly one if adopted by this Committee.

The language in the amendment, however, is a supplement, not a replacement, for the lifetime license threshold that is the main thrust of the bill. Changing that threshold to 20 years would eliminate two renewal cycles for qualified educators. With license fees and course costs/fees, this could easily save the average educator around \$1,000 in out-of-pocket costs, plus a substantial number of hours spent completing the re-education credits. As you'll hear from those in support of this bill, this is a modest but meaningful incentive for educators who, after 20 years of service, have proven themselves to be exactly the type of people we need to retain.

But does removing two renewal cycles risk teachers falling behind on the latest best practices in their field or, worse, risk potentially dangerous teachers (like those who committed a serious crime) staying in the classroom? The answer to these questions, I believe, is a resounding no.

On that first question, teachers are themselves lifelong learners, living the same value they hope to instill in their students. Even by changing the lifetime license threshold to 20 years, teachers will still have to navigate at least 4 renewal cycles before becoming eligible. That means nearly 25 semester hours of re-education courses, which requires hundreds of actual hours of educator work. This is above and beyond the annual professional development mandated by Century Code and school district contracts that every licensed educator engages in each year. Nothing in HB 1238 changes or removes that ongoing professional development, nor does it prevent school districts from requiring or incentivizing additional professional development if they choose. We know many districts already condition pay increases on educators obtaining advanced degrees or hitting certain amounts of credit hours of higher education coursework. This bill would not disrupt the option districts have to do that. Put plainly, veteran teachers will continue to grow in the profession if this bill becomes law.

The bill likewise will not risk teachers being allowed to continue in the profession after committing a disqualifying boundary violation. It's true that one part of the license renewal process now is for teachers to self-report potential misconduct or violations of their professional code of conduct (*e.g.*, criminal convictions, adverse employment action, or license discipline in another jurisdiction). When it receives reports of misconduct, the ESPB is empowered to take remedial action. Most often, that action is only minor (like a teacher being required to take an ethics course), but it can be license suspension or revocation.

When we considered this bill in 2023, the opposition from the ESPB centered on its concern about a new 10-year period in which educators would not be self-reporting potential license violations to the Board. This bill takes those concerns seriously and, in a change from 2023, now includes language (starting on page 1, line 13, of the .01000 version) specifically authorizing ESPB to continue requiring reports from lifetime licensees every five years on whether such persons have violated a criminal statute or need to disclose any other information that could result in license suspension or revocation. The language in line 16 makes clear that this must be done at no financial cost to the licensee, as reducing out-of-pocket costs remains a motivating goal of this legislation. Likewise, the intent of this language is for it to create a very minimal burden on current and future lifetime licensees, with the contemplation being that they would simply check a box (or some similar mechanism devised

by the Board) every 5 years attesting to the lack of any relevant boundary violations since their last reporting period (with more follow-up to the Board required if the licensee needs to disclose a violation).

In addition to this proposed new express authority, lifetime licensees remain subject to the state's Code of Professional Conduct for Educators (found in Title 67.1 of the Administrative Code), a violation of which "constitutes grounds for disciplinary action which includes the issuance of a warning or reprimand or both, suspension or revocation of the license of the affected educator, or other appropriate discipline conduct." As with professional development requirements, nothing in HB 1238 prevents local school districts from requiring more frequent disclosure of misconduct, and the Board certainly can and does monitor media reports for the most egregious criminal conduct. Moreover, members of the public may make a "Request for Inquiry" into any licensed educator for suspected violated of Century Code or the Code of Professional Conduct by filling out a form available online through ESPB's website. Additionally, the Senate this session already unanimously passed SB 2043, which would require immediate license revocation for teachers convicted of the most heinous crimes. That bill, the existing safeguards I've outlined, and the new authority set forth in HB 1238 provide strong assurances that lifetime licensees will not evade appropriate professional consequences if their conduct falls short of the important safety standards we have in place for our schools and students.

In conclusion, HB 1238 will provide our state's education workforce with a meaningful incentive to stay in the classroom. It recognizes that, after 20 years of high-caliber teaching, educators have proven their qualifications and abilities to the students, parents, administrators, and colleagues in their schools. And it provides an appropriate balance that ensures our schools and licensing regime continue to have student safety and achievement front of mind. Let's help lower out-of-pocket costs for teachers and move the ball down the field in our efforts to retain our skilled workers. I respectfully urge a DO PASS recommendation for HB 1238, and I will stand for any questions.