

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1076

2005 HOUSE EDUCATION

HB 1076

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1076**

House Education Committee

☐ Conference Committee

Hearing Date **10 Jan 05**

Tape Number	Side A	Side B	Meter #
1	X		1079 - 5827

Committee Clerk Signature

Minutes: With the exception of Chairman Kelsch, all members of the House Education were present.

In the absence of Chairman Kelsch, Representative Johnson chaired the committee. Rep. Herbel acted as vice chairman.

**Janet Welk, Executive Director of the Education Standards and Practices Board**, testified in support of HB 1076. **(Testimony attached.)**

**Rep. Hawken:** In Section 4 you mention K through 12.

**Welk:** That was my typo, it is supposed to be K-8.

**Rep Hawken:** Why would you approve no more than 2 applications per year?

**Welk:** That is recertification. That's not original certification. If someone does not complete all parts of the national board the first time, they can "bank" what they have completed correctly and go through the recertification process and the max for that is two per year.

**Rep. Norland:** With regards to the 3800 teachers that were not certified, how does your organization, DPI and the school district coordinate the information. If a teacher has a master's and has never registered with your office how do you know if those teachers are in that 3800. If they do have that, are they required to register with your office or is just important that the school district they work for have that and DPI has that information?

**Welk:** We have reprogrammed the computers so that every license that is issued through my office shows what the teacher is qualified to teach. We have actually aligned our licenses to the K-12 curriculum. When the teacher gets their license it will state on there course-by-course what they are qualified to teach which helps the school administrator and the teacher. If I don't have that information to add to the license it doesn't show up on the license and therefore no one knows what that teacher is qualified to do. If a person wants to add a master's to their license that will show up as well.

**Rep. Norland:** If a person has their masters, works for a school district and is on a salary schedule and are not registered with your office? It's about \$140 to register, isn't it?

**Welk:** The license fee is \$25 per year. If they get one for five years, they have to pay \$125. If the master's degree is not added to their license then no one knows that they have it other than the school district. So they would have to send it in and add it to their license if they want to use it for highly qualified.

My board is meeting on Wednesday and we will be discussing more about the elementary situation. The Coalition, NDEA, NDCEL, the administrators and the school board, as well as our congressional team, governor's office and US legislators have all been helping us so that

hopefully our 3800 teachers will not have to do something extra to prove they are qualified when we believe they already are qualified.

**Rep. Norland:** If this person has a master's in order to be certified as highly qualified, they are going to have to pay the \$140 to your office? This is a question teachers ask Rep. Meier.

**Welk:** If they want it on their license they are going to have to register it with our office. The answer is yes, but it's not \$140, it's \$25 for one year, \$125 for five years.

**Rep. Herbel:** What is the status of other states? What are they doing? Have they gone beyond what we are doing?

**Welk:** We have only spoken to Utah, the monitors were there prior to ND. They are waiting for the findings and recommendations in writing. They will then challenging the findings and recommendations as well. I did call WY, they are in the same boat. We have heard that SD, MT, and MN.

I have my office calling every institution of higher education that has had an elementary education program since 1960. We are compiling a spreadsheet of the curriculum provided within that major every then years through 2000 so we can document to the federal government that our teachers do have a minimum of 32 semester hours in the core content that they are teaching. We have a report from one institution and they are showing a minimum of 48 semester hours in content. So I think we have a pretty good chance of showing that all of our teachers are highly qualified and I hope they will listen. There will be a lot of states that are in the same boat.

**Rep. Sitte:** What is the difference between a certificate and a license as far as the legal ramifications of those two?

**Welk:** It was in 1999 that the ESPB when through and changed all language from certificate to license. A certificate is something that is added to a license. The license is the original document you get so you can teach.

**Rep. Sitte:** You alluded to some research that shows that nationally board certified teachers have a more positive effect on student learning. Could you explain that research to us?

**Welk:** Not in detail because I don't have it here. But basically what it says is that teachers who have gone through the process are able to help their students learn more through different instructional strategies and things that have been documented through national board.

**Rep. Sitte:** I went on line last night and found evidence to the contrary. **(See attached.)** It says the NTC is a weak indicator and a hoax. At best the results are quite mixed. What is your response to that?

**Welk:** I am aware of all the research. The research was looking at elementary. When you look at teacher effectiveness there is basically on researcher out there that has been able to identify effectiveness and I cannot think of his name. It is a very evasive subject to begin researching.

**Rep. Sitte:** Let's clarify. In your written testimony you said it has a more positive effect.

**Welk:** The research that I spoke of does show that NTC does show student learning. I also said there is other research out there. There's always research on both sides of the issue if you dig far enough.

**Rep. Sitte:** When we look at teacher's salaries across the board and we're trying to be equitable to help all teachers have a higher living wage, why would put money into a program into a program with dubious results that only spotlights a very few teachers?

**Welk:** The amount we request is \$40,000 for a two-year program. From the feedback from teachers, those dollars are very well spent.

**Rep. Hunskor:** How many teachers have become NTC certified in the last two years?

**Welk:** In November we had six and I cannot say how many in total.

**Rep. Hunskor:** And the only incentive they have is that the registration fee is paid. If this bill is passed those teachers would be entitled to \$1500 every year for four years or \$6,000.

**Welk:** That's correct.

**Rep. Hunskor:** I'd like to read from a letter from Amy Benz a middle school teacher in Beulah. "I am a NTC certified teacher and I believe it has improved my teaching quality. It required reflection on my own teaching in my classroom. It provided valuable feedback.

Across the country teachers are receiving 5, 10, and 20 percent increases in their salary if they are board certified. Although the state has supported the certification by paying the registration fee, there has been no dollar incentive to become national board certified. If we value teacher quality, we should support it." Do you have thoughts on this?

**Welk:** I have none.

**Rep. Hunskor:** But in your opinion, the certification is worth \$6,000.

**Welk:** In the opinion of the board, yes it is.

**Rep. Meier:** How many years has ND had board certified teachers?

**Welk:** NDEA actually supported it prior to ESPB and the legislators. I believe it was 1999 when state funding began.

**Rep. Meier:** Do you see more certifications?

**Welk:** It depends on the year. There hasn't been much interest this year and I'm not sure why.

**Rep. Hunsakor:** The \$6,000. Where does it come from?

**Welk:** It would come out of the \$40,000 we have requested which is in the DPI appropriation bill.

**LeAnn Nelson, NDEA,** testified in support of HB 1076. She has been involved with professional development for many years. NTC is valuable in that teacher learns how students are reacting to their teaching. It helps them to adjust in the classroom which does benefits students. This program of any I have I seen is the most effective for teachers.

**Rep. Sitte:** Could you tell us about the role of NEA in developing the certification?

**Nelson:** The NDEA brought the program into the state in 1998 when the first candidates went through the classes. We also provided support to our candidate by meeting with them and connect them with candidates who have gone through the program look at their process.

**Rep. Sitte:** My question was if the national organization had a hand in it.

**Nelson:** I'm not sure about the history of the NEA, I do know they were highly involved.

**Rep. Sitte:** Are you familiar with the five standards of the highly qualified and can you tell us why I would be a better teacher by following them. Every teacher follows these core propositions. They are weak and every teacher already does follow them.

**Rep. Herbel:** Is there any provision within the system that you can follow up and test students of the NTC and compare them with other similar classrooms?

**Nelson:** That's a good suggestion and I know they are starting to make those connections and look at proofs.

**Rep. Herbel:** That may be a way of justifying what is happening. I suggest some follow-up.

**Rep. Norland:** Who is the final evaluator of the program? Who is their leader and how do they know when they have finished the program? How does that all work.

**Nelson:** When they finish the program they send it a committee. It's a peer committee.

**Rep. Norland:** When approved, do they get a packet?

**Nelson:** I'm not sure what they get.

**Rep. Sitte:** They are constantly advertising for people to be on this committee so the people who evaluate could be the same at the end. It's highly tied to the NDEA and the NEA nationally.

**Rep. Horter:** Are the peer groups that evaluate nationally certified?

**Nelson:** No, they are not.

**Rep. Meier:** How many individuals review these applicants

**Nelson:** I don't know. Let Rep. Meier back up, I agree with Rep. Sitte about all the standards. Teachers feel that with the different learning levels and needs of the students in their classroom, they know they should be thinking about all the students, managing, prioritizing, they know all that but how do I do it with all these needs, someone needs to help. So you bring in the national board they see things. It's a good reflection program.

**Rep. Sitte:** Situations are staged, teachers are so tied up in busy work that they are letting their own classes slide.

**Nelson:** I do agree with that it's not just this program.

**Kermit Lidstrom, chairman of the ND Education Fact Finding Committee,** noted a potential conflict in the bill. The fact finding committee has been involved in a couple of instances in looking at the national certification and we have recommended that they be given an honorarium of \$1500 a year for the ten years of the certificate. That's been accepted in the Bismarck and

Mandan Districts and it may be going on someplace else. When I look at this bill that adds another \$2500 and I don't know how that would be fit in. My sense is that it would be an argument and the fact-finding commission would need to look at it.

**Rep. Haas:** In Bismarck and Mandan are they are given the \$1000 per year from local money in addition to the \$1500 from the DPI budget.

**Lidstrom:** The bill hasn't passed yet, but that is the problem we would solve.

**Doug Johnson, ND Council of Educational Leaders** testified in support of HB1076 and the amendments made including the amendments for the nationally certified teacher program.

**Rep. Sitte:** Are you aware of any research that indicate why we should go ahead and do this.

**Johnson:** I am not aware of any done in those particular areas. Research on this subject is fairly sketchy at this time. My personal experience is that those teachers certified are strong leaders in improving education.

Vice Chairman Johnson closed the hearing.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1076**

House Education Committee

☐ Conference Committee

Hearing Date **11 Jan 05**

Tape Number

2

Side A

X

Side B

X

~~5300~~ Meter #  
~~1000~~ - end

0 - 1105

Committee Clerk Signature

Minutes:

**Chairman Kelsch opened the meeting on HB 1076.**

**Vice Chairman Johnson:** On page 2 of the bill, line 17, I propose an amendment to replace "kindergarten" with "grade one."

**Rep. Hawken** seconded the motion:

**Rep. Mueller:** Why are we doing that?

**Chairman Kelsch:** You do not have to have to have an elementary degree to teach kindergarten. You need the Early Childhood Certificate.

**Rep. Sitte:** On line 28 then would we would we want to change that as well.

**Chairman Kelsch:** That's for a different specialty and a different subject.

**Chairman Kelsch:** Called for a voice vote on the amendment.

Aye: 14 No 0 Absent 0

**Chairman Kelsch:** We now have the amended bill before us.

**Rep. Sitte:** I move we remove section 5 dealing with the national board certification program.

After some information I picked up yesterday, there is no direct correlation between NBC and actual achievement in the classroom. I presented evidence from SC which has 3900 nat'l bd certified teachers and scoring 49th on the ACT scores and 50th on the SAT. There is a new study out of Florida indicating the very same thing. It showed a less than one percentage point difference in classrooms that have nationally board certified teachers.

**Chairman Kelsch:** Is that motion Rep. Sitte? Is there a second?

**Rep. Meier:** I'll second.

**Rep. Mueller:** My sense is that the nationally certified teachers are so small in number at this time that I have a hard time correlating the number that are out there with the trend that I think I'm hearing Rep. Sitte talk about, which is not a positive one. I can't make that connect. I cannot make a blame on what is happening in Arkansas or whatever state you indicated on nationally certified teachers, with that few numbers I cannot support this.

**Rep. Haas:** I agree with Rep. Mueller, I don't think you can generalize across the entire country when you have one professor at East Tennessee State University coming to some conclusions. Even if there are instances in other states that that might be a supported conclusion, I'm not going to generalize and have it apply to ND. We had testimony yesterday that indicated that teachers themselves who have gone through the certification have found it very helpful and they have come to the conclusion themselves that it has improved their teaching and their ability to work with kids. So I can't support you there.

**Rep. Herbel:** I feel the same. I think anytime we have a chance to upgrade standards. . . I think ND teachers are very involved and being rewarded for being a nationally certified teacher is

very important to them. They work hard at to improve their skills and I think they should be rewarded. So, I'm not going to support the amendment.

**Rep. Hunsakor:** I've talked to several teachers in our state who are nationally board certified. Those who have master's degrees and did so at their own expense have indicated that their self-examination as a result of going through the process is more important to them in the classroom then the work they did in getting their master's degree. That's quite a statement supporting national board certification.

**Rep. Sitte:** This is a substantial increase from the state: \$6,000, \$1500 for four years. I challenge you, if we are expecting higher test scores as a result of it, let's follow the money and find out if those teachers who are certified do actually have higher test scores as a result of their certification. There is another certification called the American Board Certification that several other state have looked at. Are we opening ourselves up to other certifications as well. We know that this was formulated by NEA, we know the NDEA has special study groups to promote their people in the program and we know that those who determine who gets the certification are those who have already obtained it. So is it really a fair process for those who aren't members of the NDEA? Is it really an in-house program as we heard yesterday?

**Chairman Kelsch:** I have a very dear friend who gained her certification and it's interesting that when you talk about tracking these people to see what the results are unfortunately you can't her because she was very disillusioned after she had gone through this very lengthy and detailed process where she spent a lot of her personal time, she felt she gained so much knowledge, so much information and was truly personally rewarded. She was substitute teaching and unable to find a full time teaching position and now utilizing the information and experience she gained at

the college level at NDSU. She will be one of those that cannot be tracked. She said if she hand known going into it what it was going to entail, she would not have gotten in to it, except she said that personally she gained so much from it. You can see that she has grown a lot and she's developed a lot and her students at NDSU are definitely appreciating the fact that she did it.

One reason she said she would never do it again was that it was prior to us giving out any sort of money at the state level to recognize those teachers. She got small stipend from the high school where she was it but it wasn't enough to make it worth the time and effort she put in to it. From the things I learned from her, I think it is a good program

If you would like to add and amendment to see what the tests results are for these teachers, go for it. It would be another something that school districts would have to provide for us. Perhaps that is something we should look at.

**Rep. Herbel:** I suggested that yesterday that there should be some method to track these teachers to see how their kids achieve for a number of years. As it is now, from the enthusiasm that I've seen from the people that have been here to testify in the last session, they're into it. I think we need people like that.

**Chairman Kelsch:** We have an amendment before us and I'll ask the clerk to take a roll call on the amendment. This amendment would delete section 5 of HB 1076.

**Yes:** 2      **No:** 12      **Absent:** 0

**The motion failed.**

**Chairman Kelsch:** We now have the amended bill before us.

**Rep. Mueller:** I move a do pass.

**Rep. Hawken:** A comment from Kermit on the fact finding and he questioned whether the funding should be at the state level.

**Rep. Haas:** It's impossible to predict what a school district would do and I don't see it as relative.

**Rep. Hawken.** I'll second your motion.

**Chairman Kelsch:** We have a motion by Rep. Mueller, seconded by Rep. Hawken for a do pass. Is there discussion.

**Rep. Sitte:** I do want to make a motion for an amendment.

**Chairman Kelsch:** You can make a motion.

**Rep. Sitte:** I move that we add an amendment to track the test scores of the classes of teachers who are nationally board certified and compare them. Do we have test scores Madam Chairman?

**Chairman Kelsch:** You could do something to the effect that if you have nationally board certified teachers teaching in a classroom where the required testing for NCLB or any standardized tests were required, those test results would be tracked for those teachers.

If Rep. Mueller and Rep. Hawken would like to withdraw their motion we can wait and get an amendment drafted that says the right thing.

**Rep. Mueller:** I am perfectly willing to do that. I think we ought to do some research into how that would work.

**Chairman Kelsch:** We can ask DPI if it actually could be done at the local school district level.

**Rep. Hunskor:** How to you take a board certified math teacher in Wilton ND and compare that with teachers in other schools? That's the only teacher in Wilton that teaches math. How does that play out?

**Chairman Kelsch:** You would have to do a statewide comparison. You could take a pool of schools that have like populations. We will try to come up with something that is manageable and not burdensome to the school district and meaningful. I'd also see if they are doing anything to retain these teachers.

**Rep. Hunskor:** Then the results of that classroom in Wilton would have to be compared with other classrooms across the state in ND using the same test.

**Chairman Kelsch:** It would have to be the same test. I also don't think we should know who that teacher is. It should be Teacher 1, 2, 3 . We'll see if we can do it, perhaps it's a simple act. If not, we'll just have to go ahead and proceed. We can ask some of the school districts who have certified teachers let us know how they are doing.

**Rep. Herbel:** If we do have this amendment what difference will it make in this bill?

**Chairman Kelsch:** None, it could certainly show the benefit and put away some of the thoughts that it doesn't make a difference if you're certified or not. I have a feeling what you are going to see is so much more enthusiasm. These teachers are just dynamos and students work very hard for them.

**Rep. Herbel:** Perhaps that should be a separate bill instead of an amendment to this one. It is significant that we pass it as it is. If we want some tracking done that should be a separate bill to make it accountable for that money.

**Chairman Kelsch:** It might be an issue that is more complicated than an amendment.

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House Education Committee

Bill/Resolution Number **HB 1076**

Hearing Date **11 Jan 05**

**Rep. Hanson:** Maybe it should be a resolution.

**Rep. Sitte:** Could we just delay for one day and I'll come up with an amendment.

**Chairman Kelsch:** We can hold on it for a day.

**Chairman Kelsch** closed the hearing to 2:30 or the call of the chair.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1076

House Education Committee

☐ Conference Committee

Hearing Date **12 January 05**

Tape Number	Side A	Side B	Meter #
2	x		5300 - end
		x	0 -1000

Committee Clerk Signature



Minutes:

**Chairman Kelsch opened discussion on HB 1076.**

**Rep. Sitte** distributed materials showing minimum gains for nationally board certified teachers.

**(Copy attached.)** There is no remuneration for nationally board certified speech pathologists, or librarians. We may be starting a merit based pay, we are saying some merit it more than others. I did draft an amendment for your consideration that would study the standardized test scores of those teachers who are board certified and compare them to other excellent teachers in the same school.

**Rep. Mueller:** I have a study here from Miami-Dade School District that showed that showed certified teachers helped their students more than other teacher.

**Rep. Sitte:** The page I gave you shows a mere 1.25 increase in achievement gains.

**Chairman Kelsch:** We have to look at it for ND, not as the national part of it. Technically we cannot look at that.

**Rep. Sitte:** There are some teachers that are the end of their teaching careers that will choose not to be certified. Why should have an advantage of \$6000 from the state and others not.

**Rep. Hawken:** Comparing excellent teachers--that's nebulous.

It depends if a child's learning style fits with a teacher's teaching style, that's not scientific.

I'm not sure that would be valuable.

**Rep. Norland:** As a former administrator there were lots of teachers who chose not to take the extra step for one reason or another and just barely take the 5- 8 hours they needed to maintain their credentials. That doesn't mean they were not good teachers. There were some teachers that decided there might be something out there that will help. I noticed those grew and were above and beyond. I look at this as just another step. The ones that do make the commitment shows they are willing to take another. It doesn't mean test scores will be better. That's not the way it works.

**Rep. Johnson:** I move a do pass on this bill as it is.

**Chairman Kelsch:** Rep. Sitte is looking at adding under section 8, I don't think it would fit there.

**Rep Sitte** moves to and **Rep Meier** seconded to amend 1076 per the attached (**Attached to roll call vote.**) as subsection 8 under section.

**Yes:** 3      **No:** 11      **Absent:** 0

**Motion Failed.**

**Rep. Johnson:** I move that we pass 1076 as amended and re-refer it to appropriations.

**Rep. Mueller:** Second

**Rep. Haas:** I think any time we can increase the standards of education, I think it's important.

In most cases, you're going to find that people who strive to improve their standards, they're improving their skills and knowledge. You can't teach something you don't know, so the more you know the better you're going to be at it. You are looking at approximately .0008% of the budget of our state. That's a pretty insignificant number to encourage people to continue to strive to be better at what they do.

**Chairman Kelsch:** There being no further discussion the clerk will take the roll on a do pass as amended and re-refer to appropriations.

**Yes:** 13      **No:** 1      **Absent:** 0

**Rep. Herbel will carry.**

**Chairman Kelsch** closed the hearing on HB 1076.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1076**

House Education Committee

☐ Conference Committee

Hearing Date **17 Jan 05**

Tape Number	Side A	Side B	Meter #
1		X	5000 - end

Committee Clerk Signature



Minutes:

**Chairman Kelsch opened the hearing on HB 1076.** She explained that the committee re-referred this bill to appropriations. Last session any bill that had an appropriation within an agency bill it had to go to appropriations. This session we are back to the old rule where a bill must have the appropriation in the title or it has to have the appropriation included the bill.

**Rep. Herbel:** The appropriation of \$40,000 is already built into DPI's budget.

**Chairman Kelsch:** Yes, last session anything that had to do with an agency's budget had to go to appropriations. This session we are not doing that. I need a motion to reconsider the bill and to bring the bill back to this committee and correct the motion and then only do a "do pass." motion.

**Rep. Herbel:** I so move.

**Rep. Haas:** Second

**Chairman Kelsch** called for a voice vote:

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House Education Committee

Bill/Resolution Number **HB 1076**

Hearing Date **17 Jan 05**

Aye: 13 Nay: 1 Absent: 0 Passed.

**Chairman Kelsch:** We now have the amended bill before us.

**Rep. Herbel.** I move for a **do pass as amended.**

**Rep. Mueller:** I second

**Rep. Sitte:** I was talking to some Nationally Board Certified people over the weekend and they say there is a national certification for counselors and they are working hard to get special remuneration from the school district too. I think we are going to see this come up in several areas.

**Chairman Kelsch** called for a roll call vote.

Yes: 13 No: 1 Absent: 0 Passed

**Rep. Herbel** will carry the bill.

**FISCAL NOTE**  
**Requested by Legislative Council**  
03/21/2005

Amendment to: Engrossed  
HB 1076

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Section 10 National Board for Professional Teaching Standards dollars of \$50,000 is included in the DPI budget, HB 1013.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

\$40,000 was included in the executive budget and approved by the House. ESPB is requesting an additional \$10,000 or a total of \$50,000.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The cost of the assessment fee has gone up to \$2500 per applicant. This bill includes a request for stipends for those teachers successfully completing NBPTS.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

**Name:** Janet Welk

**Phone Number:** 8-9646

**Agency:** Education Standards and Practices Board

**Date Prepared:** 03/22/2005

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/04/05

Bill/Resolution No.: HB 1076

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Section 5 National Board for Professional Teaching Standards dollars of \$40,000 is included in the DPI budget, HB 1013.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name: Janet L. Welk

Agency: Education Standards and Practices Board

Phone Number: 328-9646

Date Prepared: 01/07/2005

V/R  
1/13/05

HOUSE AMENDMENTS TO HOUSE BILL NO. 1076 EDU 1/13/05

Page 2, line 17, remove the overstrike over "~~grade~~", remove the overstrike over "~~one~~", and  
remove "kindergarten"

Renumber accordingly

Date: *11 Jan 05*  
Roll Call Vote #: *1*

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. *HB 107L*

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *Chg pg 2, line 17: replace "kindergarten" with "grade one"*

Motion Made By *Rep Johnson* Seconded By *Rep Hawken*

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	X		Rep. Hanson	X	
Vice Chairman Johnson	X		Rep. Hunsakor	X	
Rep. Haas	X		Rep. Mueller	X	
Rep. Hawken	X		Rep. Solberg	X	
Rep. Herbel	X				
Rep. Horter	X				
Rep. Meier	X				
Rep. Norland	X				
Rep. Sitte	X				
Rep. Wall	X				

Total (Yes)

*14*

No

*0*

Absent

*0*

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

*License (cert) not required for kindergarten. Requested by Nancy Wells, Ed Standards + Practices.*

Date: 11 Jan 05  
Roll Call Vote #: 2

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1076

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken delete section 5

Motion Made By Sitte Seconded By Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch		X	Rep. Hanson		X
Vice Chairman Johnson		X	Rep. Hunsakor		X
Rep. Haas		X	Rep. Mueller		X
Rep. Hawken		X	Rep. Solberg		X
Rep. Herbel		X			
Rep. Horter		X			
Rep. Meier	X				
Rep. Norland		X			
Rep. Sitte	X				
Rep. Wall		X			

Total (Yes) 2 No 12

Absent 0

Floor Assignment failed

If the vote is on an amendment, briefly indicate intent:

Date:  
Roll Call Vote #:

12 Jan 05  
301

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. *HB 1076*

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *Amend to add the attached as sub section 8*

Motion Made By *Rep Sitte* Seconded By *Rep Meier*

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch		X	Rep. Hanson		X
Vice Chairman Johnson		X	Rep. Hunsakor		X
Rep. Haas		X	Rep. Mueller		X
Rep. Hawken		X	Rep. Solberg		X
Rep. Herbel		X			
Rep. Horter	X				
Rep. Meier	X				
Rep. Norland		X			
Rep. Sitte	X				
Rep. Wall		X			

Total (Yes) *3* No *11*

Absent *0*

Floor Assignment

*Failed*

If the vote is on an amendment, briefly indicate intent:

*Provide comparison of test scores of students of nationally certified teachers and other teachers*

Date:

Roll Call Vote #:

12 Jan 05  
# 62

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1076

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

*as amended*  
*do pass and re-refer to appropriations*

Motion Made By

*Rep Johnson*

Seconded By

*Rep Mueller*

Representatives

Yes

No

Representatives

Yes

No

Chairman Kelsch

X

Rep. Hanson

X

Vice Chairman Johnson

X

Rep. Hunsakor

X

Rep. Haas

X

Rep. Mueller

X

Rep. Hawken

X

Rep. Solberg

X

Rep. Herbel

X

Rep. Horter

X

Rep. Meier

X

Rep. Norland

X

Rep. Sitte

X

X

Rep. Wall

X

Total (Yes)

13

No

1

Absent

0

Floor Assignment

*Rep Herbel*

If the vote is on an amendment, briefly indicate intent:

Date:

Roll Call Vote #:

17 Jan

1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1076

House Education Committee

☐

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken reconsider action to refer to appropriate subcommittee.

Motion Made By

Herbel

Seconded By

Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep. Hanson	✓	
Vice Chairman Johnson	✓		Rep. Hunskor	✓	
Rep. Haas	✓		Rep. Mueller	✓	
Rep. Hawken	✓		Rep. Solberg	✓	
Rep. Herbel	✓				
Rep. Horter	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte		✓			
Rep. Wall	✓				

Total (Yes)

13

No

1

Absent

0

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Carries

Date:  
Roll Call Vote #:

17 Jan 05  
2

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1076**

**House Education Committee**

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *do pass as amended*

Motion Made By

*Herbel*

Seconded By

*Mueller*

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep. Hanson	✓	
Vice Chairman Johnson	✓		Rep. Hunsakor	✓	
Rep. Haas	✓		Rep. Mueller	✓	
Rep. Hawken	✓		Rep. Solberg	✓	
Rep. Herbel	✓				
Rep. Horter	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte		✓			
Rep. Wall	✓				

Total (Yes)

13

No

1

Absent

0

Floor Assignment

*Rep Herbel*

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
January 17, 2005 12:15 p.m.

Module No: HR-10-0532  
Carrier: Herbel  
Insert LC: 58064.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HB 1076: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1076 was placed on the Sixth order on the calendar.

Page 2, line 17, remove the overstrike over "~~grade~~", remove the overstrike over "~~one~~", and remove "kindergarten"

Renumber accordingly

2005 SENATE EDUCATION

HB 1076

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1076

Senate Education Committee

☐ Conference Committee

Hearing Date 03/08/05

Tape Number	Side A	Side B	Meter #
1	x		0-3200
3	x		2165-2330

Committee Clerk Signature

*Patty Wilkens*

**Minutes: Relating to licensing, qualifications, and national certification of teachers.**

**Senator Freborg :** Call the meeting to order on **HB 1076**

**Janet Placek Welk :** Education Standards and Practices Board, introduced the bill, she had read amendments that had not been presented to the Senators prior to her introducing the bill.

**Senator Freborg :** Were any or all of these amendments tried in the House?

**Janet Welk :** No they had not.

**Senator Freborg :** What happened?

**Janet Welk :** We had been meeting numerous times and were able to come up with these amendments after it had passed through the House.

**Senator Taylor :** On Section 2 where you have the latitude to higher a teacher that is not highly qualified, you mentioned there is a three yr. window but this isn't in language in the amendments, is that an administrative rule? Cause as written?

**Janet Welk :** It would be in rule and the reason for requiring this for completion is b/c Federal Law requires that all teachers under their quote alternative section, only have three yrs.

**Senator Taylor :** That's the maximum?

**Janet Welk :** Yes.

**Senator Seymour :** I didn't quite understand the middle school the sixth grade endorsement, so say I was teaching somewhere where there isn't a middle school and teaching sixth grade and then move to a town where they have a middle school that has a sixth grade is there. I start teaching there and I have a major in elementary education, does that mean I am OK?

**Janet Welk :** That is exactly right.

**Senator G. Lee :** To clarify for me the difference between a license to teach and or is approved to teach.

**Janet Welk :** The language started in 1999. We started that language when we did an emergency counselor law, since that time we have included it in all of the language throughout the code. We always say it is licensed to teach or approved to teach, by the ESPB. That is just general language.

**Senator G. Lee :** When you talk about provisional teaching license and the waiting period, how do the districts manage that with the contracts then. If they only have a provisional license and things don't work out, have they signed a contract already?

**Janet Welk :** Usually a contract is based on a correct valid license, we presently do the 40 day provisional while we wait for fingerprints to come back from the FBI. District usually don't have a problem with it they actually request it in written documentation prior to me issuing it.

**Senator G. Lee :** If we didn't accept this new drafting and go with the other one is that an issue or problem?

**Janet Welk :** That would make our life more difficult.

**Senator Flakoll :** Do we have any data now that we have had national teacher certification for a few years as opposed to the anecdotal evidence, that the students in these classrooms do perform better?

**Janet Welk :** We have national data, but in ND we only have 23 teachers that are nationally certified. No studies have been done here yet.

**LeAnn Nelson :** Presented to the members a green folder with information. Explained the abstract on the research, a list of national certified board teachers in ND. Find this is very useful.

**Senator G. Lee :** In the original bill on pg. 3 strikes the language that says there can't be more than two from the same school. What is the spread?

**LeAnn Nelson :** What originally happened with that is there are 17 slots, we didn't want it like Bismarck , GF, or Fargo to be the big districts for these, so we had two from Bismarck so no more from Bismarck, so the slots were not filled up.

**Senator G. Lee :** How many in the state?

**LeAnn Nelson :** 23

**Senator G. Lee :** Where are they?

**LeAnn Nelson :** Located all around the state.

**Doug Johnson :** NDCEL,

**Senator Freborg :** Are you testifying to the bill or the amendments?

**Doug Johnson :** To the amendments.

**Senator Freborg :** Indicated that this is a very unusual procedure, but did allow Doug to be brief.

**Doug Johnson :** We have worked very closely with LC and DPI , ESPB. Worked on the approval process, and the problems that we ran into with highly qualified teachers and school districts losing foundation aid pymt. b/c teachers would to be approve. So we think the amendments proposed would take care of that problem.

**Jon Martinson :** SBA supports bill and amendments, would like to bring one thing to your attention, on page 12 line 22, it talks about providing and funding for a teacher that get national certification whether they are public or nonpublic school teachers. I want to raise that as a concern of ours. I don't know what the practice is in terms of providing money to nonpublic schools.

**David Barts :** Teacher in Mandan Public School and National Board Certified teacher. In support of this, See attached : written testimony

**Senator Taylor :** There is an expiration date on the list, yours is in 2012, is that the same process again in 2012 and down the road need for scholarship?

**David Barts :** My understanding that the renewal process after ten yrs. is not as rigorous as the first go around. You would need to demonstrate that you still have those competencies and that you are meeting the National Standards. Price would be much less.

**Anita Decker :** DPI, Director of School Approval and Accreditation.

**See Attached : Written testimony.**

**Senator Taylor :** I assume all these concerns were outlined at your meeting with the group that proposed the amendments.

**Anita Decker** : Yes they were, they weren't a surprise to anyone.

**No further discussion**

**Senator Freborg** : Closed hearing on **HB 1076**

**Senator Freborg** opened the hearing back up on **HB 1076**

**Senator Flakoll** : Did you not say earlier that the people that brought this problem to us that we were going to discuss these nine pgs. worth of amendments?

**Senator Freborg** : I believe that the two sides in disagreements are talking and may come to some conclusions and in that case they may come with a whole set of new recommendations and we could kill these amendments. I am assuming they are talking or intend to, they will need to get together discuss their differences, and if they do I will assume that they have a new set of amendments.

**Senator Flakoll** : I am not interested in applying the amendments that were brought by Janet Welk, I can't make any motion to adopt something that is not there.

**Senator Freborg** : You are right, I was confused b/c we only got testimony on it.

**Senator Flakoll** : Our general intent is.....

went back to another bill

2005 SENATE STANDING COMMITTEE MINUTES


BILL/RESOLUTION NO. HB 1076

Senate Education Committee

☐ Conference Committee

Hearing Date 03/14/05

Tape Number	Side A	Side B	Meter #
1		x	2649-end
2 x			0-470

Committee Clerk Signature 

**Minutes: Relating to licensing, qualifications, and national certification of teachers.**

**Senator Freborg :** Call the meeting to order on **HB 1076**

**Senator Freborg** indicated that we had new information that we needed to hear, and that we wouldn't be taking new testimony or testimony on the bill, just new information. I believe the two sides have visited and they have new information

**Anita Thomas :** Attorney with LC, she walked the members through the bill with new amendments. Mrs. Decker and Mrs. Welk and I worked together on this. There are statutory drafting issues and legal issues that have come up with this bill. Those issues have been addressed by mean of a proposed amendment, that is being offered for your consideration.

**See Attached : written testimony**

**Senator G. Lee :** You tried to cover that in terms of that being licensed or and approved, I am still not understanding why we have to have, if your licensed you seem like you are approved.

**Anita Thomas :** Approval is a precursor to a license, for instance if an individual has graduated from school and has applied for a license maybe the transcript is not yet in the hands of ESPB. Perhaps the background check has been done, we know that the good individual that person is going to be licensed to teach but there is still a time gap between when the application is completed and when that final stamp of approval is issued by the board.

**Senator G. Lee :** You have replaced school district with board in several instances, is that significant or is that just clean up there?

**Anita Thomas :** That was a late realization, actually early this morning. I was reading and realized that the approval applies to both public and nonpublic, and consequently we are talking about more than just a school district or school board. This is applicable to nonpublic schools and administrative boards.

**Senator Freborg :** Other questions?

Anita Thomas indicated that she would be around if there were anymore questions.

**Anita Decker :** Director of School Approval and Accreditation, said she would like to go back and cover the points of concern that she had in her testimony to them to show that they have been resolved. Among those, she wanted to be certain that it didn't affect credentials, b/c the department issues credential for counseling, administration, drivers education, library, special education, the language does not affect credentials. In section 2 the area of our primary concern I had indicated in the draft that we looked at, that the application deadline seemed to encourage procrastination and that there was no reporting required. That has been clarified to our satisfaction. It says now that the individual must file it, this counts during the year that they first seek the waiver or exception. A lot of what my concerns were ESPB has reported that they do in

their rule making process, that we will be monitoring that very carefully as well. One other concern is that we were having elementary teachers teaching Spanish with no background. The addition in the current language saying that they must have at least a minor does assure us that there would be some preparation for getting into this section. Questions that I had in the legality of the temporary emergency, or whatever for additional licenser I have been assured by Ms. Welk that the ESPB is confident that the language is legal based on their own attorneys. The Dept. can stand with HB 1076 as explained by Anita Thomas.

**Senator Freborg :** You are talking about the hog house amendment present right now?

**Anita Decker :** Yes.

**Senator Seymour :** Years ago you use to come up with the word grandfathering in some of these states, I don't hear that word anymore, I just hear that we need to be highly qualified, you need to do this immediately, is that what we are doing, in general.

**Anita Decker :** I do not believe we are grandfathering or grand mothering anybody, I believe what we are doing is providing for a extreme exception. This would not be able to used by all teachers who have failed to follow the new law.

**Janet Welk :** Executive Director of ESPB, we wish to speak to the amendments of the engrossed house bill 1076, I don't have prepared testimony. There is only one issue that has come to our attention that we feel would be more limiting than what the Federal Government is limiting, that is on pg. 4 of the amendments that Anita gave you. Under 15.1-18-07 subsection 3, in order to teach any grade from 1-8 in a self contained classroom is struck out and new language is an elementary district or in a nonpublic elementary district. The way that we interpret this is that an elementary district would be a 1-6 district if the district had a 1-8 district they would not be able

to have an elementary prepared teacher in those classrooms. Federal guidelines tell us that we can have an elementary prepared teacher in a self contained classroom. Our interpretation is that if SB 2333 passed that would mean that those teachers in grade 7 & 8 would all have to become middle schooled prepared, meaning they would all have 16 semester hours in every content that they would be teaching. We don't think that that is viable at this point, also and I will use the district, one that I use to teach in. If Grafton were for some reason were to change to a 1-8 elementary school, they could not do that and have elementary prepared teachers at that level b/c they are a High School district. When Anita Thomas and Anita Decker and myself met on Friday, it was a crash course and the terminology taken from the fiscal section of the century code, but that is how I understand it. Our decision was to leave the language self-contained classroom.. We don't want to allow teachers to do something that they are not qualified to do, but we don't want to be more strict than what the Federal guidelines are at this point, so that would be the only thing, everything else we are in complete agreement with, having no problem with this.

**Senator Freborg :** I misunderstood what you were saying with when they became an elementary district.

**Janet Welk :** I do apologize for having trouble explaining this to you. Let's say Grafton for whatever reason, right now they are 1-6 and 7-12 for whatever reason they wanted to change grade 7 to a self contained classroom with this law they could not do that. The federal guidelines would still allow them to do it.

**Senator Freborg :** I understand that but I thought what I heard was that you said that if they became an elementary district.

**Janet Welk :** I used it wrong then, I am sorry.

**Senator Freborg :** Maybe you didn't say that, that is what I thought you said, that they cannot become an elementary district.

**Senator Taylor :** I assume if we were to make this change back to self contained classroom and the words written in red here we would have a newly numbered amendment for our consideration?

**Senator Freborg :** I am assuming.

**Senator G. Lee :** Anita Thomas mentioned there was some conflicting information on the number of applicants for these national certified teachers, one said 17 and one said 2 where are these references?

**Janet Welk :** What we wanted to do with that is have 17 new applicants with national board and provide assistance for two retakes each yr. We have teachers who have not completed the entire process maybe they didn't complete one section and we would like to help them with that retake process if we have dollars left over. We would only do that at two per yr.

**Senator G. Lee :** In section 10 where it says approve no more than 17 applicants that would be the first time through the process and then under subsection 2 where it says two scholarship applications is that where they do the retakes?

**Janet Welk :** Yes, I think what we need to do is to include under number 2 the words retake. I apologize for that.

**Senator Freborg :** Do you wish for some time? Another day or two?

**Senator G. Lee :** I would like to look at this for another day.

**Senator Flakoll :** Would that mean we would be getting an 06 amendment then, with the discussed changes?

Page 6

Senate Education Committee

Bill/Resolution Number HB 1076

Hearing Date 03/14/05

**Senator G. Lee :** I can do that if that is what you would like.

**Senator Freborg :** I think that would take care of things.

No further discussion

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1076

Senate Education Committee

☐ Conference Committee

Hearing Date 03/15/05

Tape Number	Side A	Side B	Meter #
2	x		0-463
3	x		0-1020

Committee Clerk Signature *Patty Wilkins*

**Minutes: Relating to licensing, qualifications, and national certification of teachers.**

**Senator Freborg :** Call the meeting to order on **HB 1076**

**Senator G. Lee :** Incorporating in the sections that she had reviewed with us. Mentioned that it changes the board areas in terms of districts and non publics.

**Senator Flakoll :** I also think that on pg 4 of the amendments it also incorporated, it wasn't red ink in copy but it was about the self contained classrooms, that Janet Welk had requested.

**Senator G. Lee :** I think the amendments probably work well in terms of what they are talking about, the section 10 that I don't view this personally in section 4 for example it adds 1500 dollars a year for four yrs. to those teachers who receive scholarships, and this is new language from what was drafted. It has been in the bill all along, but different from what we did last session.

**Senator Flakoll :** This has been the practice?

**Senator G. Lee :** I think it is all new language.

**Senator Flakoll :** I think it was in there before.

**Senator G. Lee :** Then why is it new language?

**Senator Flakoll :** I think we hog housed it.

**LeAnn Nelson :** NDEA, said what happened here was that last legislative session, it was taken out, it would have been prior to that. The reason it was taken out is that DPI said what could happen is that they get a lot of professional development dollars that are returned back to the state and what districts could do is they could apply for those professional development dollars and that is why they took out the stipend. Why she put it back in is b/c Janet went to DPI and asked them again about the professional development dollars for next board certification. They said that those dollars need to go to other places, so that is why it is back in this bill.

**Senator G. Lee :** This is new to what we have now?

**Senator Taylor :** So the dollar amt. with the 6,000.00 is similar to what has been asked for in the past.

**LeAnn Nelson :** Correct

**Senator G. Lee :** So there are no dollars appropriated last session?

**LeAnn Nelson :** No, but before that.

**Senator Flakoll :** Rather than taking things up at this point maybe we need until this afternoon.

**Senator G. Lee :** Yes.

**Senator G. Lee** adjourned the meeting.

**No further discussion**

**Tape #3**

**Senator Freborg** called the meeting back to order on **HB 1076**

**Senator G. Lee :** addressing the changes that Anita Thomas had drafted the 06 version, to each of you, there was some change on pg. 4 that Anita would like to review again, subsection 3 under section 5. Some question about in the self-contained class room and she just wants to tell us what the parties in disagreement with or agreed to.

**Anita Thomas :** If you remember yesterday when we talking about this section we had an initial concern b/c one section said, in order to teach any grade from 1-6 in elementary school the next section said in order to teach grades 1-8 in elementary school and seemed to be in conflict. What the party seemed to be in agreement on is to clarify what they mean by that, I did put an example on the board. What it essentially would say is that, in order to teach any grade in elementary school that offers 1-8 that would include nonpublic elementary, include high school districts that have K-8 in one building, in order to teach that range a teacher would have to have a major in elementary education or a major equivalency in elementary education. By the same token if you had an elementary school in your district that offered 1-6 that teacher would obviously have to have a major in elementary education or an equivalency. If you were in a larger district like in Bismarck, and have a number of K-6 elementary and have 7,8 or 7,8,9 middle schools, if it is called a middle school the teacher would then have to have a middle school endorsement. If the district wanted to shift around classes and go from legitimate elementary schools, elementary trained teachers could teach in 1-6 or 1-8 as long as it is in the school building.

**Senator Seymour :** So in Minot where we have a middle school with 6,7,8 they would have to have the middle school?

**Anita Thomas :** That would be my understanding or perhaps would like to address that.

**Senator Freborg :** We are not taking new testimony only to answer a question.

**Janet Welk :** Director of the ESPB, we actually have amended this to include those teachers to include those teachers grades 5 or 6 could teach any middle school with an elementary license, so that would be taken care of.

**Senator G. Lee :** I think that puts together all the pieces that the parties had interest in resolving in terms of the language up through section 9. The only other issue I had with the bill was section 10, I am not convinced that is something I would like to see in the bill.

**Senator Freborg :** Are you talking about all of section 10?

**Senator G. Lee :** Yes.

**Senator Seymour :** I see it as a futuristic thing, pushing that idea of testing and national recognition and so on of a teacher, maybe it is a carrot in there to, the big word today is assessment. See where we are at, and try to improve, to see where the students are at. This might be something we just are not use to, it would be good to have that carrot in there.

**Senator G. Lee :** I like carrots also, but I am not so sure the school districts can't manage incentives for teachers pay if they want to do that, incentives to those people differently rather than the state providing those kinds of dollars for that reward.

**Senator Taylor :** Last session I know when we had testimony on National Board Certification, there certainly a lot of enthusiasm about the program, these are the best of the best. Comparing to board certified doctors or veterinarians, their going to be a presence in the entire state teaching community. I think it warrants our support at a state level b/c they are going to have an influence certainly in their school district but also in the teaching community as a whole.

**Senator Erbele :** What would be the cost.

**Senator Flakoll** : indicated this would be about 40 grand.

**Senator G. Lee** moved the proposed amendments to engrossed HB 1076 on the description that **Anita Thomas** gave us today on pg. 4 section 5 and subsection 3 which includes the language she offered us and also strike section 10.

**Senator Freborg** : Including the language on the board?

**Senator G. Lee** : Yes.

**Senator Flakoll** second the motion.

**Senator Taylor** indicated he will resist this motion and include section 10 in the next one.

**Hearing no other discussion roll call was taken : Vote : 2 yea, 4 nay, 0 absent**

**Senator Taylor** : I move the 0206 amendment w/changes that were discussed by Anita Thomas, the same thing but to include section 10.

**Senator Flakoll** second the motion.

**Hearing no other discussion roll call was taken : Vote : 5 yea, 1 nay, 0 absent**

**Senator Taylor** moved a Do Pass as amended on **HB 1076**

**Senator Erbele** second the motion.

**Hearing no other discussion roll call was taken : Vote : 5 yea, 1 nay, 0 absent**

**Senator Taylor** will carry the bill.

**Senator Freborg** adjourned the meeting.

March 11, 2005

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1076

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15.1-09 and a new section to chapter 15.1-18 of the North Dakota Century Code, relating to approval of teachers by the education standards and practices board; and to amend and reenact sections 15.1-06-06, 15.1-13-13, 15.1-18-02, 15.1-18-07, 15.1-18-08, 15.1-18-09, 15.1-18-10, and 15.1-18.1-02 of the North Dakota Century Code, relating to teaching licenses and the approval of teachers by the education standards and practices board.

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

**SECTION 1. AMENDMENT.** Section 15.1-06-06 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-06-06. Approval of public and nonpublic schools.** Each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the superintendent of public instruction. Except as otherwise provided by law, the superintendent may not approve a school unless:

1. Each classroom teacher holds a valid teaching certificate issued is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Each classroom teacher is teaching only <sup>in those course areas or fields</sup> ~~at those grade levels or in those content areas~~ for which the teacher is licensed or for which the teacher has received an exception under section 2;
3. The students are offered all subjects required by law; and
- 3- 4. The school is in compliance with all local and state health, fire, and safety laws.

**SECTION 2.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**Licensure to teach - Course area or field - Request for exception - Report.**

*If the board of a school district or of a nonpublic school*

1. ~~if a school district~~ <sup>board</sup> is unable to fill a particular position by recruiting or assigning an individual who is licensed to teach in that particular course area or field, the ~~school district~~ <sup>board</sup> may fill the position with an individual who is not licensed to teach in that particular course area or field, provided the individual:

- a. Is licensed to teach by the education standards and practices board or is approved to teach by the education standards and practices board;
  - b. Holds at least a minor or a minor equivalency in the course area or field in which the individual seeks to teach; and
  - c. Has received a temporary exception under this section.
2. The education standards and practices board shall adopt rules governing the issuance of temporary exceptions under this section. Except for a case

board's

of sudden and unexpected vacancy occurring during the school calendar, the rules must require consideration of a school district's efforts to fill a particular position and the school district's efforts to explore alternative methods of education delivery to the students. The rules must also require that the individual submit a plan for a course of study which will enable the individual to obtain a major or a major equivalency in the course area or field in which the individual seeks to teach.

3. An exception granted under this section is valid only through the conclusion of the school year in which the request for exception is submitted to the education standards and practices board. The board may extend the exception by one-year increments, provided the individual demonstrates successful completion of a least one-third of the total course of study prior to each requested extension.
4. At the conclusion of each school year, the education standards and practices board shall file a report with the legislative council. The report must site all requests for exceptions under this section received by the board during the school year and must include the board's response to each request and a brief description of the board's rationale.

**SECTION 3. AMENDMENT.** Section 15.1-13-13 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-13-13. Provisional teaching license - Period of effectiveness - Renewal.** The board may issue a provisional teaching license to an applicant awaiting, pending completion of the background check required by section 15.1-13-14 or pending the receipt of official transcripts or other original, signed, or certified documents. The provisional license is valid for a period of forty days and may be renewed with the approval of the board. The board may adopt rules governing the issuance of a provisional teaching license. An individual applying for a provisional teaching license may be charged a fee established by the board. However, an individual applying for the renewal of a provisional teaching license may not be charged a fee.

**SECTION 4. AMENDMENT.** Section 15.1-18-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-02. (Effective through June 30, 2006) Kindergarten through grade eight - Teacher qualifications - Exceptions.**

1. In order to teach kindergarten, an individual must:
  - a. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and have a kindergarten endorsement; or
  - b. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrate to the satisfaction of the education standards and practices board that the individual will obtain a kindergarten endorsement within two years from the date of the assignment to teach kindergarten.
2. In order to teach any grade from one through eight, an individual must:
  - a. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and have a major, a minor, or an endorsement in elementary education; or

- b. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrate to the satisfaction of the education standards and practices board that the individual will obtain an endorsement in elementary education within two years from the date of the assignment to teach any grade from one through eight.
3. Notwithstanding subsection 2, an individual may teach any grade from five through eight if the individual:
  - a. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and has a major or an endorsement in middle school education; or
  - b. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrates to the satisfaction of the education standards and practices board that the individual will obtain an endorsement in middle school education within two years from the date of assignment to teach any grade from five through eight.
4. Notwithstanding subsection 2, an individual may teach grade seven or eight if the individual is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and has a major or a minor in the assigned course area or field.
5. Notwithstanding subsection 2, an individual may teach special education, foreign language, art, music, physical education, business education, and computer education at any grade level from kindergarten through eight, provided the individual is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and meets the requirements imposed by the superintendent of public instruction.
6. An individual may obtain an endorsement by completing teaching requirements and the minimum number of credit hours in courses prescribed by the education standards and practices board.
7. This section does not apply to an eminence-credentialed teacher.

**(Effective after June 30, 2006) Prekindergarten and kindergarten teacher qualifications - Exceptions.** In order to teach prekindergarten and kindergarten, an individual must be ~~licensed~~:

1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
- ~~1-~~ 2. a. Have a major in elementary education and a kindergarten endorsement;
- ~~2-~~ b. Have a major equivalency in elementary education and a kindergarten endorsement;
- ~~3-~~ c. Have a major in elementary education and an early childhood education endorsement;
4. d. Have a major equivalency in elementary education and an early childhood education endorsement;

5. e. Have a major in early childhood education; or
6. f. Have a major equivalency in early childhood education.

**SECTION 5. AMENDMENT.** Section 15.1-18-07 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-07. (Effective after June 30, 2006) Elementary school teacher qualifications.**

1. In order to teach any grade from one through six in ~~an elementary~~ <sup>90/s</sup> ~~a high school district~~, an individual must be ~~licensed~~:
- a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
- ~~a.~~ b. (1) Have a major in elementary education; or
- ~~b.~~ (2) Have a major equivalency in elementary education.
2. Notwithstanding the provisions of subsection 1, an individual may teach any grade from one through three in an elementary school provided the individual is ~~licensed~~:
- a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
- ~~a.~~ b. (1) Has a major in early childhood education; or
- ~~b.~~ (2) Has a major equivalency in early childhood education.
3. <sup>90/s</sup> In order to teach any grade from one through eight in ~~a self contained classroom~~ <sup>90/s</sup> ~~an elementary district or in a nonpublic elementary school~~, an individual must be ~~licensed~~:
- a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
- ~~a.~~ b. (1) Have a major in elementary education; or
- ~~b.~~ (2) Have a major equivalency in elementary education.

**SECTION 6. AMENDMENT.** Section 15.1-18-08 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-08. (Effective after June 30, 2006) Middle school teacher qualifications.**

1. In order to teach any grade from five through eight in a middle school, an individual must be ~~licensed~~:
- a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:

4. b. (1) Have a major in middle level education, with content in the areas taught by the individual and defined by the education standards and practices board as core academic areas;
  2. (2) Have a major equivalency in middle level education, with content in the areas taught by the individual and defined by the education standards and practices board as core academic areas; or
  3. (3) Have a major, a major equivalency, a minor, or a minor equivalency in each area taught by the individual and not defined by the education standards and practices board as a core academic area.
2. Notwithstanding the provisions of subsection 1, an individual may teach grade five or six in a middle school, provided the individual is:
- a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;  
and
  - b. (1) Has a major in elementary education; or  
(2) Has a major equivalency in elementary education.

**SECTION 7. AMENDMENT.** Section 15.1-18-09 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-09. (Effective after June 30, 2006) High school qualifications.** In order to teach grades seven through twelve, an individual must be ~~licensed~~;

1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
4. 2. a. Have a major in the areas taught by the individual and defined by the education standards and practices board as core academic areas;
2. b. Have a major equivalency in the areas taught by the individual and defined by the education standards and practices board as core academic areas; or
3. c. Have a major, a major equivalency, a minor, or a minor equivalency in each area taught by the individual and not defined by the education standards and practices board as a core academic area.

**SECTION 8. AMENDMENT.** Section 15.1-18-10 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-10. (Effective after June 30, 2006) Specialty areas - Teacher qualification.** Notwithstanding the requirements of this chapter:

1. An individual may teach art, business education, computer education, a foreign language, music, physical education, ~~and~~ special education, and technology education at any grade level from ~~one~~ kindergarten through grade eight, provided the individual:
  - a. Is licensed to teach by the education standards and practices board;
  - b. Is approved to teach in that area by the education standards and practices board; and

- c. Meets all requirements set forth in rule by the superintendent of public instruction.
2. An individual may teach Native American languages provided the individual is an eminence-credentialed teacher.
3. An individual may teach in the areas of trade, industry, technical occupations, or health occupations, provided the individual has been issued a license to teach in such areas by the education standards and practices board.

**SECTION 9.** A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

**Rural school districts - Federal flexibility.** The education standards and practices board may extend the effective dates for any provision in chapter 15.1-18 if the United States secretary of education by rule, policy, or guidance authorizes such extension.

**SECTION 10. AMENDMENT.** Section 15.1-18.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18.1-02. Board duties.**

*National board certification program —  
Recertification —*

1. The board shall:
  1. a. Inform teachers of the national board certification program and the scholarships and services the national board provides to teachers seeking certification.
  2. b. Collect and review in the order received scholarship applications from individuals who are licensed to teach by the board or approved to teach by the board.
  3. a. c. (1) Approve no more than seventeen applications per year under this subsection;
  - b. (2) During each year of the biennium, reserve three of the available scholarships under this subsection for individuals teaching at low-performing schools;
  - c. During each year of the biennium, award no more than two of the remaining fourteen available scholarships to applicants employed by the same school district;
  - d. (3) Require the recipient for a scholarship under this subsection to serve during the school year as a full-time classroom teacher in a public or nonpublic school in this state; and
  - e. (4) Require the recipient for a scholarship under this subsection to participate in mentoring programs and teacher evaluation ~~programs~~ developed and implemented in the employing school or school district.
4. d. Ensure that all scholarship recipients under this subsection receive adequate information regarding the level of commitment required to acquire certification.

2. The board shall collect and review in the order received scholarship applications for national board recertification from individuals who are licensed to teach by the board or approved to teach by the board and:

- Rebate* a. Approve no more than two <sup>scholarship</sup> scholarship applications per year under this subsection;
- b. Require each recipient for a scholarship under this subsection to serve during the school year as a full-time classroom teacher in a public or nonpublic school in this state; and
- c. Require each recipient for a scholarship under this subsection to participate in mentoring programs developed and implemented in the employing school or school district.

- 5- 3. If any individual who receives a scholarship under this section does not complete the certification process within the time allotted by the board, the individual must reimburse the state an amount equal to one-half of the amount awarded to the individual as a scholarship.

4. At the conclusion of each of the first four school years after an individual receives national board certification, the individual is entitled to receive an additional one thousand five hundred dollars if:

- a. The individual served during the school year as a full-time classroom teacher in a public or nonpublic school; and
- b. The individual participated in any efforts of the employing school district to develop and implement teacher mentoring programs."

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1076

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15.1-09 and a new section to chapter 15.1-18 of the North Dakota Century Code, relating to approval of teachers by the education standards and practices board; and to amend and reenact sections 15.1-06-06, 15.1-13-13, 15.1-18-02, 15.1-18-07, 15.1-18-08, 15.1-18-09, 15.1-18-10, and 15.1-18.1-02 of the North Dakota Century Code, relating to teaching licenses and the approval of teachers by the education standards and practices board.

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

**SECTION 1. AMENDMENT.** Section 15.1-06-06 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-06-06. Approval of public and nonpublic schools.** Each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the superintendent of public instruction. Except as otherwise provided by law, the superintendent may not approve a school unless:

1. Each classroom teacher holds a valid teaching certificate issued is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Each classroom teacher is teaching only in those course areas or fields for which the teacher is licensed or for which the teacher has received an exception under section 2;
3. The students are offered all subjects required by law; and
- ~~3.~~ 4. The school is in compliance with all local and state health, fire, and safety laws.

**SECTION 2.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**Licensure to teach - Course area or field - Request for exception - Report.**

1. If the board of a school district or of a nonpublic school is unable to fill a particular position by recruiting or assigning an individual who is licensed to teach in that particular course area or field, the school board may fill the position with an individual who is not licensed to teach in that particular course area or field, provided the individual:
  - a. Is licensed to teach by the education standards and practices board or is approved to teach by the education standards and practices board;
  - b. Holds at least a minor or a minor equivalency in the course area or field in which the individual seeks to teach; and
  - c. Has received a temporary exception under this section.
2. The education standards and practices board shall adopt rules governing the issuance of temporary exceptions under this section. Except for a case

of sudden and unexpected vacancy occurring during the school calendar, the rules must require consideration of a school board's efforts to fill a particular position and the school board's efforts to explore alternative methods of education delivery to the students. The rules must also require that the individual submit a plan for a course of study which will enable the individual to obtain a major or a major equivalency in the course area or field in which the individual seeks to teach.

3. An exception granted under this section is valid only through the conclusion of the school year in which the request for exception is submitted to the education standards and practices board. The board may extend the exception by one-year increments, provided the individual demonstrates successful completion of a least one-third of the total course of study prior to each requested extension.
4. At the conclusion of each school year, the education standards and practices board shall file a report with the legislative council. The report must ~~file~~ all requests for exceptions under this section received by the board during the school year and must include the board's response to each request and a brief description of the board's rationale.

**SECTION 3. AMENDMENT.** Section 15.1-13-13 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-13-13. Provisional teaching license - Period of effectiveness - Renewal.** The board may issue a provisional teaching license to an applicant awaiting, pending completion of the background check required by section 15.1-13-14 or pending the receipt of official transcripts or other original, signed, or certified documents. The provisional license is valid for a period of forty days and may be renewed with the approval of the board. The board may adopt rules governing the issuance of a provisional teaching license. An individual applying for a provisional teaching license may be charged a fee established by the board. However, an individual applying for the renewal of a provisional teaching license may not be charged a fee.

**SECTION 4. AMENDMENT.** Section 15.1-18-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-02. (Effective through June 30, 2006) Kindergarten through grade eight - Teacher qualifications - Exceptions.**

1. In order to teach kindergarten, an individual must:

  - a. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and have a kindergarten endorsement; or
  - b. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrate to the satisfaction of the education standards and practices board that the individual will obtain a kindergarten endorsement within two years from the date of the assignment to teach kindergarten.
2. In order to teach any grade from one through eight, an individual must:

  - a. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and have a major, a minor, or an endorsement in elementary education; or

- b. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrate to the satisfaction of the education standards and practices board that the individual will obtain an endorsement in elementary education within two years from the date of the assignment to teach any grade from one through eight.
3. Notwithstanding subsection 2, an individual may teach any grade from five through eight if the individual:
  - a. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and has a major or an endorsement in middle school education; or
  - b. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrates to the satisfaction of the education standards and practices board that the individual will obtain an endorsement in middle school education within two years from the date of assignment to teach any grade from five through eight.
4. Notwithstanding subsection 2, an individual may teach grade seven or eight if the individual is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and has a major or a minor in the assigned course area or field.
5. Notwithstanding subsection 2, an individual may teach special education, foreign language, art, music, physical education, business education, and computer education at any grade level from kindergarten through eight, provided the individual is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and meets the requirements imposed by the superintendent of public instruction.
6. An individual may obtain an endorsement by completing teaching requirements and the minimum number of credit hours in courses prescribed by the education standards and practices board.
7. This section does not apply to an eminence-credentialed teacher.

**(Effective after June 30, 2006) Prekindergarten and kindergarten teacher qualifications - Exceptions.** In order to teach prekindergarten and kindergarten, an individual must be ~~licensed~~:

1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
- ~~1-~~ 2. a. Have a major in elementary education and a kindergarten endorsement;
  - ~~2-~~ b. Have a major equivalency in elementary education and a kindergarten endorsement;
  - ~~3-~~ c. Have a major in elementary education and an early childhood education endorsement;
  - ~~4-~~ d. Have a major equivalency in elementary education and an early childhood education endorsement;

5. e. Have a major in early childhood education; or
6. f. Have a major equivalency in early childhood education.

**SECTION 5. AMENDMENT.** Section 15.1-18-07 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-07. (Effective after June 30, 2006) Elementary school teacher qualifications.**

1. In order to teach any grade ~~(from one through six)~~ in an elementary school, an individual must be ~~licensed~~:

a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:

- a. b. (1) Have a major in elementary education; or
- b. (2) Have a major equivalency in elementary education.

2. Notwithstanding the provisions of subsection 1, an individual may teach any grade from one through three in an elementary school provided the individual is ~~licensed~~:

a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:

- a. b. (1) Has a major in early childhood education; or
- b. (2) Has a major equivalency in early childhood education.

- ~~(3.~~ In order to teach any grade from one through eight in a self contained ~~classroom~~, an individual must be ~~licensed~~:

a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, ~~(and:))~~

- a. b. (1) Have a major in elementary education; or
- b. (2) Have a major equivalency in elementary education.)

**SECTION 6. AMENDMENT.** Section 15.1-18-08 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-08. (Effective after June 30, 2006) Middle school teacher qualifications.**

1. In order to teach any grade from five through eight in a middle school, an individual must be ~~licensed~~:

a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:

- a. b. (1) Have a major in middle level education, with content in the areas taught by the individual and defined by the education standards and practices board as core academic areas;

- 2- (2) Have a major equivalency in middle level education, with content in the areas taught by the individual and defined by the education standards and practices board as core academic areas; or
- 3- (3) Have a major, a major equivalency, a minor, or a minor equivalency in each area taught by the individual and not defined by the education standards and practices board as a core academic area.

2. Notwithstanding the provisions of subsection 1, an individual may teach grade five or six in a middle school, provided the individual is:

- a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and
- b. (1) Has a major in elementary education; or
- (2) Has a major equivalency in elementary education.

**SECTION 7. AMENDMENT.** Section 15.1-18-09 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-09. (Effective after June 30, 2006) High school qualifications.** In order to teach grades seven through twelve, an individual must be ~~licensed~~:

- 1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
- 2. a. Have a major in the areas taught by the individual and defined by the education standards and practices board as core academic areas;
- 2- b. Have a major equivalency in the areas taught by the individual and defined by the education standards and practices board as core academic areas; or
- 3- c. Have a major, a major equivalency, a minor, or a minor equivalency in each area taught by the individual and not defined by the education standards and practices board as a core academic area.

**SECTION 8. AMENDMENT.** Section 15.1-18-10 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-10. (Effective after June 30, 2006) Specialty areas - Teacher qualification.** Notwithstanding the requirements of this chapter:

- 1. An individual may teach art, business education, computer education, a foreign language, music, physical education, ~~and~~ special education, and technology education at any grade level from ~~one~~ kindergarten through grade eight, provided the individual:
  - a. Is licensed to teach by the education standards and practices board;
  - b. Is approved to teach in that area by the education standards and practices board; and
  - c. Meets all requirements set forth in rule by the superintendent of public instruction.

2. An individual may teach Native American languages provided the individual is an eminence-credentialed teacher.
3. An individual may teach in the areas of trade, industry, technical occupations, or health occupations, provided the individual has been issued a license to teach in such areas by the education standards and practices board.

**SECTION 9.** A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

**Rural school districts - Federal flexibility.** The education standards and practices board may extend the effective dates for any provision in chapter 15.1-18 if the United States secretary of education by rule, policy, or guidance authorizes such extension.

**SECTION 10. AMENDMENT.** Section 15.1-18.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18.1-02. National board certification program - Recertification - Board duties.**

1. The board shall:
  - ~~1-~~ a. Inform teachers of the national board certification program and the scholarships and services the national board provides to teachers seeking certification.
  - ~~2-~~ b. Collect and review in the order received scholarship applications from individuals who are licensed to teach by the board or approved to teach by the board.
  - ~~3-a.~~ c. (1) Approve no more than seventeen applications per year under this subsection;
  - ~~b.~~ (2) During each year of the biennium, reserve three of the available scholarships under this subsection for individuals teaching at low-performing schools;
  - ~~c.~~ During each year of the biennium, award no more than two of the remaining fourteen available scholarships to applicants employed by the same school district;
  - ~~d.~~ (3) Require the recipient for a scholarship under this subsection to serve during the school year as a full-time classroom teacher in a public or nonpublic school in this state; and
  - ~~e.~~ (4) Require the recipient for a scholarship under this subsection to participate in mentoring programs and teacher evaluation ~~programs~~ developed and implemented in the employing school or school district.
  - ~~4.~~ d. Ensure that all scholarship recipients under this subsection receive adequate information regarding the level of commitment required to acquire certification.
2. The board shall collect and review in the order received scholarship applications for national board recertification from individuals who are licensed to teach by the board or approved to teach by the board and:

- a. Approve no more than two scholarship applications per year under this subsection;
  - b. Require each recipient for a scholarship under this subsection to serve during the school year as a full-time classroom teacher in a public or nonpublic school in this state; and
  - c. Require each recipient for a scholarship under this subsection to participate in mentoring programs developed and implemented in the employing school or school district.
- ~~5.~~ 3. If any individual who receives a scholarship under this section does not complete the certification process within the time allotted by the board, the individual must reimburse the state an amount equal to one-half of the amount awarded to the individual as a scholarship.
- 4. At the conclusion of each of the first four school years after an individual receives national board certification, the individual is entitled to receive an additional one thousand five hundred dollars if:
  - a. The individual served during the school year as a full-time classroom teacher in a public or nonpublic school; and
  - b. The individual participated in any efforts of the employing school district to develop and implement teacher mentoring programs."

— Renumber accordingly

Date: 3/15/05  
Roll Call Vote #: 1

**2005 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1076**

Senate SENATE EDUCATION

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Proposed Amendment Lee

Motion Made By Lee-

Seconded By Flakoll

**Senators**  
CH- SENATOR FREBORG  
V-CH- SENATOR G. LEE  
SENATOR ERBELE  
SENATOR FLAKOLL

Yes	No
✓	
✓	
	✓
	✓

**Senators**  
SENATOR SEYMOUR  
SENATOR TAYLOR

Yes	No
	✓
	✓

Total (Yes) 5

No 4

Absent

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 3/15/05  
Roll Call Vote #: 2

**2005 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1076**

Senate SENATE EDUCATION

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

adopt amendment Taylor

Motion Made By

Taylor

Seconded By

Flakoll

**Senators**  
CH- SENATOR FREBORG  
V-CH- SENATOR G. LEE  
SENATOR ERBELE  
SENATOR FLAKOLL

**Yes** **No**  
✓  
✓  
✓  
✓

**Senators**  
SENATOR SEYMOUR  
SENATOR TAYLOR

**Yes** **No**  
✓  
✓

Total (Yes)

5

No

1

Absent

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 3/15/05  
Roll Call Vote #: 3

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1076

Senate SENATE EDUCATION

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass as amended

Motion Made By

Taylor

Seconded By

Erbele

Senators  
CH- SENATOR FREBORG  
V-CH- SENATOR G. LEE  
SENATOR ERBELE  
SENATOR FLAKOLL

Yes No  
✓  
✓  
✓  
✓

Senators  
SENATOR SEYMOUR  
SENATOR TAYLOR

Yes No  
✓  
✓

Total (Yes)

5

No

1

Absent

Floor Assignment

Taylor

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1076, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1076 was placed on the Sixth order on the calendar.**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15.1-09 and a new section to chapter 15.1-18 of the North Dakota Century Code, relating to approval of teachers by the education standards and practices board; and to amend and reenact sections 15.1-06-06, 15.1-13-13, 15.1-18-02, 15.1-18-07, 15.1-18-08, 15.1-18-09, 15.1-18-10, and 15.1-18.1-02 of the North Dakota Century Code, relating to teaching licenses and the approval of teachers by the education standards and practices board.

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

**SECTION 1. AMENDMENT.** Section 15.1-06-06 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-06-06. Approval of public and nonpublic schools.** Each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the superintendent of public instruction. Except as otherwise provided by law, the superintendent may not approve a school unless:

1. Each classroom teacher holds a valid teaching certificate issued is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Each classroom teacher is teaching only in those course areas or fields for which the teacher is licensed or for which the teacher has received an exception under section 2;
3. The students are offered all subjects required by law; and
- ~~3.~~ 4. The school is in compliance with all local and state health, fire, and safety laws.

**SECTION 2.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

Licensure to teach - Course area or field - Request for exception - Report.

1. If the board of a school district or of a nonpublic school is unable to fill a particular position by recruiting or assigning an individual who is licensed to teach in that particular course area or field, the school board may fill the position with an individual who is not licensed to teach in that particular course area or field, provided the individual:
  - a. Is licensed to teach by the education standards and practices board or is approved to teach by the education standards and practices board;
  - b. Holds at least a minor or a minor equivalency in the course area or field in which the individual seeks to teach; and
  - c. Has received a temporary exception under this section.

2. The education standards and practices board shall adopt rules governing the issuance of temporary exceptions under this section. Except for a case of sudden and unexpected vacancy occurring during the school calendar, the rules must require consideration of a school board's efforts to fill a particular position and the school board's efforts to explore alternative methods of education delivery to the students. The rules must also require that the individual submit a plan for a course of study which will enable the individual to obtain a major or a major equivalency in the course area or field in which the individual seeks to teach.
3. An exception granted under this section is valid only through the conclusion of the school year in which the request for exception is submitted to the education standards and practices board. The board may extend the exception by one-year increments, provided the individual demonstrates successful completion of a least one-third of the total course of study prior to each requested extension.
4. At the conclusion of each school year, the education standards and practices board shall file a report with the legislative council. The report must cite all requests for exceptions under this section received by the board during the school year and must include the board's response to each request and a brief description of the board's rationale.

**SECTION 3. AMENDMENT.** Section 15.1-13-13 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-13-13. Provisional teaching license - Period of effectiveness - Renewal.** The board may issue a provisional teaching license to an applicant ~~awaiting~~, pending completion of the background check required by section 15.1-13-14 ~~or pending~~ the receipt of official transcripts or other original, signed, or certified documents. The provisional license is valid for a period of forty days and may be renewed with the approval of the board. The board may adopt rules governing the issuance of a provisional teaching license. An individual applying for a provisional teaching license may be charged a fee established by the board. However, an individual applying for the renewal of a provisional teaching license may not be charged a fee.

**SECTION 4. AMENDMENT.** Section 15.1-18-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-02. (Effective through June 30, 2006) Kindergarten through grade eight - Teacher qualifications - Exceptions.**

1. In order to teach kindergarten, an individual must:
  - a. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and have a kindergarten endorsement; or
  - b. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrate to the satisfaction of the education standards and practices board that the individual will obtain a kindergarten endorsement within two years from the date of the assignment to teach kindergarten.
2. In order to teach any grade from one through eight, an individual must:

- a. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and have a major, a minor, or an endorsement in elementary education; or
  - b. Be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrate to the satisfaction of the education standards and practices board that the individual will obtain an endorsement in elementary education within two years from the date of the assignment to teach any grade from one through eight.
3. Notwithstanding subsection 2, an individual may teach any grade from five through eight if the individual:
- a. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and has a major or an endorsement in middle school education; or
  - b. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and demonstrates to the satisfaction of the education standards and practices board that the individual will obtain an endorsement in middle school education within two years from the date of assignment to teach any grade from five through eight.
4. Notwithstanding subsection 2, an individual may teach grade seven or eight if the individual is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and has a major or a minor in the assigned course area or field.
5. Notwithstanding subsection 2, an individual may teach special education, foreign language, art, music, physical education, business education, and computer education at any grade level from kindergarten through eight, provided the individual is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and meets the requirements imposed by the superintendent of public instruction.
6. An individual may obtain an endorsement by completing teaching requirements and the minimum number of credit hours in courses prescribed by the education standards and practices board.
7. This section does not apply to an eminence-credentialed teacher.

**(Effective after June 30, 2006) Prekindergarten and kindergarten teacher qualifications - Exceptions.** In order to teach prekindergarten and kindergarten, an individual must be ~~licensed~~:

1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and
- ~~1-2.~~ a. Have a major in elementary education and a kindergarten endorsement;

- 2. b. Have a major equivalency in elementary education and a kindergarten endorsement;
- 3. c. Have a major in elementary education and an early childhood education endorsement;
- 4. d. Have a major equivalency in elementary education and an early childhood education endorsement;
- 5. e. Have a major in early childhood education; or
- 6. f. Have a major equivalency in early childhood education.

**SECTION 5. AMENDMENT.** Section 15.1-18-07 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-07. (Effective after June 30, 2006) Elementary school teacher qualifications.**

- 1. In order to teach any grade in an elementary school that offers grades one through six or in order to teach any grade in an elementary school that offers grades one through eight, an individual must be ~~licensed~~:
  - a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
  - ~~a.~~ b. (1) Have a major in elementary education; or
  - ~~b.~~ (2) Have a major equivalency in elementary education.
- 2. Notwithstanding the provisions of subsection 1, an individual may teach any grade from one through three in an elementary school provided the individual is ~~licensed~~:
  - a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
  - ~~a.~~ b. (1) Has a major in early childhood education; or
  - ~~b.~~ (2) Has a major equivalency in early childhood education.

**SECTION 6. AMENDMENT.** Section 15.1-18-08 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-08. (Effective after June 30, 2006) Middle school teacher qualifications.**

- 1. In order to teach any grade from five through eight in a middle school, an individual must be ~~licensed~~:
  - a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:

- ~~1.~~ b. (1) Have a major in middle level education, with content in the areas taught by the individual and defined by the education standards and practices board as core academic areas;
  - ~~2.~~ (2) Have a major equivalency in middle level education, with content in the areas taught by the individual and defined by the education standards and practices board as core academic areas; or
  - ~~3.~~ (3) Have a major, a major equivalency, a minor, or a minor equivalency in each area taught by the individual and not defined by the education standards and practices board as a core academic area.
2. Notwithstanding the provisions of subsection 1, an individual may teach grade five or six in a middle school, provided the individual is:
- a. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and
  - b. (1) Has a major in elementary education; or
  - (2) Has a major equivalency in elementary education.

**SECTION 7. AMENDMENT.** Section 15.1-18-09 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-09. (Effective after June 30, 2006) High school qualifications.** In order to teach grades seven through twelve, an individual must be ~~licensed~~:

- 1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and:
- ~~1.~~ 2. a. Have a major in the areas taught by the individual and defined by the education standards and practices board as core academic areas;
- ~~2.~~ b. Have a major equivalency in the areas taught by the individual and defined by the education standards and practices board as core academic areas; or
- ~~3.~~ c. Have a major, a major equivalency, a minor, or a minor equivalency in each area taught by the individual and not defined by the education standards and practices board as a core academic area.

**SECTION 8. AMENDMENT.** Section 15.1-18-10 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-10. (Effective after June 30, 2006) Specialty areas - Teacher qualification.** Notwithstanding the requirements of this chapter:

- 1. An individual may teach art, business education, computer education, a foreign language, music, physical education, ~~and~~ special education, and technology education at any grade level from ~~one~~ kindergarten through grade eight, provided the individual:
  - a. Is licensed to teach by the education standards and practices board;

- b. Is approved to teach in that area by the education standards and practices board; and
  - c. Meets all requirements set forth in rule by the superintendent of public instruction.
2. An individual may teach Native American languages provided the individual is an eminence-credentialed teacher.
3. An individual may teach in the areas of trade, industry, technical occupations, or health occupations, provided the individual has been issued a license to teach in such areas by the education standards and practices board.

**SECTION 9.** A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

Rural school districts - Federal flexibility. The education standards and practices board may extend the effective dates for any provision in chapter 15.1-18 if the United States secretary of education by rule, policy, or guidance authorizes such extension.

**SECTION 10. AMENDMENT.** Section 15.1-18.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18.1-02.** National board certification program - Recertification - **Board duties.**

1. The board shall:
  - ~~1-~~ a. Inform teachers of the national board certification program and the scholarships and services the national board provides to teachers seeking certification.
  - ~~2-~~ b. Collect and review in the order received scholarship applications from individuals who are licensed to teach by the board or approved to teach by the board.
  - ~~3-a.~~ c. (1) Approve no more than seventeen applications per year under this subsection;
  - ~~b-~~ (2) During each year of the biennium, reserve three of the available scholarships under this subsection for individuals teaching at low-performing schools;
  - ~~e-~~ During each year of the biennium, award no more than two of the remaining fourteen available scholarships to applicants employed by the same school district;
  - ~~d-~~ (3) Require the recipient for a scholarship under this subsection to serve during the school year as a full-time classroom teacher in a public or nonpublic school in this state; and
  - ~~e-~~ (4) Require the recipient for a scholarship under this subsection to participate in mentoring programs and teacher evaluation programs developed and implemented in the employing school or school district.

- 4. d. Ensure that all scholarship recipients under this subsection receive adequate information regarding the level of commitment required to acquire certification.
- 2. The board shall collect and review in the order received scholarship applications for national board recertification from individuals who are licensed to teach by the board or approved to teach by the board and:
  - a. Approve no more than two scholarship applications per year under this subsection;
  - b. Require each recipient for a scholarship under this subsection to serve during the school year as a full-time classroom teacher in a public or nonpublic school in this state; and
  - c. Require each recipient for a scholarship under this subsection to participate in mentoring programs developed and implemented in the employing school or school district.
- ~~5.~~ 3. If any individual who receives a scholarship under this section does not complete the certification process within the time allotted by the board, the individual must reimburse the state an amount equal to one-half of the amount awarded to the individual as a scholarship.
- 4. At the conclusion of each of the first four school years after an individual receives national board certification, the individual is entitled to receive an additional one thousand five hundred dollars if:
  - a. The individual served during the school year as a full-time classroom teacher in a public or nonpublic school; and
  - b. The individual participated in any efforts of the employing school district to develop and implement teacher mentoring programs."

Renumber accordingly

2005 TESTIMONY

HB 1076



**Education Standards and Practices Board**

2718 Gateway Avenue, Suite 303  
Bismarck, ND 58503-0585  
(701) 328-9641 Fax (701) 328-9647  
<http://www.state.nd.us/esp>

HB 1076  
10 Jan 05

Testimony  
Of  
Janet Placek Welk, Executive Director

Good morning, Madam chair and Members of the House Education Committee. For the record, I am Janet Welk, Executive Director of the Education Standards and Practices Board and wish to testify in support of HB 1076.

Page 1, Section 1 is a suggestion from the Legislative Council and cleans up the language, changing "certification" to "licensure" and adding "or is approved to teach by the education standards and practices board."

Page 1, Section 2 changes the 40-day provisional law to allow the Education Standards and Practices Board to accept faxed copies of the original application for 40 days to help schools get teachers into the classroom as soon as possible.

Page 2, Section 3 is also clean-up language from last session allowing teachers in elementary schools in grades 1-8 to teach with an elementary license. I would like to suggest one amendment. Line 17 replace "kindergarten" with "grade one". The new sentence would

read: "In order to teach grade one through grade eight in an elementary school, an individual must be licensed to teach by the education standards and practices board and:

- a. Have a major in elementary education; or
- b. Have a major equivalency in elementary education.

Page 2, Section 4 of HB 1076 also in clean-up language. This section allows teachers with majors in specialty areas such as art, business education, computer education, a foreign language, music, physical education, and special education to teach grades "kindergarten" through grade twelve. This has been the practice for many years.

Page 3, Section 5 of the bill is our national board for professional teaching standards law. Page 3, Lines 18-20 we are asking to delete the requirement to only allow two teachers from one school to receive the assessment fee in one year. Because of this section, I had to turn teachers away when I still had dollars for the assessment fee. Page 3, Lines 23-24 asks for the removal of the requirement to participate in an evaluation program. North Dakota has not such programs based on national board and teachers are required to be evaluated by principals in other section of NDCC. Page 4, Line 1-7, asks for \$1,500 stipend for each of four years or a total of \$6,000 once the teacher has been nationally certified. Page 4, Lines 8-15, asks for the ability to

help teachers with areas of re-certification. National board for professional teaching standards certification is a way that teachers are able to document that they are highly qualified and more importantly, research is showing that these nationally board certified teachers have a more positive affect on student learned then the non-nationally board certified teachers. North Dakota is proud to say we now have 23 nationally certified teachers.

Thank you for the opportunity to testify and I would be happy to answer any questions at this time.

## Critic says test results don't rise as more teachers certified

Posted on Monday, December 27, 2004

Associated Press

<<...OLE\_Obj...>>

**AIKEN, S.C.** - South Carolina's ranks of nationally certified teachers are growing, but a critic says classroom test scores aren't showing benefits.

South Carolina added 637 board-certified teachers this year, swelling the ranks to 3,866. South Carolina ranks third in the nation for the number of board-certified teachers, with only Florida and North Carolina having more teachers completing the one- to three-year certification process.

At the same time, South Carolina's student scores on the ACT ranked 49th nationally and SAT scores dropped to 50th this year.

"The National Board certification is a very weak predictor of teacher effectiveness," said J.E. Stone, an educational psychology professor from East Tennessee State University who has studied a group of board-certified teachers for several years. Stone found that their pupils' test scores did not differ much from the scores of pupils taught by those who weren't board certified.

"It's an extensive evaluation process," he said. "Why go to all of that trouble and expense when it is possible to look at how well teachers are performing without doing all of that?"

In South Carolina, the expense includes incentives and certification costs.

Teachers who are board certified receive an extra \$7,500 each year they teach for up to 10 years. The state also reimburses teachers for the \$2,300 application fee if they win certification.

It is worthwhile, teachers say.

Eighth-grade science teacher Helen Campbell has been videotaping her classes and then watching to see how well she's teaching. It was part of the work she completed to become one of Aiken County's National Board Certified Teachers.

"I feel like I'm a better teacher because a lot of times we get into a routine or a rut with teaching," Campbell said. "I had to reflect on how children were learning from activities we were doing."

Stone said states should study pupil test scores from year to year and teacher to teacher to monitor progress. Raises then could be given to teachers with students showing improvement, he said.

But teachers can only do so much to teach students who get little to no help on schoolwork from parents and might not arrive at school on time, often because of parents, said Elizabeth Gressette, the executive director of the Palmetto State Teachers Association.

The certification progress is a "good, healthy, grueling process for teachers," Gressette said.

"There's no one best way to reward teachers. But this is a huge opportunity for teachers in South Carolina to stay in the classroom and earn more money," Gressette said. "Teachers who have been through the process have said this is some of the best professional development they have ever had."

## **Tiny Gains Trigger Large PR Effort by National Teacher Certifiers**

Written By: Robert Holland

Publication Date: January 1, 2005

Published In: *School Reform News*

Publisher: The Heartland Institute

~~HB 1076~~  
HB 1076  
12 Jan 05

The National Board for Professional Teaching Standards (NBPTS) is touting the results of a new study as proving that its performance-based system of national certification identifies effective teachers who deserve rich bonuses because their students show substantial achievement gains.

Critics say there's less evidence than the high-powered PR from the NBPTS would suggest. The study author's preferred model shows an average achievement gain—or "effect size"—of just 7.4 percent of a standard deviation.

The study—of math tests taken by ninth- and 10th-grade students in Miami-Dade County, Florida public schools—found that National Board Certified Teachers (NBCTs) helped their students to larger testing gains than did teaching colleagues who lacked the certification.

A news release on the NBPTS Web site says chief researcher Linda Cavalluzzo of the nonprofit CNA Corporation's Education Center isolated the effects of NBPTS certification from other factors (such as teacher experience and education, per-pupil spending, and previous levels of student achievement) that might affect test scores.

"This study should put to rest many of the doubts that well-intentioned skeptics may have harbored about National Board Certification's ability to pinpoint what makes an exceptional teacher," said NBPTS Chairman Roy Barnes, former governor of Georgia. He added, "we are left to conclude" that certification "is indeed a true and valid indicator of teaching excellence."

Cavalluzzo asserted that if parents asked "What class do I want my child in?" the answer should be "you want your child in a class taught by an NBCT."

### **Achievement Advantage Is Small**

However, data in the study itself, not cited in the NBPTS release, appear to produce results far more ambiguous.

While NBCTs may produce gains that are "robust" (i.e., repeatable) and "statistically significant" (i.e., non-random), the size of the average gain is very small. Using Cavalluzzo's preferred model, teachers with National Board Certification showed an average achievement gain of just 7.4 percent of a standard deviation when compared to otherwise similar teachers. Another recent NBPTS-sponsored study reported similarly small gains for NBCTs. (See "Study: NBPTS Teachers Produce Only Tiny Gains," *School Reform News*, November 2004.)

Also, the report's Table 2 (page 18) shows that the achievement gain for NBCTs was 66.70, while the achievement gain for Miami-Dade math teachers who had no involvement with NBPTS was 65.45. That is a mere 1.25-point difference on a score scale ranging into the thousands.

That 1.25-point advantage contrasts with the 159-point gap in prior test scores between students taught by the NBCTs and average students in the Miami-Dade school system. Critics suggest that shows how trivial the purported gain is relative to the magnitude of the problem.

### **Price Paid Is High**

"Is this what policymakers thought they would be getting when they committed to 10 percent salary increases and a \$5,000 bonus?" asked East Tennessee State University Professor J. E. Stone, who conducted his own study indicating Tennessee's NBCTs did not perform significantly better than other teachers in advancing student

achievement. (See "Nationally Certified Teachers Come Up Short on Achievement," *School Reform News*, August 2002.)

In practical terms, explained Stone, this result means that if all 1,947 ninth- and 10th-grade math teachers in the Miami-Dade School System became NBPTS certified, math scores would presumably rise by only 1.25 points. However, he continued, with the 10 percent salary increase and \$5,000 bonus that are awarded for NBPTS certification, "the cost would be in the neighborhood of \$15 million.

"Whatever else can be said about NBPTS certification," commented Stone, "it is becoming increasingly clear that is not a cost-effective means to improved student achievement."

The data also indicate that the NBCTs started with the best students and taught in the best schools. Even if the study showed they led students to praiseworthy gains under those conditions, it does not necessarily follow those teachers would be as effective were they assigned to schools with the disadvantaged students who are most in need of help.

Under such circumstances, NBCTs might be below-average teachers. Research by the late Jeanne Chall of Harvard, among others, shows student-centered pedagogy (which NBPTS favors in evaluating teachers for certification) helps such students far less than do structured, teacher-centered methods.

Stone and other researchers said it was not clear exactly how Cavalluzzo had conducted her statistical analysis and expressed interest in gaining access to the Miami-Dade data to conduct their own studies. The data set used by Stone in his NBPTS study, for example, is freely available so that other researchers can replicate his work.

However, Cavalluzzo told *School Reform News* the data she used was "proprietary" and belonged to the Miami-Dade district.

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*Robert Holland (holland@lexingtoninstitute.org) is a senior fellow at the Lexington Institute, a think tank in Arlington, Virginia.*

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#### **For more information ...**

The November 2004 report from the CNA Corporation, "Is National Board Certification An Effective Signal of Teacher Quality," by Linda C. Cavalluzzo, can be found at <http://www.cna.org/documents/CavalluzzoStudy.pdf>.

Other CNA reports on education are available at <http://www.cna.org/expertise/education>.

The NBPTS news release on the study can be found at <http://www.nbpts.org/news/article2.cfm?id=551>.

Robert Holland's August 2002 *School Reform News* article, "Nationally Certified Teachers Come Up Short on Achievement," is available at <http://www.heartland.org/Article.cfm?artId=1033>.

Robert Holland's November 2004 *School Reform News* article, "Study: NBPTS Teachers Produce Only Tiny Gains," is available at <http://www.heartland.org/Article.cfm?artId=15821>.

John T. Wenders, Professor of Economics, University of Idaho  
Senior Fellow, The Commonwealth Foundation

## Critic says test results don't rise as more teachers certified

Posted on Monday, December 27, 2004

Associated Press

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AIKEN, S.C. - South Carolina's ranks of nationally certified teachers are growing, but a critic says classroom test scores aren't showing benefits.

South Carolina added 637 board-certified teachers this year, swelling the ranks to 3,866. South Carolina ranks third in the nation for the number of board-certified teachers, with only Florida and North Carolina having more teachers completing the one- to three-year certification process.

At the same time, South Carolina's student scores on the ACT ranked 49th nationally and SAT scores dropped to 50th this year.

"The National Board certification is a very weak predictor of teacher effectiveness," said J.E. Stone, an educational psychology professor from East Tennessee State University who has studied a group of board-certified teachers for several years. Stone found that their pupils' test scores did not differ much from the scores of pupils taught by those who weren't board certified.

"It's an extensive evaluation process," he said. "Why go to all of that trouble and expense when it is possible to look at how well teachers are performing without doing all of that?"

In South Carolina, the expense includes incentives and certification costs. Teachers who are board certified receive an extra \$7,500 each year they teach for up to 10 years. The state also reimburses teachers for the \$2,300 application fee if they win certification.

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"There's no one best way to reward teachers. But this is a huge opportunity for teachers in South Carolina to stay in the classroom and earn more money," Gressette said. "Teachers who have been through the process have said this is some of the best professional development they have ever had."

# National Board Certification for Teachers: A Billion Dollar Hoax

**M. O. Thirunarayanan**

Florida International University

*The term "National Board Certification" conjures up visions of the highest levels of expertise in the area of certification. The reality is however, far from such visions. Teachers who are National Board Certified need only have as much content knowledge as some of the more advanced students that they teach. In this brief commentary, I will provide evidence to show that despite the lofty image conveyed by its name, the standards for National Board Certification for Teachers are closer to entry level standards for teachers. I will also argue that teachers who attain such certification do not deserve the humongous pay raises and other incentives that have been lavished on them.*

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## Main Article

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### INTRODUCTION

How much should a nation spend on mediocrity? In the United States, over a period of time, the answer seems to be "nearly half-a-billion dollars." According to information published by the National Board for Professional Teaching Standards (October 2003), \$315.5 million dollars have been spent on this venture so far at the national level. In addition, states and school districts have spent a lot of money to support teachers who have either achieved National Board Certification, or are in the process of achieving such certification. For example, the State of Florida has appropriated \$69 million during the year 2003-2004 to provide National Board Certified Teachers (NBCTs) and other teachers who mentor teachers who are in the process of attaining National Board Certification, a 10% salary raise (National Board for Professional Teaching Standards, n.d. a).

It is true that not all states spend \$69 million on NBCTs, but if all the expenditures made at the state and district level are taken into consideration, a grand total of at least half-a-billion dollars have been spent on NBCTs until now. Since this commentary is about a certification that is made to sound much superior and more respectable than it actually is, the dollar amount in the title of this commentary is also deliberately inflated in order to make the title catchier. However, given the fact that there are now 32134 NBCTs (National Board for Professional Teaching Standards, n.d. b) in the country, and if the spending continues at the current rate, the billion dollar mark will

be surpassed within a few years.

In this brief commentary I will provide evidence to show that despite claims to the contrary, the standards for National Board Certification for Teachers are closer to entry level standards for teachers and that teachers who attain such certification do not deserve the humongous pay raises and other incentives that have been lavished on them.

## NATIONAL BOARD CERTIFICATION FOR TEACHERS

The term "National Board Certification" conjures up visions of the highest levels of expertise in the area of certification. The reality is however, far from such visions. A teacher who is National Board Certified need only have as much content knowledge as some of the more advanced students that they teach.

The following statement appears on one of the web pages maintained by the National Board for Professional Teaching Standards (NBPTS, n.d. c), the organization that offers National Board Certification for Teachers:

At the core of the National Board Certification process are standards that describe the highest level of teaching in different disciplines and with students at different developmental levels. These standards represent a consensus among accomplished teachers and other education experts about what accomplished teachers should know and be able to do. (<http://www.nbpts.org/standards/stds.cfm>)

In a different part of the same web site (NBPTS, n.d. d), it is also stated:

The National Board for Professional Teaching Standards seeks to identify and recognize teachers who effectively enhance student learning and demonstrate the high level of knowledge, skills, abilities and commitments reflected in the following five core propositions. (<http://www.nbpts.org/about/coreprops.cfm>)

The five "core propositions" are:

Teachers are committed to students and their learning.  
 Teachers know the subjects they teach and how to teach those subjects to students.  
 Teachers are responsible for managing and monitoring student learning.  
 Teachers think systematically about their practice and learn from experience.  
 Teachers are members of learning communities. (NBPTS, n.d. d)

Let us look at each "core proposition" in greater detail. The first "core proposition" states "Teachers are committed to students and their learning" (NBPTS, n.d. d). Is this something that only highly experienced teachers should have? I don't think so.

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Teachers should not be licensed to teach unless they demonstrate commitment to students. Such commitment must be evident long before the first day that a teacher steps into a classroom. Teacher preparation programs allow ample opportunities to prospective teachers to demonstrate such commitment, during course work, internships and other field-experiences, including student teaching. A teacher should not have to wait until he or she attains National Board Certification to start showing commitment to students.

The second "core proposition" states that "Teachers know the subjects they teach and how to teach those subjects to students" (NBPTS, n.d. d). My response to this is that if teachers don't know the subjects that they teach, they should not be employed as teachers. Just the fact that they know the subject that they teach is not sufficient reason to give them National Board Certification. Only if they demonstrate advanced knowledge of the subject matter that they teach, should they be granted National Board Certification. Such advanced knowledge can be demonstrated by obtaining a doctorate in the subject area or by publishing scholarly peer-reviewed papers or by advancing in the subject area in other ways.

Teachers who do not know the subjects that they are hired to teach or how to teach them, should not even receive initial teacher certification. They should certainly not be allowed to earn National Board Certification. I will raise the issue of teacher knowledge again later in this paper, when I discuss the content standards for science certifications.

The third "core proposition" states, "Teachers are responsible for managing and monitoring student learning" (NBPTS, n.d. d). This is a part of the basic responsibilities of all teachers. Students in Colleges of Education usually take courses that cover topics such as learning theories, classroom management, and assessment. Teachers should know how to manage and monitor student learning before they are placed in charge of a classroom full of students.

According to the fourth "core proposition", "Teachers think systematically about their practice and learn from experience" (NBPTS, n.d. d). Even children learn from their experiences and they do not have any kind of certification, and certainly not National Board Certification. Why should teachers have to wait until they attain National Board Certification to start learning from their experiences? It should not take more than a few minutes of thinking each day to realize what they did wrong and how they can rectify their mistakes.

The fifth and the last "core proposition" states "Teachers are members of learning communities" (NBPTS, n.d. d). So are the students that they teach. These students do not have any certification either. Every member of every profession is a member of some learning community or the other.

## THE LEVEL OF KNOWLEDGE EXPECTED OF NATIONAL BOARD CERTIFIED TEACHERS

The following statement makes it very clear that the knowledge and skills expected of National Board Certified teachers is very much similar to the knowledge and skills required of beginning teachers:

The related question is what distinguishes the beginning practice of a competent newly-licensed teacher from the advanced levels of teaching performance expected of a Board-certified teacher. In our deliberations about this question, we considered whether there were certain kinds or classes of knowledge, understanding, commitment, or ability that a Board-certified teacher might exhibit which would be wholly unnecessary for a beginning teacher and consequently should be omitted from licensing considerations. We could not identify any area in which this approach would not seriously undermine the capacity of beginning teachers to develop their practice on a solid foundation (Interstate New Teacher Assessment & Support Consortium, 1992).

## THE CONTENT KNOWLEDGE REQUIRED IN THE TWO NATIONAL BOARD SCIENCE CERTIFICATIONS

If you think now that the "core principles" are at the level of initial teacher certification, you will be shocked when you read that teachers who are National Board Certified are only expected to know as much content as some of their more advanced students. Should teachers be granted National Board Certification for knowing just as much content as some of the more advanced students that they teach?

There are two National Board Certifications in the content area of science. One is the "Early Adolescence/Science Standards" and the other is the "Adolescence and Young Adulthood/Science Standards" (NBPTS, October 2003, p. 3). The first set of standards is for teachers who teach science to children between the ages of 11 and 15 (NBPTS, n.d. e), and the second set of standards is for teachers who teach children aged 14 to 18 and above (NBPTS, n.d. f).

The following statement appears in the NBPTS "Early Adolescence Science Standards" document (NBPTS, 1998):

"It is axiomatic that science teachers at all levels know the fundamental laws, concepts, and theories of science that they must inculcate within students as a condition of high school graduation" (NBPTS, 1998, p. 19).

The authors of the document have this to say about how much science content

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teachers should know:

How much should an accomplished EA/Science teacher know about the essential topics listed above? should be phrased in terms of the usefulness of that knowledge as applied in the middle grades (NBPTS, 1998, p. 19).

Standards are supposed to be exact statements about what someone should know and be able to do at a given level, either developmental or grade or experience level. When it comes to specifying standards for the content that teachers should know, the NBPTS document is very vague and sometimes takes recourse to evasive jargon.

The following statement appears in the NBPTS "Adolescence and Young Adulthood Science Standards" document (NBPTS, 1997):

The correspondence between the science curriculum and breadth of science knowledge expected of an accomplished teacher is deliberate. It is axiomatic that science teachers at all levels should know the fundamental facts and concepts they have been charged with inculcating by the time their students graduate from high school (NBPTS, 1997, p. 13).

It is true that this standards document goes on to argue that teachers should have depth of knowledge in science disciplines. Using biology as an example authors of the document mention some topics related to cells to try and prove the point that teachers need to know much more than their students. One such topic that is mentioned in the document is the "fluid-mosaic model" (NBPTS, 1997, p. 13). However, a mere few minutes of web-based research showed that information about this topic is available in several Advanced Placement (AP) Biology course web sites. It is true that AP courses are more advanced than other courses offered at the high school level, but they are still just high school level courses.

How much mathematics should National Board Certified science teachers know?

They are proficient in the practice of mathematics appropriate to the developmental level of the students they are teaching, including the use of algebra, geometry, statistics and probability, and discrete mathematics in the modeling and solving of science problems (NBPTS, 1997, p. 14).

I am sure that a closer look at other content areas will reveal similar low content standards when it comes to National Board Certification for Teachers.

## CONCLUSION

The National Board Certification for Teachers is by no means a high level

certification. The science content that is required of teachers is very similar to the science content that students are expected to know by the time they graduate from high school (National Academy of Sciences, 1996). It is at best equal to entry-level certification for teachers. The only thing that is high level about the certification is the language that is used to mask the mediocrity that is an inherent hallmark of the certification. The National Board Certification is nothing more than initial teacher certification at the national level.

As an educator who has visited schools in different states in this country, I do realize that the majority of teachers work very hard to educate students from very diverse backgrounds. I also realize that compared to other professionals, teachers are sometimes underpaid and that their salaries need to be raised. However, it is not right to achieve higher salaries by deceiving the taxpaying public. Giving the certification a high sounding name and making it appear impressive does not by itself result in improving the qualifications of the teachers who are so certified. Teachers who have attained National Board Certification should immediately refund the increased salaries that they have been receiving and are enjoying because of such certification. They should then start making legitimate claims for a well deserved, albeit reasonable, pay raise.

In conclusion, it is my humble opinion that candidates for a truly respectable National Board Certification should at a minimum ...

- \* hold an earned doctorate in their areas of expertise
- \* have five years of classroom teaching experience during which time their students have learned significantly more than students in the classrooms of their peers
- \* have developed and empirically tested innovative ways of teaching, learning and assessment, and have published their work in scholarly peer reviewed journals
- \* have published scholarly papers and/or books in their areas of expertise
- \* perform well on rigorous exams and other assessments in content areas.

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- John T. Wenders  
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### **Letters to the Editor: NBPTS Certification Redundant To Value-Added & Teacher Agrees: National Teacher Certification Is A Hoax**

Author: edited by George A. Clowes, Ph.D.  
Published: The Heartland Institute 06/01/2004

#### **NBPTS Certification Redundant to Value-Added**

Re "New Study First to Affirm Value of National Teacher Certification," by Robert Holland, *School Reform News*, May 2004.

There were many more non-NBPTS certified teachers who performed as well as, or better than, the NBPTS certified teachers, but who received no salary increments for their performance. This is apparently the first time that both the National Education Association and the National Board of Professional Teaching Standards have, albeit implicitly, endorsed incremental value added, measured by incremental student performance, as a measure of teaching effectiveness.

If one accepts incremental student performance as the measure of teaching effectiveness, why bother with the imperfect surrogate, NBPTS certification, when the real thing is available at far less cost?

John T. Wenders  
Professor of Economics, University of Idaho  
Senior Fellow, The Commonwealth Foundation

#### **Teacher Agrees: National Teacher Certification IS a hoax**

Re "National Teacher Certification Labeled a 'Hoax'," by George A. Clowes, *School Reform News*, April 2004.

Thank you so much for reporting on the hoax of National Teacher Certification (NTC). The public needs to know about this hoax and teachers need to know about the inconsistencies in the award process. I went through this experience several years ago when it very first became available to North Carolina teachers. This IS truly a hoax!

I have my Masters in Education and am a certified reading teacher. My students consistently scored the highest scores and made the greatest gains on end-of-grade testing in reading, yet I did not pass the reading section of the test. My highest NTC score was a section on 8th grade health, which I have never even taught.

In working with other teachers who were also trying to become certified, I saw teachers lie about their classroom activities and falsify reports. Some of these teachers kept children after school to do mock lessons and then rewarded them with ice-cream parties. There would be no way for assessors to check this.

12.

I worked with a teacher of gifted children who knew nothing about teaching reading or how to help a struggling emergent reader. This teacher passed the reading section and became certified. I helped edit and gave suggestions to the submissions of two other teachers who also got the certification. These teachers did not have near the experience I had, nor have any type of higher degree.

The NTC computerized assessment I took seemed entirely subjective. Who really knows who the assessors were and what the true "standards" were? I footnoted my answers with current research, especially by Nancy Atwell, yet this seemed not to matter. Also, I witnessed lots of mail sent out by NTC trying to get teachers to help do the assessments, so I seriously question the qualifications of the assessors. Are they simply people looking for extra cash?

During the process, the phone "assistance" from NTC was pathetic. I would call in for answers to my questions and get inconsistent responses. I was told that my Masters degree would count toward evidence of Professional Development but even though I listed it, plus all the other committees I have worked on, I did not pass that section either.

I learned nothing through this certification experience except that it was an unfair and subjective process. Teachers who received the NTC recognition in my community were not always thought of as good teachers by the rest of the community. The entire assessment was a complete waste of a year in my life.

I feel very strongly about all the promotion for this false honor, plus the wasted tax dollars for very little achievement. Surely we can find a better way to spend this vast amount of money and meet our students' educational needs.

5th-Grade Science Teacher  
North Carolina  
(Name withheld at writer's request)

Letters to the Editor should be sent to:  
Editor  
School Reform News  
19 South LaSalle Street #903  
Chicago, IL 60603  
or emailed to

Letters may be edited for length.

**New National Certification Study Full of Surprises.** EIA has been among the skeptics regarding national certification of teachers. The amount of money funneled to the National Board for Professional Teaching Standards (NBPTS) since 1987, coupled with the bonuses and fees paid by various states to national certification awardees and applicants, has been enormous. Yet there has been little attention paid to what we are getting for our money, and no large-scale empirical study of the effects of national certification on student achievement. Until now.

Dan Goldhaber and Emily Anthony of the Urban Institute released a reported titled, "Can Teacher Quality Be Effectively Assessed?" (available in full at ( ) Goldhaber and Anthony matched more than 600,000 student records with more than 32,000 teachers in North Carolina, covering school years 1996-1999 and grades 3-5. They concluded that nationally certified teachers "appear to be more effective than their noncertified counterparts."

That sentence was all national certification supporters needed to hear. "New research underscores the importance of NEA's support of and promotion of National Board Certification," announced the union. NBPTS Chair Roy E. Barnes added that the study "provides state and national policymakers with proof that National Board Certification is a smart investment."

Ay, there's the rub.

As is usually the case in education research, the report's findings are far more equivocal than is reported in the newspaper headlines. The report shows no signs of bias and, to their everlasting credit, Goldhaber and Anthony actually address the cost effectiveness issue.

First, let's look at the actual gains achieved by students of national board certified teachers (NBCTs) when compared to others. Goldhaber and Anthony found that teachers who never applied for national certification increased their students' reading scores by 5.69 points, and math scores by 9.75 points. Teachers who applied for national certification, but failed to achieve it on the first try, increased their students' reading scores by 5.83 in reading, and 9.14 in math. NBCTs increased student reading scores by 6.18 points in reading and 10.21 points in math. Goldhaber and Anthony themselves call the differences "relatively small."

Goldhaber and Anthony estimate direct payments to NBPTS at over \$350 million, not counting the additional bonuses and fees paid to teachers who underwent the national certification process. The authors conclude that national certification is much less cost-effective than even class size reduction - another highly expensive program - but may be more cost-effective than paying a premium for teachers who hold a master's degree since the evidence on the value of this credential is "quite mixed," according to the authors.

The most fascinating part of this story is not the report itself, which, by the standards of the education field, is as good a piece of empirical research as one may hope to find. No, the fascinating part is the NEA's applause. Let's summarize what Goldhaber and Anthony have done:

- \* Used the standardized tests of students to measure teacher effectiveness (strictly a no-no per NEA Resolution B-57).

- \* Chose North Carolina to study because that state administers standardized tests annually, beginning in third grade (a major NEA complaint against NCLB).

- \* Concluded that national certification is a better investment for public school systems than a master's degree (a hallmark of the traditional salary schedule championed by NEA).

- \* Found that going through the national certification process itself "does not appear to make teachers more effective." (contrary to the testimonials of NBCTs)

For all these compromises, the union (and the rest of us) gets an extra half-point in reading and math. Goldhaber and Anthony's report, rather than close the book on national certification's effectiveness, seems to have opened up volumes of questions.

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National Board Certification |

## National Board Certification of Teachers

National Board Certification, a growing part of the national effort to strengthen standards for the teaching profession, is a voluntary, advanced teaching credential that goes beyond state licensure by creating national standards for what accomplished teachers should know and be able to do. The National Board certifies teachers who successfully complete its rigorous certification process.

The National Education Association was among the founding organizations that established the National Board in 1987. The NEA remains one of its strongest supporters for several reasons:

- NEA members attest to the positive effects the National Board Certification process has on their teaching practices.
- An emerging body of research links National Board Certification with improved student achievement. Standards and practices developed through the National Board Certification process are being used to improve teaching and learning.
- The certification process is a rigorous, challenging process that causes teachers to analyze their work. Going through this process helps teachers improve their skills.
- NBC is considered a key component of the teacher development continuum -- a system that will professionalize teaching.

Teachers report spending over 200 hours on the assessment process, during which they internalize NBPTS standards, analyze their own teaching in relation to those standards, and reflect on the impact of their teaching strategies on student learning. It is a powerful learning experience whether they achieve National Board Certification or not.

State and local associations have significantly increased their support for candidates pursuing National Board Certification by securing legislation that pays fees and provides release time to candidates and by collectively bargaining for release time, fee payment, mentoring/assistance, and salary recognition for candidates. The NEA continues to actively support and promote the national certification process as an important element of a comprehensive system to ensure teacher quality.

### Background and history

For the past two decades, Americans have recognized the growing challenges facing public education and have considered a host of ideas, programs, and strategies to enhance teaching and learning in schools. Educators have worked to strengthen their knowledge and skills as part of this national effort so


### News & Action

**California Rejects Certification Plan**  
California's teacher certification panel has

**Opposition Grows to 'Test & Certify'**  
The group representing state school boards has

who  
pass a set of tests.

**Candidate Guide Is Available**  
The newest edition of

 (PDF, 2.85MB, 64 pages) is now available.

that higher levels of achievement will be possible for all students.

Within this context of reform, the Carnegie Task Force on Teaching as a Profession released its 1986 report, *A Nation Prepared: Teachers for the Twenty-First Century*, which called for teachers and other education stakeholders to join together to create the National Board for Professional Teaching Standards (NBPTS).

From the beginning, teachers were integrally involved in the Board's work. Teachers compose two-thirds of the Board's membership, thereby having a real voice in NBPTS policy. Over half of the 54 members of the Board of Directors are NEA members. In addition, teachers serve on standards committees and assessment-level committees; they score assessments and work on all aspects of NBPTS products and services.

Today, more than 30,000 teachers have achieved National Board Certification, the teaching profession's highest credential. NEA formally supports NBPTS through its resolutions and other policy documents, and considers National Board Certification to be a valuable professional development option for experienced teachers. NEA also views advanced, voluntary certification as an important part of its long-standing efforts to enhance standards for -- as well as perceptions of -- the teaching profession.

For more information about the program and NEA's and its affiliates' involvement in it, read NEA's

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**Nationally Certified Teachers Come Up Short on Achievement**

NBPTS cries foul as study questions value of program

Author: Robert Holland

Published: The Heartland Institute 08/01/2002

A study by Education Consumers Clearinghouse (ECC) founder J.E. Stone has concluded nationally certified Tennessee teachers are no more proficient in raising students' test scores than average teachers in their home school districts.

Stone's findings caused those with a vested interest in national certification to spring into action, most notably through an Education Commission of the States press release asserting it would empanel an "unbiased" review of the study.

The National Board for Professional Teaching Standards (NBPTS) has been in existence for 15 years and has spent \$215.6 million in tax and private funds. Stone's study, however, was the first to assess the impact of national certification according to objectively measured student achievement.

In January, NBPTS officials had issued an open call for research on how certification might relate to achievement. "We're not just looking for feel-good research," said Ann E. Harman, NBPTS' research director. "We're ready for whatever the results are." (*Education Week*, January 30, 2002)

In Fall 2000, NBPTS President Betty Castor touted a study by researchers at the University of North Carolina at Greensboro, who compared 31 teachers who won certification to 34 who applied unsuccessfully. The study was financed by the U.S. Department of Education and NBPTS. That the nationally certified teachers ranked higher on criteria the NBPTS deems important to teaching, Castor said, merited "the absolute highest confidence" that NBPTS-certified teachers are giving students "a high-quality learning experience." (*Education Week*, October 25, 2000.)

In a May 15 advertisement in *Education Week*, NBPTS boasted National Board Certification is "Comparable to established standards in other professions," and said the UNC-Greensboro study showed "National Board Certified Teachers outperform their peers in teaching expertise and student achievement."

However, the touted study counted only student work samples gathered by the teachers themselves and deliberately excluded students' test scores. Critics have continued to press NBPTS for hard, verifiable data.

In a statement, NBPTS officials slammed Stone's work as "hardly independent research," noting he has criticized the NBPTS and advocated market-based reform of teacher preparation and licensing. Stone countered that researchers—including those employed by the NBPTS—rarely study issues about which they lack opinions; the relevant question is whether opinions determined the outcome. The NBPTS also criticized the small number of teachers in Stone's study—16—although the NBPTS' own studies over the past decade have included as few as three teachers.

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### Measuring How Much Students Learn

Stone's study tapped into the sophisticated statistical analysis pioneered by Dr. William Sanders in the Tennessee Value-Added Assessment System (TVAAS), which provides a measure of how much learning a student gains from a specific teacher. Sanders was not a party to the Stone study and in fact has been commissioned by NBPTS to study the effectiveness of NBPTS-certified teachers in North Carolina using value-added data.

Sixteen of Tennessee's 40 NBPTS-certified teachers teach in grades 3 through 8 and therefore have value-added reports of teacher effectiveness in the state database.

Stone, an education professor at East Tennessee State University, compared the "teacher-effect" scores of those 16 to the average achievement gains of their local school systems in as many as five subjects and over as long as three years. Tennessee's performance standards grade an achievement gain of 115 percent or more as an "A" and a gain of 85 percent or less as an "F." Stone found only 15 percent of scores earned by the NBPTS-certified teachers reached as high as 115 percent, while 11 percent were at 85 percent or below. The remaining three-fourths were within the average range for their school systems.

Noting Chattanooga gives \$5,000 performance bonuses to teachers who reach 115 percent gains in math, reading, and language for the preceding three years, Stone pointed out none of the NBPTS-certified teachers would have qualified for that reward.

It is implausible that these 16 teachers are the only mediocre performers among the 16,000 NBPTS-certified teachers nationally, said Stone, but "if a state found that it had 16 certified lifeguards who were only average swimmers, the finding would not be dismissed as statistically insignificant."

### Study "Well-Conceived"

Noted education researcher Eric Hanushek, a senior fellow at the Hoover Institution, told *School Reform News* that, contrary to the NBPTS' insinuations, "Stone's study follows a well-conceived methodology." He added that "Tennessee is not an aggressive NBPTS state," and therefore Stone had no choice but to rely on a mere 16 teachers in the database. "This weakness is not Stone's fault, or his choice. It simply represents the available universe of teachers."

Hanushek observed, "John Stone's provocative study underscores one extremely important feature of U.S. education: Widely acclaimed and expensive policies frequently escape any evaluation in terms of their true effectiveness. Stone's study is far from definitive, but it is the evidence that is available."

"The NBPTS certification process has become an important element of policy in several states, and large financial rewards flow to successful applicants. But all of this has happened without a thorough analysis of its effectiveness."

States and school districts have awarded pay increases or bonuses in the range of \$5,000 to \$7,500 per year for teachers winning national certification. After paying the NBPTS a \$2,300 application fee—a tab sometimes picked up by their districts—candidates prepare a portfolio of their work, videotape themselves teaching, and take an all-day examination.

Hanushek said now that Stone has asked "the right question," others—including states with a significant financial stake in the NBPTS process—should look at the evidence also.

"One thinks that, had Stone's study of 16 teachers supported the certification program, it would have been widely publicized and little criticized," Hanushek commented.

### Review Panel Named

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Soon after ECC's release of the Stone report, the Education Commission of the States (ECS), which bills itself as a nonpartisan education policy organization, issued a press release calling for a review panel. The following panel members were appointed in mid-June: Susan Fuhrman, dean of education at the University of Pennsylvania; Dominic Brewer of the RAND Corporation; Robert Linn of the University of Colorado; and Ana Marie Villegas of Montclair State University.

ECS President Ted Sanders said in a statement his organization had an "obligation to determine the validity of this study and whether ECS constituents can depend on it for altering the course of their work to improve teaching quality."

Sanders' own objectivity on the matter could be in question. He was a founding commissioner of the NBPTS' greatest champion, the National Commission on Teaching and America's Future, an organization bankrolled by the Carnegie Foundation, as is the NBPTS itself. There is no record of the ECS ever having challenged the validity of NBPTS studies claiming to show the effectiveness of nationally certified teachers.

*Robert Holland is a senior fellow at the Lexington Institute, a public policy think tank in Arlington, Virginia. His e-mail address is*

**For more information ...**

Links to the Stone study and to other material pro and con can be found at:

National Board Certification:

Verify the gains in teacher quality that National Board Certification provides by studying the standardized test scores of the students of these 23 teachers before they received National Board Certification with the scores of the students of these teachers after they received the certification. Acceptable standardized tests include the North Dakota State Assessment, ACT and AP.

Find comparable excellent teachers in the same schools and study the test scores in the same years to use as a comparative group.

Testimony on HB 1076

By David Bartz, Teacher, Mandan Public Schools

Mr. Chairman and members of the Education Committee, my name is David Bartz, and I am a teacher in the Mandan Public School District and a National Board Certified Teacher. I am here to testify in support of HB 1076.

The National Board Certification process is an excellent opportunity for professional growth. In fact, it ranked as one of the best professional development opportunities available to teachers that I have ever undertaken. National Certification is recognized in all fifty states, is valid for ten years and is the highest level of certification that a teacher can receive. The process itself requires the individual teacher to closely examine *what* he teaches, *how* he teaches it, and *why* it is taught. The last piece, the *why*, is critical since the teacher is required to reflect on his teaching practice. Often this is not easy, given the fast pace of the school day.

The process was developed around a set of high and rigorous standards based on best practices in education that are tailored to each teaching certificate area. National Certification is rooted in the belief that the single most important action this country can take to improve schools and student learning is to strengthen teaching. Quality teachers are necessary for student growth.

The certification process itself is intense, difficult and time consuming. From start to finish it took me over three hundred hours to complete. That's about the equivalent of eight forty hour weeks over and above my day job as a classroom teacher. During the process, I wrote about my teaching methods, submitted videotapes of my teaching, and spend an entire day at an assessment center taking online tests. Every teacher who participates in the process must provide clear, consistent, and convincing evidence that their teaching practices meet the National Board Standards for excellence in teaching. To date, 23 teachers in North Dakota have been nationally certified. Our state needs to have more.

Please consider supporting this bill. This will afford other teachers the opportunity to develop their professional practice to a higher level, ultimately benefiting our state's greatest resource – our children. Thank you for your attention to this matter. I will be happy to answer any questions that you may have at this time.

**TESTIMONY ON HB 1076  
SENATE EDUCATION COMMITTEE  
March 8, 2005  
by Anita K. Decker, Director  
School Approval and Accreditation  
328-1718  
Department of Public Instruction**

Chairman Freborg and members of the committee:

My name is Anita Decker. I am the director of School Approval and Accreditation for the Department of Public Instruction. I am here to speak in opposition to the proposed amendments to HB1076 regarding exceptions in teacher licensure prepared by Legislative Council staff March 4.

The 2003 session of the Legislature made significant changes in teacher licensure—to go into effect after June 30, 2006—and removed references to teacher preparation from the administrative rules for school accreditation. The bill before you addresses the possibility that some teachers may not meet requirements of the new licensure law and that would result in schools not meeting school approval statutes in 2006.

At the request of the Legislative Council, we met last week with the educational membership organizations and Representative Johnson to discuss the issue and to attempt to find resolution. We talked at some length about drafting administrative rules for the ESPB to allow licensed teachers to teach outside the area of their licensure. The emergencies we discussed dealt with the unexpected death or retirement of a teacher and the inability to fill such positions on short notice. That discussion generated the new amendments currently proposed in HB 1076. This is our first opportunity to address the proposed amendments.

We have a number of concerns with the new language:

The approval statute also applies to some special education credentials, as well as to teachers needing endorsements in areas such as English language acquisition and kindergarten. These are areas of required credentials or endorsements. It would seem that this statutory language could also be applied to these specialized areas. These areas are not strictly a matter of licensure and we believe it would be inappropriate for teachers to teach out of field in these programs. In fact, this violates the provisions of the Individuals with Disabilities Act. [In North Dakota elementary schools this year, the most common out-of-field citation is for lack of special education credentials.]

In Section 2, Point 2, there should be an application deadline by which a district must report. Should it be two weeks after the district exhausts efforts to hire an appropriately licensed teacher? How much effort is enough? Would the district have to provide evidence that it attempted to resolve the vacancy through the Division of Independent Study, through videoconferencing or online coursework, through dual credit, or through teacher-sharing with neighboring schools—particularly through joint powers organizations?

Point 3 under Section 2 would seem to suggest that teachers who would be approved to teach out of field under this section would pursue qualification to continue teaching in that field or level. Does the elementary-licensed teacher who is hired to teach high school Spanish receive the same consideration under this proposal as the secondary-licensed social studies teacher who needs an additional 4 credit hours in geography in order to teach geography?

I believe it is unlikely that many teachers would pursue additional licensure in these circumstances.

Under this same point, would there be a way of tracking teachers who have been granted this emergency licensure exception? Is there a limit to how many times a district or an individual could use this licensure exception?

Point 5 under Section 2 would encourage teachers teaching outside the content or grade level of their licensure to delay submitting a plan for approval. This language provides no incentive to make the application to ESPB—in fact, it rewards those who procrastinate. The clock needs to start when the person assumes the teaching position.

If you accept the premise that additional provision must be made for those few instances where an appropriately licensed teacher cannot be hired, I would make some suggested language changes for Section 2.

Licensed Teacher not highly qualified Teaching Out of Field – Approval to Teach. If a school district is unable to recruit or assign to a teaching position an individual teacher who is licensed in the content area or grade level to be taught highly qualified, the school district may fill the position with an individual teacher who is not highly qualified would be teaching out of field, provided:

1. ...
2. The school district notifies the education standards and practices board that the individual is being hired or assigned to teach in a content area or grade level for which the individual is not highly qualified licensed;
3. The school district submits to the education standards and practices board a plan detailing the efforts that will be taken by the individual to become highly qualified additionally licensed within twelve months from the date the plan is approved by the education standards and practices board in the area to be taught by the start of the following school year.
4. ...
5. The education standards and practices board notifies the superintendent of public instruction that this individual teacher is approved to teach out of the licensure area under this section for a period of twelve months from the date the plan is approved by the education standards and practices board not to exceed the school year for which the approved plan is granted.

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Section 4, we believe, applies to school approval not to accreditation. All references to teacher preparation were removed from the administrative rules for

school accreditation last legislative session. Substituting the words “accreditation rules” with the words “the school approval statute” would be appropriate.

Following the 2003 session, we requested an explanation from the Attorney General’s office on the use of the words “self-contained.” I believe the words should be struck from Section 15.1-18-08(2) as they were from 15.1-18-07.

May we respectfully suggest that the Committee get a legal opinion on whether state funds can be distributed to teachers in nonpublic schools as stated in 15.1-18.1-02(4)(a). May we also suggest that a member of the Legislative Council or Attorney General’s staff study Section 23(A)(ii) to determine if this proposal violates the federal law regarding emergency, temporary, or provisional licensure requirements.

Mr. Chairman, it is not the intention of the Department to unduly punish schools or teachers. We are, however, compelled to keep faith with those teachers who have been working diligently to comply with the licensure law passed last session, to protect the interests of children and the state, and to assure that any exceptions to the state and federal statutes are clear and legal. We do not feel that this exception should be allowed except in extreme circumstances. We believe that efforts toward appropriate options need to be exhausted first.

As stated earlier, those options would include providing coursework through the Division of Independent Study, using distance learning for course delivery, sharing teachers with another school, perhaps within a joint powers agreement, increasing summer programming, and enrolling in dual credit with one of the area colleges.

Mr. Chairman -- Members of the Committee:

For the record, my name is Anita Thomas and I am an attorney with the Legislative Council. I am appearing on Engrossed House Bill 1076 because there are both statutory drafting issues and legal issues that have come up with this bill. Those issues have been addressed by means of an amendment that is being offered for your consideration. The amendment contains 10 sections. Five of those sections currently comprise Engrossed House Bill 1076. We used the hoghouse format because each of those five sections needed further amendment.

Mr. Chairman, members of the Committee -- Engrossed House Bill 1076 is an agency bill and was introduced at the request of the ESPB.

With your permission, Chairman Freborg, I would like to walk the Committee through each section of the bill -- but for clarity's sake -- not in numerical order. If it is permissible, I would ask that you turn first to section 2 of the engrossed bill.

Section 2, which amends 15.1-13-13, provides that the ESPB may issue provisional teaching licenses to an applicant who is awaiting completion of his or her background check. That's current law. Language was added to allow provisional licenses when someone was "awaiting documentation of the original application." When my copy of the engrossed bill arrived after crossover, I read it over and I was not altogether certain of what that new language meant. So, I called ESPB and asked Ms. Welk if she would share with me what was intended. She said, the board wanted to be able to issue provisional licenses so that someone can get into the classroom even though their official transcript has not yet been received by the ESPB. Similarly, there may be other documents that need to be in the possession of the ESPB before a license can be issued. These are usually the originals or signed and certified documents.

If you turn to section 3 of the proposed amendments, you'll see that same language but more clearly stating that the board may issue a provisional license pending completion of the background check or pending receipt of official transcripts or other original, signed, or certified documents.

Going back to Engrossed House Bill 1076, I would ask you to turn to page 2 -- Section 3. This is the amendment of 15.1-18-07. Current law states that in order for an individual to teach any grade from 1 through 8 in a self-contained classroom, an individual must be licensed to teach and have a major or a major equivalency in elementary education. As introduced, this section would have permitted an individual to teach any grade from kindergarten through grade eight with those qualifications. As the bill came over from the house, the section would permit an individual to teach any grade from one through eight in an elementary school, with those qualifications.

From a statutory perspective, it does not matter at which grade level the cutoff is established. But, what does matter is that as the bill stands, there is a conflict in the language. Subsection 1 says -- In order to teach any grade from *1 through 6 in an elementary school*, one has to have a major or a major equivalency in elementary education. Subsection 3 says in order to teach any grade from *1 through 8 in an elementary school*, one has to have those same qualifications. Again, we concluded that the section probably was not reflective of what was intended.

Ms. Welk, Ms. Decker, and I spent a fair bit of time discussing this section and what we understand to have been its intent was that subsection 1 was to address the requirements for teaching *grades 1 through 6 in a K-12 district* and that subsection 3 was to address the qualifications needed for an individual to teach *grades 1 through 8 in a K-8 district* or in a nonpublic elementary school.

The parallel provisions are found in section 5 -- page 4 of the proposed amendments. That section, like a number of the others also contains phrases such as "licensed to teach by the ESPB or approved to teach by the ESPB." I will explain shortly why those phrases are inserted.

Again, going back to the engrossed bill, I now ask that you turn to section 4 on page 2. That's the amendment of 15.1-18-10.

Current law lists a number of specialty subjects that an individual can teach, provided the individual meets certain standards set by the board. Those subjects can presently be taught in grades 1 through 8. Engrossed House Bill 1047 extends that authorization to kindergarten as well. This section is covered on page 5 of the amendments. In preparing the amendments, we were asked to include "technology education" in the list of specialty subjects. I would defer to Ms. Welk or Ms. Decker if you wish more detail on that inclusion.

The final section of Engrossed House Bill 1076 pertains to the national board certification program. My role is again not to discuss the merits of the section. My focus is only on cleaning up the statute. If you look at page 3 of the engrossed bill - line 10 -- you will see that the section begins with the phrase "The board shall:" and it continues with:

1. Inform teachers . . .
2. Collect and review applications . . .
3. Approve applications . . . and
4. Ensure the receipt of information . . .

Then you reach subsection 5. It provides that if an individual does not complete the certification process, there are consequences. That subsection bears no relation to the initial phrase "The board shall."

Again, this is not content, this is just a drafting issue. The same is true of subsection 6.

Once one reaches subsection 7, we again find that relationship -- i.e. *The board shall* collect and review applications.

This section regarding national board certification is also the last section of the amendments -- section 10 - and it begins on page 6. The content has not changed, but in order to make the language work out -- in order to ensure that we did not have inappropriate language following a phrase such as "The board shall", we had to use not only subsections but also subdivisions and paragraphs.

Mr. Chairman, I apologize - I had only noticed this within the last hour, but subsection 7 of that section in the engrossed bill not only duplicates subsections 2 and 3 but conflicts with subsection 3. In one spot we are saying that the board may approve no more than 17 applications and in another, we are saying that they may approve no more than two. We will need direction to again determine the intent.

With that, Mr. Chairman, we have covered all but section 1 of the engrossed bill and we have covered sections 3, 5, 8, and 10 of the proposed amendments.

Next, I would ask that the committee turn to section 6 of the amendments. That starts at the bottom of page 4. This section contains a change from current law. It addresses qualifications needed to teach any grade from 5 through 8 in a middle school. It requires that the teacher have a major or a major equivalency in middle level education or a major, major equivalency, minor, or a minor equivalency in each non-core academic area taught by the individual. That's current law.

The change, which was asked for by the ESPB at a recent meeting, comes in subsection 2. It provides that an individual who teaches grade 5 or 6 in a middle school can do so with a major or a major equivalency in *elementary education*. The thought was that that same individual can teach those same students if they were in those same two grades in an elementary school provided the individual had a major or a major equivalency in *elementary education*. Arguably, the only thing different is the name of the school. Again, that is a policy change and Ms. Welk can provide you with additional information.

But, this section -- section 6, like sections 4, and 7, have something else in common. They each refer to an individual being *licensed to teach* by the education standards and practices board or *approved to teach* by the education standards and practices board.

I believe Senator Lee asked about this the other day. The phrase "licensed to teach" is pretty self-explanatory. The individual must meet all of the criteria for licensure, check all of the boxes, go through all things required - such as background checks -- pay the fee and then the individual receives his or her license. Sometimes, especially during crunch times, all of the boxes might not yet be checked when a license is needed. Some of the official paperwork like transcripts might not yet have arrived or some emergency might arise and we need to put a person into the classroom who does not yet meet full licensure -- So, we allow the ESPB to "approve" such individuals to teach. Hopefully, not too far down the road, those individuals then become fully licensed.

The old law -- in fact our current law -- uses the phraseology "licensed to teach or approved to teach." Last session, when we were working on the new 2006 teacher requirements as a result of the No Child Left Behind Act, it was not clear how much if any flexibility would be allowed, so we did not initially include the phrase "approved to teach." We knew we would have this session to again consider the language.

In the intervening time period, there has been some flexibility in how the law is being interpreted and probably a recognition that without some degree of reasonableness, schools could not be operated. Consequently, in sections 4, 6, and 7, we added language so we could continue to reference individuals who are *licensed to teach* or *approved to teach* by the ESPB.

That Mr. Chairman, brings us back to section 1 of the bill -- section 1 of the amendments -- and the main reason that this is before you.

North Dakota has two tiers of schools -- Those that are approved and those that are accredited. The initial level -- approval -- requires each school to have licensed teachers, to offer all subjects required by law, and to comply with all local and state health, fire, and safety laws. The accreditation process goes in to much greater detail and sets a standard for educational delivery. The accreditation of schools is done by rule and the initial premise of accreditation is that a school cannot be accredited unless it is first approved. In fact, an educational institution that does not meet the approval criteria set out in statute is not even a legal school in this state.

Until recently, many of us understood that the approval standard required only that all teachers be licensed -- just like attorneys are licensed - or engineers -- architects -- doctors -- or nurses. As an attorney, I receive a little credit card size license that says I can function as an attorney. I am authorized to practice criminal law or bankruptcy law or property law or any other kind of law and I am limited only by my own sense of ethics. If I as an attorney do not believe I am qualified to practice in a certain area, my code of professional responsibility dictates that I not practice in that area. If I do go beyond my knowledge base and things turn out poorly, I am subject to a lawsuit.

Teachers are a little bit different. Let me use a high school teacher as an example. An individual may graduate with a degree in history and again -- once that individual completes all other requirements established for becoming a teacher, including the pedagogy classes and student teaching, that individual has a license that says he may teach history. Without any additional course work or exams, that individual is not licensed to teach physics -- or English.

For purposes of school approval, if that individual's license says he may teach 9-12 history and he is teaching 9-12 history, all is well. If that individual's license says he may teach 9-12 history and he is teaching physics or English, for school approval purposes, do we say he is licensed to teach and therefore all is well, or do we say he is not licensed to teach physics or not licensed to teach English and if that is in fact what he is doing, all is consequently not well. Mrs. Decker has often likened this to having a driver's license. Your license authorizes you to drive a car. That same license does not authorize you to drive a semi. If you tried to do so, you would be charged with not having a license to drive a semi. The fact that you are licensed to drive a car is irrelevant.

In recent weeks, individuals from DPI and ESPB, and representatives of the interest groups began struggling with the language that we currently have in statute. While it seems simple and straightforward enough, it also seems that it no longer fits with the way business is conducted in a post No Child Left Behind world.

School approval is the basis upon which Title 15.1 is built. The principal administrative agency, the principal licensing board, the interest groups, and the citizens of this state, need to be able to turn to the law, read the words, and be able to understand what is meant by school approval. We thought that the best approach would be to put people around a table and see if they could describe how things ought to work and then we would see if we could put their thoughts into statutory language.

The first time we met, we included DPI, ESPB, and the interest groups and that resulted in the amendments you saw the last time. There was progress, but not yet consent. The second time, when the goal was to fine tune the earlier amendments, we worked with DPI and the ESPB. Ms. Welk had a chance to visit with her board and came back with specific directions as to what the board believed needed to be included.

That, Mr. Chairman, brings us to the two most important sections of the amendment you have before you -- Sections 1 and 2. Section 1 is section 1 of both the engrossed House Bill and the amendments.

Let me include a couple of quick comments about subsection 1 of section 1.

Current law still provides that each classroom teacher must hold a valid teaching certificate. Some years ago, the ESPB elected to *license* teachers as opposed to issuing them *certificates*. ESPB had introduced a bill to change the language. The language was also changed in the title rewrite, and my recollection is that this particular section was the subject of a later passed bill. I don't believe it was even an education bill. Because the bill was passed later, the old language was in fact restored. So, we need now to clean that up. The second comment has to do with the phrase "valid teaching license." During the title rewrite, we eliminated references to "valid" licenses. The reason being -- it is redundant. If you have an invalid license -- you are not licensed.

Having said that, we are down to the crux of the amendment. It is being suggested for this committee's consideration that school approval needs to be dependent on four things not three. The amendment therefore maintains the requirements that each school must offer all subjects required by law and that each school must be in compliance with all local and state health, fire, and safety laws. The amendment

also maintains the requirement that all teachers must be licensed to teach by the ESPB or approved to teach by the ESPB, and it adds the requirement that each classroom teacher must teach only in those course areas or in those fields for which the teacher is licensed or for which the teacher has received an exemption under section 2.

Put simply, if your license authorizes you to teach elementary education, you teach elementary education. If your license authorizes you to teach 9-12 history, you teach 9-12 history. If you want to teach 9-12 math, you have to get approval under section 2.

Section 2 provides that if a school board has an opening, and it is unable to recruit or assign an individual who is licensed to teach in that particular position, the school board may fill that position with someone who does not meet all of the qualifications, provided that person is licensed to teach or approved to teach by the ESPB, provided that person has at least a minor or a minor equivalency in the course area or field that person wants to teach, and provided that the person gets an exception from the ESPB.

The ESPB wanted authorization to issue rules covering the exception. The language that you have in the amendment provides that the rules must require consideration of what a school district has done to try and fill a particular position as well as to look at what alternative delivery methods the district has explored. The exception to this is the sudden and unexpected circumstance. If a teacher loses his or her life in a hunting accident or a car accident, that's a different situation than a resignation tendered on July 5th.

The ESPB also wanted to have in rule the requirement that an individual seeking an exception would have to submit a plan for a course of study that would enable the individual to obtain a major or a major equivalency in the course area or field in which the individual seeks to teach.

An exception is valid through the conclusion of the school year and may be renewed in one year increments, provided the individual can demonstrate that he or she has completed at least 1/3 of the course of study to obtain the major or major equivalency.

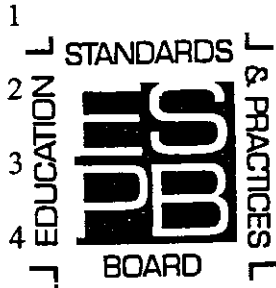
In past sessions, you and your colleagues have authorized the DPI to give certain statutory or regulatory waivers but you required them to report to an interim committee what was requested, what the superintendent's determination was, and why. Subsection 4 of section 2, provides the same type of opportunity for exceptions granted by the ESPB.

Finally, Mr. Chairman, I ask that the committee turn to section 9 of the amendment -- That's on page 6. This section was not in Engrossed House Bill 1047. If you look at our statutes -- including a number of the sections within the proposed amendment, you'll see an effective date of July 1, 2006.

The federal law set that as the date by which certain teacher requirements had to be in place. The United States Secretary of Education, however, has since realized that individuals in some small rural districts often teach more than one academic subject and consequently face special challenges in becoming highly qualified to teach those multiple subjects. The secretary has therefore granted teachers in such districts additional time to become highly qualified.

The language of section 9 authorizes the ESPB to extend any state statutory deadlines to take advantage of this and any other federal offers of flexibility.

With that, Mr. Chairman, I would be happy to try and answer any questions the committee might have.



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**Testimony on HB 1076**

By

Janet Placek Welk

Good morning, Mr. Chairman and Members of the Senate Education Committee. For the record, I am Janet Placek Welk, Executive Director of the Education Standards and Practices Board and wish to testify in support of HB 1076.

Before I begin, I would like to tell you the Board has met with the DPI, NDCEL, NDEA, NDSBA, and Anita Thomas, Legislative Council staff in preparation for this testimony. The amendments that I will be presenting have been agreed to by all of the above. I will outline the changes and the read through each of the sections. **Section 1** is clean-up language from last session. **Section 2** would allow the ESPB to issue an alternative endorsement to a teacher to allow them time to become highly qualified during a maximum of three year period. This section was prompted by incidences that have occurred this past school year when a teacher was killed in an auto accident and there was not a highly qualified teacher to replace them. Realistically, in some cases, a teacher will not be highly qualified or able to become highly qualified prior to entering the classroom. An example would be a teacher who is highly qualified to teach English but has a French minor and a French position opens after 2006. The teacher would not be able to take additional

1 coursework or complete the test to become highly qualified immediately. Even the testing  
2 option requires registration and waiting until the test is offered at an institution of higher  
3 education, which could easily be three-four months or longer. **Section 3** allows the Board to  
4 accept faxed copies of the application and other documentation for licensure, giving the  
5 teacher a 40-day provisional and the time needed to put together all requirements for original  
6 licensure. This will help districts at the beginning of the school year when there is such a  
7 rush to hire new teachers but those teachers do not always have their licenses. **Section 4**  
8 requires ESPB to report to DPI the most current information available regarding the areas of  
9 licensure for each teacher. This is easily done through the shared mainframe computer.  
10 **Section 5** is inserting the cleanup language of "or approved to teach by the education  
11 standards and practices board" for kindergarten teachers. **Section 6** is inserting the cleanup  
12 language of "or approved to teach by the education standards and practices board" for  
13 elementary teachers. **Section 7** is inserting the cleanup language of "or approved to teach by  
14 the education standards and practices board" for middle level teachers and allows teachers  
15 with an elementary degree to teach grades 5 or 6 in a middle school. This issue was brought  
16 to the board by many administrators and legislators. **Section 8** is inserting the cleanup  
17 language of "or approved to teach by the education standards and practices board" for high  
18 school teachers. **Section 9** is inserting the cleanup language of "or approved to teach by the  
19 education standards and practices board" for specialty teachers. **Section 10** is the national  
20 board for professional teaching standards section. The Board is asking for an additional  
21 \$10,000 over the \$40,000 in the Governor's Budget and that granted by the House. We  
22 learned just prior to the Session that the assessment fee has gone up to \$2500, teachers will  
23 be asked to pay an additional \$65.00 for the application process, and re-take teachers will be  
24 asked to pay an additional \$15.00 for the application process. This section would also allow

1 the Board to help teachers with retake portions of the process and pay a stipend once they  
2 have received certification.

3  
4 **PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1076**

5 Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to  
6 create and enact a new section to chapter 15.1-09 and a new section to chapter 15.1-13 of the  
7 North Dakota Century Code, relating to approval of teachers by the education standards and  
8 practices board; and to amend and reenact sections 15.1-06-06, 15.1-13-13, 15.1-18-02, 15.1-  
9 18-07, 15.1-18-08, 15.1-18-09, 15.1-18-10, and 15.1-18.1-02 of the North Dakota Century  
10 Code, relating to teaching licenses and the approval of teachers by the education standards  
11 and practices board.

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

13 **SECTION 1. AMENDMENT.** Section 15.1-06-06 of the North Dakota Century  
14 Code is amended and reenacted as follows:

15 **15.1-06-06. Approval of public and nonpublic schools.** Each public and nonpublic  
16 school in this state offering elementary or secondary education to students must be approved  
17 by the superintendent of public instruction. Except as otherwise provided by law, the  
18 superintendent may not approve a school unless:

- 19 1. Each classroom teacher holds a valid teaching certificate issued is licensed to teach  
20 by the education standards and practices board or is approved to teach by the  
21 education standards and practices board;
- 22 2. The students are offered all subjects required by law; and
- 23 3. The school is in compliance with all local and state health, fire, and safety laws.

1           **SECTION 2.** A new section to chapter 15.1-09 of the North Dakota Century Code  
2 is created and enacted as follows:

3           **Teacher not highly qualified – Approval to teach.** If a school district is unable to  
4 recruit or assign to a teaching position an individual who is highly qualified, the school  
5 district may fill the position with an individual who is not highly qualified, provided the  
6 individual is licensed to teach by the education standards and practices board or approved  
7 to teach by the education standards and practices board.

8           **SECTION 3. AMENDMENT.** Section 15.1-13-13 of the North Dakota Century  
9 Code is amended and reenacted as follows:

10           **15.1-13-13. Provisional teaching license—Period of effectiveness—Renewal.** The  
11 board may issue a provisional teaching license to an applicant awaiting pending  
12 completion of the background check required by section 15.1-13-14 or pending the  
13 receipt of official transcripts or other original, signed, or certified documents. The  
14 provisional license is valid for a period of forty days and may be renewed with the  
15 approval of the board. The board may adopt rules governing the issuance of a provisional  
16 teaching license. An individual applying for a provisional teaching license may be  
17 charged a fee established by the board. However, an individual applying for the renewal  
18 of a provisional teaching license may not be charged a fee.

19           **SECTION 4.** A new section to chapter 15.1-13 of the North Dakota Century Code is  
20 created and enacted as follows:

21           **Teacher licensing – Report to the superintendent of public instruction.** For  
22 purposes of determining compliance with accreditation rules, the education standards and  
23 practices board shall provide to the superintendent of public instruction the most current  
24 information available regarding the areas or subjects that may be taught by each

1 individual who is licensed to teach or approved to teach by the education standards and  
2 practices board.

3 **SECTION 5. AMENDMENT.** Section 15.1-18-02 of the North Dakota Century  
4 Code is amended and reenacted as follows:

5 **15.1-18-02. (Effective through June 30, 2006) Kindergarten through grade**  
6 **eight-Teacher qualifications – Exceptions.**

7 1. In order to teach kindergarten, an individual must:

- 8 a. Be licensed to teach by the education standards and practices board or  
9 approved to teach by the education standards and practices board and  
10 have a kindergarten endorsement; or  
11 b. Be licensed to teach by the education standards and practices board or  
12 approved to teach by the education standards and practices board and  
13 demonstrate to the satisfaction of the education standards and practices  
14 board that the individual will obtain a kindergarten endorsement  
15 within two years from the date of the assignment to teach kindergarten.

16 2. In order to teach any grade from one through eight, an individual must:

- 17 a. Be licensed to teach by the education standards and practices board or  
18 approved to teach by the education standards and practices board and  
19 have a major, a minor, or an endorsement in elementary education; or  
20 b. Be licensed to teach by the education standards and practices board or  
21 approved to teach by the education standards and practices board and  
22 demonstrate to the satisfaction of the education standards and practices  
23 board that the individual will obtain an endorsement in elementary

1 education within two years from the date of the assignment to teach  
2 any grade from one through eight.

3 3. Notwithstanding subsection 2, an individual may teach any grade from five  
4 through eight if the individual:

5 a. Is licensed to teach by the education standards and practices board or  
6 approved to teach by the education standards and practices board and has a  
7 major or an endorsement in middle school education; or

8 b. Is licensed to teach by the education standards and practices board or  
9 approved to teach by the education standards and practices board and  
10 demonstrate to the satisfaction of the education standards and practices board  
11 that the individual will obtain an endorsement in middle school endorsement  
12 within two years from the date of assignment to teach any grade from five  
13 through eight.

14 4. Notwithstanding subsection 2, an individual may teach grade seven or eight if the  
15 individual is licensed to teach by the education standards and practices board or  
16 approved to teach by the education standards and practices board and has a major or a  
17 minor in the assigned course area or field.

18 5. Notwithstanding subsection 2, an individual may teach special education, foreign  
19 language, art, music, physical education, business education, and computer education  
20 at any grade level from kindergarten through eight, provided the individual is licensed  
21 to teach by the education standards and practices board or approved to teach by the  
22 education standards and practices board and meets the requirements imposed by the  
23 superintendent of public instruction.



1           1.       In order to teach any grade from one through six in an elementary school, an  
2 individual must be ~~licensed~~:

3           a.   Licensed to teach by the education standards and practices board or approved  
4 to teach by the education standards and practices board and:

5           ~~A~~ b.(1)   Have a major in elementary education; or

6           ~~b.~~ (2)       Have a major equivalency in elementary education.

7           2.       Notwithstanding the provisions of subsection 1, an individual may teach any  
8 grade from one through three in an elementary school provided the individual is ~~licensed~~:

9           a.   Licensed to teach by the education standards and practices board or  
10 approved to teach by the education standards and practices board and:

11          a     b.(1)   Have a major in early childhood education; or

12          ~~b.~~ (2)       Have a major equivalency in early childhood education.

13          3.       In order to teach any grade from one through eight in a self contained  
14 ~~classroom-~~ an elementary school, an individual must be ~~licensed~~:

15          a. Licensed to teach by the education standards and practices board or approved to  
16 teach by the education standards and practices board and:

17          ~~A~~ b.(1)   Have a major in elementary education; or

18          ~~b.~~ (2)       Have a major equivalency in elementary education.

19               **SECTION 7. AMENDMENT.** Section 15.1-18-08 of the North Dakota Century  
20 code is amended and reenacted as follows:

21               **15.1-18-08. (Effective after June 30, 2006) Middle school teacher qualifications.**

22               1.       In order to teach any grade from five through eight in a middle school, an  
23 individual must be ~~licensed~~:

1                    a.     Licensed to teach by the education standards and practices  
2                    board or approved to teach by the education standards and practices board  
3                    and:

4                    a        b.(1)   Have a major in middle level education, with content in the  
5                    areas taught by the individual and defined by the education standards and practices  
6                    board as core academic areas;

7                    ~~b.~~ (2)   Have a major equivalency in middle level education, with content in the areas  
8                    taught by the individual and defined by the education standards and practices board as  
9                    core academic areas;

10                  ~~c.~~ (3)   Have a major, a major equivalency, a minor, or a minor equivalency in each  
11                  area taught by the individual and not defined by the education standards and practices  
12                  board as core academic area.

13        2.        Notwithstanding the provisions of subsection 1, an individual may teach grades five  
14        or six in a middle school, provided the individual is:

15                  a.        Licensed to teach by the education standards and practices board or  
16                  approved to teach by the education standards and practices board and:

17                  b.        (1)     Have a major in elementary education; or

18                                  (2)     Have a major equivalency in elementary education.

19                  **SECTION 8. AMENDMENT.** Section 15.1-18-09 of the North Dakota Century  
20        code is amended and reenacted as follows:

21                  **15.1-18-09. (Effective after June 30, 2006) High school qualifications.** In order  
22        to teach in grades seven through twelve, an individual must be ~~licensed~~:

- 1                   a.     Licensed to teach by the education standards and practices  
2 board or approved to teach by the education standards and practices board  
3 and:  
4           a     b.(1) Have a major in the areas taught by the individual and defined  
5 by the education standards and practices board as core academic areas;  
6           b- (2) Have a major equivalency in the areas taught by the individual  
7 and defined by the education standards and practices board as core  
8 academic areas;  
9           e- (3) Have a major, a major equivalency, a minor, or a minor  
10 equivalency in each area taught by the individual and not defined by  
11 the education standards and practices board as core academic area.

12           **SECTION 9. AMENDMENT.** Section 15.1-18-10 of the North Dakota Century  
13 code is amended and reenacted as follows:

14           **15.1-18-10, (Effective after June 30, 2006) specialty areas – Teacher**  
15 **qualification.** Notwithstanding the requirements of this chapter:

- 16           1.     An individual may teach art, business education, computer education, a  
17 foreign language, music, physical education, and special education at any grade level  
18 from ~~one~~ kindergarten through grade eight, provided the individual:  
19           a.     Is licensed to teach by the education standards and practices board;  
20           b.     Is approved to teach by the education standards and practices board;  
21           and  
22           c.     Meets all requirements set forth in rule by the superintendent of public  
23 instruction.

1           2. An individual may teach Native American languages provided the individual is an  
2           eminence-credentialed teacher.

3           3. An individual may teach in the areas of trade, industry, technical occupations, or  
4           health occupations, provided the individual has been issued a license to teach in  
5           such areas by the education standards and practices board.

6           **SECTION 10. AMENDMENT.** Section 15.1-18.1-02 of the North Dakota Century  
7           Code is amended and reenacted as follows:

8           **15.1-18.1-02 Board duties.**

9           1. The board shall:

10          ~~1.~~ a. Inform teachers of the national board certification program and the scholarships and  
11          services the national board provides to teachers seeking certification.

12          2. b. Collect and review in the order received scholarship applications from individuals  
13          who are licensed to teach by the board or approved to teach by the board.

14          ~~3.~~ a. c. (1) Approve no more than seventeen applications per year under this subsection;

15                  b. (2) During each year of the biennium, reserve three of the available  
16          scholarships under this subsection for individuals teaching at low-performing schools;

17                  c. During each year of the biennium, award no more than two of the remaining  
18          fourteen available scholarships to applicants employed by the same school district;

19          ~~d.~~ (3) Require the recipient for a scholarship under this subsection to serve during  
20          the school year as a full-time classroom teacher in a public or nonpublic school in this  
21          state; and

22                  ~~e.~~ (4) Require the recipient for a scholarship under this subsection to participate in  
23          mentoring programs and teacher evaluation programs developed and implemented in  
24          the employing school or school district.

- 1 4. d. Ensure that all scholarship recipients under this subsection receive adequate  
2 information regarding the level of commitment required to acquire certification.
- 3 2. The board shall collect and review in the order received scholarship applications for  
4 national board recertification from individuals who are licensed to teach by the board or  
5 approved to teach by the board and:
- 6 a. Approve no more than two scholarship applications per year under this  
7 subsection;
- 8 b. Require each recipient for a scholarship under this subsection serve during the  
9 school year as a full-time classroom teacher in a public or nonpublic school in this  
10 state; and
- 11 c. Require each recipient to participate for a scholarship under this subsection to  
12 participate in mentoring programs developed and implemented in the employing  
13 school or school district.
- 14 ~~5~~ 3. If any individual who receives a scholarship under this section does not complete the  
15 certification process within the time allotted by the board, the individual must  
16 reimburse the state an amount equal to one-half of the amount awarded to the  
17 individual as a scholarship.
- 18 ~~6.~~ 4. At the conclusion of each of the first four school years after the individual received  
19 national board certification, the individual is entitled to receive an additional one thousand  
20 five hundred dollars if:
- 21 a. The individual served during the school year as a full-time classroom teacher in  
22 public or nonpublic school; and
- 23 b. The individual participated in any efforts of the employing school district to develop  
24 and implement teacher mentoring programs.

1 Re number accordingly.

2 On a final note, I would like to report to you that the Education Standards and  
3 Practices Board has voted to accept other states' definitions for highly qualified for those  
4 teachers that come to North Dakota to begin their careers or for those teachers that are  
5 returning to North Dakota. What this means is, if the teacher is considered highly  
6 qualified in another state, meeting all of that states' requirements, and that state has been  
7 monitored and the highly qualified definition has been approved by the U.S. Dept. of  
8 Education, North Dakota will grant that teacher a license without additional coursework  
9 or testing. If the teacher does not meet the highly qualified status of the sending  
10 jurisdiction or the sending jurisdiction has not been monitored or approved, the teacher  
11 will have to meet North Dakota standards through transcript review and additional  
12 coursework as is presently done. We will be asking for emergency status for these  
13 administrative rules to implement prior to the 2005-2006 school year.

14 Thank you for your support of education in North Dakota and I would be happy to  
15 answer any questions at this time.

# **ND Educational Technology Council**

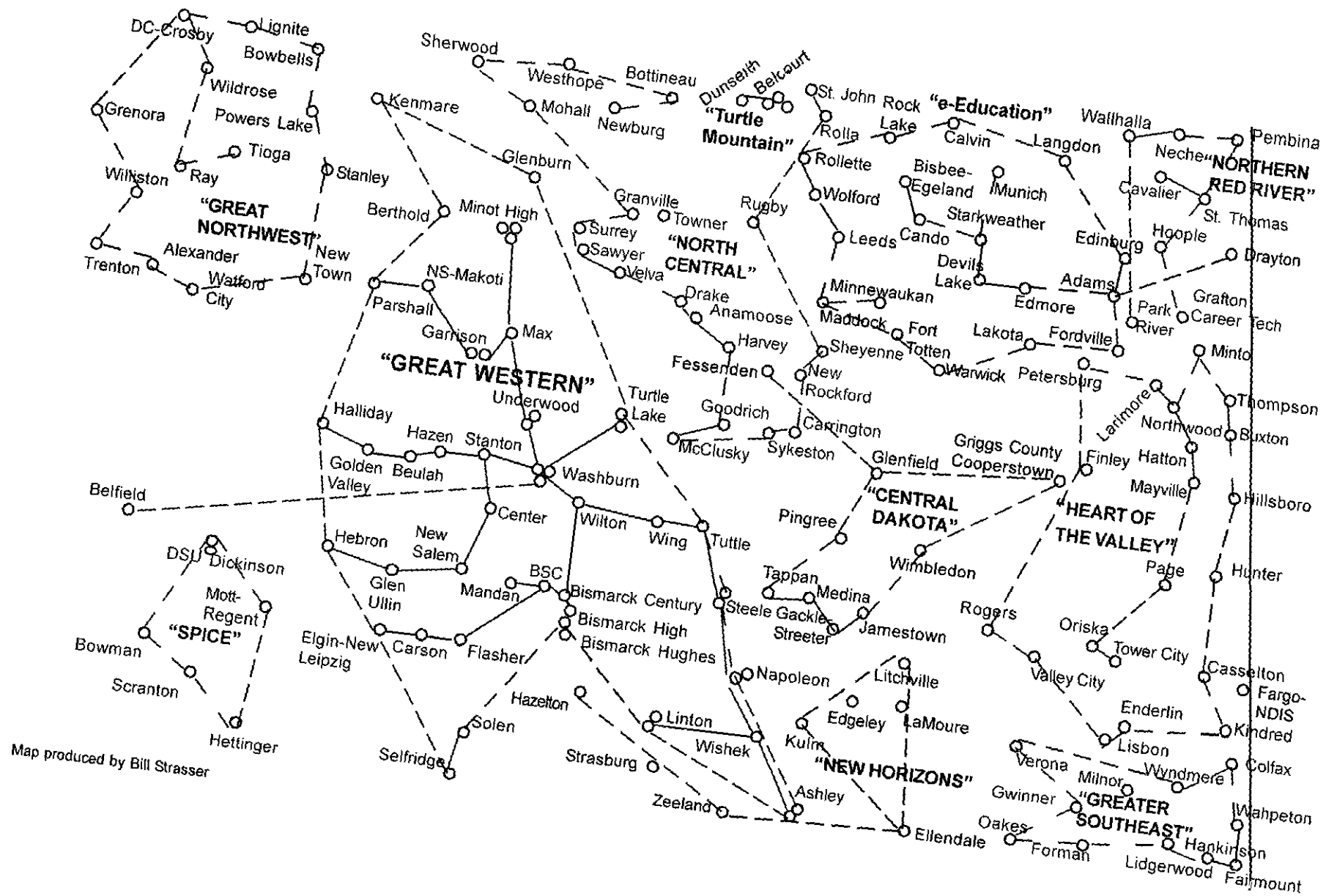
Dan Pullen, Director  
PO Box 5036  
1510 12<sup>th</sup> Avenue North  
Fargo, North Dakota 58105-5036

## **Public high schools with no videoconference capabilities**

1. Beach
2. Central High School - GF
3. Community Alt High School -GF
4. Dunseith
5. Kensal
6. Killdeer
7. Mandaree
8. Marmot Schools - Mandan
9. Midway-Inkster
10. Montpelier
11. New England
12. ND School for the Blind - GF
13. North High School - Fargo
14. Red River High School - GF
15. Rhame
16. Richardton-Taylor
17. Souris River Campus Alt High School - Minot
18. South Central Alt High School - Bis
19. South Heart
20. South High School - Fargo
21. Southwest Community High School - Dick
22. Standing Rock - Ft Yates
23. United (Des Lacs-Burlington)
24. Valley City High School
25. Wahpeton High School
26. West Fargo High School
27. White Shield - Rosenglen
28. Woodrow Wilson Alt High School - Fargo

# K-12 Distance Learning in North Dakota -

June 17, 2004



Map produced by Bill Strasser

# ***What Teachers Should Know and Be Able to Do:*** **The Five Core Propositions of the National Board**

## **Proposition #1: Teachers are Committed to Students and Their Learning**

Teachers Recognize Individual Differences in Their Students and Adjust Their Practice Accordingly

Teachers Have an Understanding of How Students Develop and Learn

Teachers Treat Students Equitably

Teachers' Mission Extends Beyond Developing the Cognitive Capacity of Their Students

## **Proposition #2: Teachers Know the Subjects They Teach and How to Teach Those Subjects to Students**

Teachers Appreciate How Knowledge in Their Subjects is Created, Organized and Linked to Other Disciplines

Teachers Command Specialized Knowledge of How to Convey a Subject to Students

Teachers Generate Multiple Paths to Knowledge

## **Proposition #3: Teachers are Responsible for Managing and Monitoring Student Learning**

Teachers Call on Multiple Methods to Meet Their Goals

Teachers Orchestrate Learning in Group Settings

Teachers Place a Premium on Student Engagement

Teachers Regularly Assess Student Progress

Teachers Are Mindful of Their Principal Objectives

## **Proposition #4: Teachers Think Systematically About Their Practice and Learn from Experience**

Teachers Are Continually Making Difficult Choices That Test Their Judgment

Teachers Seek the Advice of Others and Draw on Education Research and Scholarship to Improve Their Practice

## **Proposition #5: Teachers are Members of Learning Communities**

Teachers Contribute to School Effectiveness by Collaborating with Other Professionals

Teachers Work Collaboratively with Parents

Teachers Take Advantage of Community Resources

# National Board for Professional Teaching Standards

<http://www.nbpts.org>

1. University of Washington, Center on Reinventing Public Education

*Can Teacher Quality Be Effectively Assessed*

<http://www.crpe.org/workingpapers.shtml>

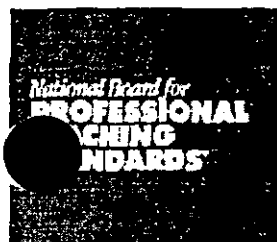
2. The Southeast Center for Teaching Quality

*National Board Certified Teachers and Their Students' Achievement*

[http://www.teachingquality.org/resources/html/NBCT EPAA.html](http://www.teachingquality.org/resources/html/NBCT_EPAA.html)

3. Educational Leadership – February 2005

*The Power of Teacher Leadership: A cutting-edge rural school is tapping the talent of its National Board – certified teachers to transform teaching and learning.*



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Candidate  
Resource Center

National Board  
Certified Teachers  
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Local  
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Relations Action  
Center

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NBCT Products

Education Reform

## NBCTs / NBCT Directory

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1 - 20 of 23 Records

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Where the school district name is provided below, "City, State" lists where the teacher *works*. Where the school district name is *not* provided below, "City, State" lists where the teacher *resides*.

2003-2004 NBCTs are indicated in BLUE.

Displaying the **23** NBCTs in **ND** certified in **All Certificates**.

Sort by: Name | State | City | School District | Certificate

Name	City, State	School District	Certification Expiration Date
Bartz , David	Mandan , ND	Mandan 1	11/22/2012
Generalist/Middle Childhood			
Beaudoin , Gail <input checked="" type="checkbox"/>	Bismarck , ND	Bismarck 1	11/19/2014
English Language Arts/Adolescence and Young Adulthood			
Benz , Amy	, ND	No SD Provided	11/30/2009
English Language Arts/Early Adolescence			
Bradshaw , Glorianne	Crystal , ND	Valley 12	11/19/2014
Generalist/Early Childhood			
Edwards, Linda <input checked="" type="checkbox"/>	BISMARCK, ND	Bismarck 1	11/09/2008
Generalist/Early Childhood			
Grzadzielewski , Jill	, ND	No SD Provided	11/30/2009
English Language Arts/Early Adolescence			
Hansen , Joan <input checked="" type="checkbox"/>	Minot , ND	Minot 1	11/21/2013
Art/Early Adolescence through Young Adulthood			

Jossart , Robin	Bismarck , ND	Bismarck 1	11/21/2013
Science/Adolescence and Young Adulthood			
Knudson , Ellen	, ND	No SD Provided	11/30/2009
Generalist/Early Childhood			
Koble , Julia 	Minot , ND	Minot 1	11/22/2012
Science/Adolescence and Young Adulthood			
Lawler , Ruby	, ND	No SD Provided	11/30/2010
Generalist/Early Childhood			
Lentz , Kathleen	Valley City , ND	Valley City 2	11/19/2014
Generalist/Middle Childhood			
Maize , Linda	Beulah , ND	Beulah 27	11/22/2012
Generalist/Early Childhood			
Marks , Kristi Ann	Fargo , ND	Fargo 1	11/21/2013
Generalist/Middle Childhood			
Masset , Myron	, ND	No SD Provided	11/30/2010
English Language Arts/Adolescence and Young Adulthood			
Mc Vicar , Kim	, ND	No SD Provided	11/30/2009
Science/Adolescence and Young Adulthood			
Montgomery , Jennifer 	, ND	No SD Provided	11/30/2010
English Language Arts/Adolescence and Young Adulthood			
Nestoss , Donna Marie	Bismarck , ND	Bismarck 1	11/22/2012
Generalist/Early Childhood			
Pole , Katherine 	Bismarck , ND	Bismarck 1	11/19/2014
Social Studies - History/Adolescence and Young Adulthood			
Sandbo , Mary	Des Lacs , ND	United 7	11/19/2014
Science/Adolescence and Young Adulthood			



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## Another Study Finds National Board Certified Teachers Increase Student Achievement

A new study released today demonstrates that National Board Certified Teachers (NBCTs) increase student achievement. Drawing on four years of Stanford Achievement Test data (in reading, mathematics and language arts) in grades three through six, the students of NBCTs surpassed students of non-Board certified teachers in almost three-quarters of the comparisons.[1] The gains made by students of NBCTs were more than one month greater than the gains made by the students of non-Board certified peer teachers. Using a quasi-experimental design, the study drew upon more than 200,000 students from 14 Arizona school districts with gain scores calculated for each student over four consecutive years, 1999-2003. The sample of NBCTs consisted of those holding only the Early Childhood or Middle Childhood Generalist certificate(s). The study, authored by Leslie Vandevoort, Audrey Amrein-Beardsley, and David Berliner and published by [Educational Policy Analysis Archives](#), reinforces the importance of enhancing the teaching profession as a primary means to improve student achievement.

This most recent research on the National Board builds on earlier studies conducted by [Dan Goldhaber](#) and Emily Anthony of the [Urban Institute](#) which also found that NBCTs make a significant difference for student achievement, and the [Lloyd Bond study](#) which found that NBCTs, compared to unsuccessful National Board applicants, excelled on 13 dimensions of teaching excellence and their students produced far more accomplished work on a set of common writing assessments. The Goldhaber study deployed more traditional quantitative methods and used a standardized achievement test as its dependent measure, while controlling for student demographics and previous student performance. The Bond study used both qualitative and quantitative measures, drew upon "double blind" classroom observations, and utilized a comprehensive performance assessment instead of a standardized test. Both studies have added great depth to what is known about the effects of NBCTs on student achievement.

The Vandevoort study, while having to rely upon a smaller sample size[2] and applying different means for calculating gain scores than those used by Goldhaber and Anthony, has focused on standardized achievement tests as a means for assessing the "National Board effect." All three studies reveal that the National Board assessments are valid in several ways. The Bond study shows how NBCTs teach differently and more effectively than those who were not certified. And the Goldhaber and Anthony study, as well as the Vandevoort study, both reveal that the National Board assessments have what is called "predictive validity" — i.e., students of NBCTs out-gain students of non-NBCTs, including those that attempted but did not pass the exams.

It is always important to understand the methods researchers use to answer their questions. In determining whether or not students of NBCTs made greater achievement gains than those of their non-NBCTs peers, the Vandevoort study used a covariate adjustment model (which control for students' prior achievement in predicting students' current achievement status). Some have critiqued this model as not being as robust a statistical tool as others (Rowan, Correnti, and Miller, 2002). However, in almost any case, researchers use of a variety of statistical models that can lead to different conclusions regarding the overall magnitude of teacher effects on student achievement. What is important is that now three separate studies, using different methods, samples, and approaches have all pointed to the positive impact that the National Board has on teaching and learning.

In fact, the Vandevoort study also drew upon a survey of NBCTs and the principals who supervise them, which in some ways provides even more insight into the potential of the National Board as a reform strategy. Collectively, these NBCTs are distinguished, recognized and valued for their actual performance and leadership in schools, beyond their status as NBCTs. Almost 20 percent of these NBCTs taught in multi-age classrooms that

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contained two, three, and in one case, four grade levels; a number were curriculum specialists and mentors, and one taught literacy at a major state university. The researchers noted that more than 30 percent held endorsements that were in special education, including gifted education, and another 19 percent had earned endorsements in either English as a Second Language or bilingual education. Another 14 percent had earned principal certificates.

The survey responses indicated that the NBCTs push their students, and in some cases their parents, "to become actively involved in the learning process." NBCTs apparently use a wide variety of assessments to measure their students learning — criterion- and norm-referenced tests as well as work samples and teacher-made assessments. Two-thirds of the NBCTs noted that the National Board assessment process pushed them to "reflect" and "analyze" their practice, which in their estimation helped improve their teaching. The researchers noted that the NBCTs "most common response about the certification process was that they found it to be a significant professional growth experience, both worthwhile and rewarding."

About 75 percent of the principals surveyed reported that they observed changes in how NBCTs taught after going through the process, and for them, "NBCTs were perceived as assuming more of a leadership role, and more willing to try new techniques or take risks." During the National Board process, the vast majority of principals claimed that NBCTs improved their ability to differentiate instruction according to students' needs. About 85 percent of principals perceived NBCTs to be among the best teachers they had ever supervised, and slightly less than ten percent of the principals reported NBCTs to be average teachers. More than 90 percent of the principals claimed that the National Board process improves teacher quality.

These survey findings reveal the potential of the National Board's assessment process for improving teaching quality and closing the achievement gap. A number of other National Board studies are underway that should shed more light on this matter.

While evidence mounts that NBCTs make a tangible difference for student achievement, it is clear from other research that NBCTs are less likely to teach in low-income, minority, and low-performing schools (Humphrey, Koppich, and Hough, forthcoming). On this basis, some critics question the costs of the National Board assessments (Rotherham, 2004). Outside of California and Los Angeles, few states and districts have developed comprehensive incentives to attract NBCTs to low-performing schools, as well as supports that would encourage them to stay long enough to make a difference.

The Southeast Center for Teaching Quality's own research into this matter has revealed that several factors limit NBCT potential in improving low performing schools, including: (1) the lack of administrator support for and knowledge of the National Board standards and assessment process; (2) too little time for teachers to work with their colleagues, and (3) a need among NBCTs for professional development in the area of adult leadership. We have found some schools that are systematically engaging NBCTs to improve student achievement. However, doing so requires an interlocking set of state and local policies and practices, and a commitment from administrators and teachers alike to build school improvement around the teaching profession rather than short-term fixes like "teacher-proof" curriculum packages and software designed to sharpen students' test-taking skills.

Our work with a growing group of highly accomplished teachers from across the nation (<http://www.teacherleaders.org>) reveals that many of these teachers are ready to put their skills to use in schools that need them the most. But, to recruit and retain truly "highly qualified" teachers for our most challenging schools, policymakers will need to rethink a great deal of current policies and practices. From these accomplished teachers, we have learned that ensuring effective school leadership, working with like-minded and reform-oriented colleagues, utilizing new ways to assess and report on student progress, and creating more time for professional development would be *some* of the most powerful incentives to teach in our nation's hard-to-staff schools. Additional salary is important, but not sufficient.

Since the early 1990s, an uninterrupted flow of new research has documented the critical relationship between teaching quality and student achievement — and convinced some policymakers of a pressing need to place teachers at the heart of the school improvement agenda. With the addition of the Vandevort study that links National Board Certification directly to student achievement, now is the time for federal, state, and local policymakers to take specific actions in order better utilize NBCTs and other accomplished teachers so that every student has a quality teacher in every class and quality teaching every day.

[1] In the cases where the students of non-Board certified teachers gained more in an academic year, none of the differences found were statistically significant.

[2] There are far fewer NBCTs in Arizona than North Carolina where Goldhaber drew his

sample.

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# EDUCATION POLICY ANALYSIS ARCHIVES

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## National Board Certified Teachers and Their Students' Achievement

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Audrey Amrein-Beardsley  
David C. Berliner  
Arizona State University

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### Abstract

Contemporary research on teaching indicates that teachers are powerful contributors to students' academic achievement, though the set and interrelationships of characteristics that make for high-quality and effective teaching have yet to be satisfactorily determined. Nevertheless, on the basis of the extant research and a vision of exemplary teaching, the *National Board for Professional Teaching Standards* stipulated a definition of a superior teacher. The Board did this without empirical evidence to support their claim that teachers' who meet the standards set by the Board were superior in promoting academic achievement to those who did not meet those standards. In the 17 years since the founding of the National Board, only a few empirical studies have addressed this important issue. In this study we compare the academic performance of students in the elementary classrooms of 35 National Board Certified teachers and their non-certified peers, in 14 Arizona school districts. Board Certified teachers and their principals provide additional information about these teachers and their schools. Four years of results from the Stanford Achievement Tests in reading, mathematics and language arts, in grades three

through six, were analyzed. In the 48 comparisons (four grades, four years of data, three measures of academic performance), using gain scores adjusted for students' entering ability, the students in the classes of National Board Certified Teachers surpassed students in the classrooms of non-Board certified teachers in almost three-quarters of the comparisons. Almost one-third of these differences were statistically significant. In the cases where the students of non-Board certified teachers gained more in an academic year, none of the differences found were statistically significant. Effect size, translated into grade equivalents, informs us that the gains made by students of Board Certified teachers were over one month greater than the gains made by the students of non-Board certified peer teachers. Teachers identified through the assessments of the National Board for Professional Teaching Standards are, on average, more effective teachers in terms of academic achievement, one of the many outcomes of education for which teachers are responsible. This study does not address whether other, cheaper, or better alternatives to the National Boards exist, as some critics suggest. On the other hand, the results of this study provide support for the policies in many states that honor and provide extra remuneration for National Board Certified Teachers.

## Introduction to the Policy Context and the Empirical Issue

In three short years America went from worrying about being *A Nation at Risk* (United States Commission on Excellence in Education, 1983) to worrying about how to become *A Nation Prepared* (Carnegie Forum on Education and the Economy, 1986). The first of these two reports focused attention on student academic achievement, purported to be too low for the economic viability of the United States, while the second report suggested that the best way to improve America's educational system was to focus on the quality of our nations' teaching force. Echoing both these themes about 20 years later, the No Child Left Behind Act (NCLB), enacted by Congress in 2002, challenged Americans to put a "highly qualified teacher" in every classroom by the year 2006.

Before and after the reports of the 1980's, the community of researchers concerned with teaching produced many studies to determine the relationship between teacher variables and student achievement. Hanushek (1992), for example, estimated that a high quality teacher, in comparison to a low quality teacher, can provide one full years difference in the learning of a class of children (one and one-half years growth in grade level vs. only a half years growth). Others echoed this theme (e. g. Goldhaber, 2002; Ferguson, 1998). While no single approved list of characteristics has emerged, it is generally agreed that credentials alone (graduation from a particular school of education, having advanced course work in education, holding a masters of education degree) do not provide assurance about the qualifications of teachers. Other factors are at work (Goldhaber and Brewer, 1996; 2000). But in the end, wrote Katie Haycock for the Education Trust (1998), "...What all of the studies conclude, is the single most important factor in student achievement (is) the teacher." (p. 2). This claim has many supporters.

**The National Board for Professional Teaching Standards.** The National Board for Professional Teaching Standards (NBPTS) grew out of the emergent belief that teachers were a key factor in improving student achievement, and thus the profession needed ways to recognize and appropriately reward exemplary classroom teachers. The NBPTS was created in 1987 at the

## **Can Teacher Quality Be Effectively Assessed?**

Dan Goldhaber  
(University of Washington and the Urban Institute)

Emily Anthony  
(Urban Institute)

### **Abstract**

In this paper, we describe the results of the first large-scale study, based on a unique data set from North Carolina, assessing the relationship between the certification of teachers by the National Board for Professional Teaching Standards (NBPTS) and elementary level student achievement. Our findings indicate that NBPTS is successfully identifying the more effective teachers among applicants, and that NBPTS-certified teachers, prior to becoming certified, were more effective than their non-certified counterparts at increasing student achievement. The statistical significance and magnitude of the “NBPTS effect,” however, differs significantly by grade level and student type.

*(JEL Classification # I20: Education- General)*

# The Power of Teacher Leadership

*A cutting-edge rural school is tapping the talent of its National Board-certified teachers to transform teaching and learning.*

**Barnett Berry, Dylan Johnson, and Diana Montgomery**

Since the early 1990s, a steady flow of research has documented the close relationship between teaching quality and student achievement (Darling-Hammond & Youngs, 2002; Ferguson, 1991; Sanders & Rivers, 1996). In response to these findings, many policy-makers have recognized the pressing need to place teachers at the heart of the school improvement agenda.

The strong message broadcast by all this research has been less well-received, however, in some schools and districts that still wish for easy solutions to the problem of lagging student achievement. Administrators in these schools may hope that computer-based instruction, "teacher-proof" curriculum packages, programs designed to sharpen students' test-taking skills, or some other miracle cure will relieve them of the need to confront the complex and difficult task of improving teaching quality.

A growing number of school leaders are paying attention to data showing that expert teachers hold the key to student achievement. But these insightful leaders face a tough challenge: how to identify, attract, and retain a cadre of expert teachers who can help redesign and lead even the most challenged schools. On the basis of our research at the Southeast Center for Teaching Quality, we believe that a solution already exists. In states where

decision makers have invested in programs that encourage teachers to seek certification from the National Board for Professional Teaching Standards (NBPTS), some cutting-edge schools are using the expertise of their National Board-certified teachers to transform teaching and learning.

## **Background: National Board Certification**

The mission of NBPTS is to advance the quality of teaching and learning by maintaining rigorous standards for what

student work. The portfolios demonstrate how teachers analyze student performance and adjust instruction accordingly, work with students' families and the larger community, and collaborate with colleagues.

All 50 U.S. states, the District of Columbia, and approximately 550 local school districts have enacted legislation or policies that create incentives and recognition for National Board certification. In some states, candidates can have their assessment fees paid, gain additional professional development

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accomplished teachers should know and be able to do. The organization provides a national voluntary system for certifying teachers who meet these standards, and it advocates related education reforms to integrate National Board certification into standards for all teachers and to capitalize on the expertise of National Board-certified teachers.

The certification process includes both a portfolio and a standardized teaching exam. Teachers submit four portfolio entries, including videotapes that document the candidate's teaching practice, and provide examples of

days to complete their portfolios, and earn substantial salary increases once they become certified. South Carolina pays a \$7,500 bonus; Florida offers National Board-certified teachers a 10 percent salary supplement if they agree to provide mentoring services for 12 days during the year. California offers a \$20,000 incentive award paid in four annual installments to National Board-certified teachers who teach in low-performing schools.

North Carolina has the longest-standing and most comprehensive set of policies in the United States to support



National Board certification. The state pays the \$2,300 assessment fee, provides three additional days of professional development to meet the Board's standards, and offers a 12 percent salary supplement to all teachers who achieve certification.

Today, more than 40,000 teachers in the United States have earned National Board certification. This figure represents just slightly more than 1 percent of the nation's teachers, but in some states that have long offered incentives and political support for National Board certification, the figure is much higher. In North Carolina, for example, almost 10 percent of teachers are National Board-certified.

Recent studies have examined both the distribution of National Board-certified teachers and their effect on student achievement. Researchers have found that these teachers' students—especially low-income students—perform better on standardized tests (Goldhaber & Anthony, 2004; Vande-

voort, Amrein-Beardsley, & Berliner, 2004). At the same time, research suggests that National Board-certified teachers are less likely to teach in low-income, minority, and low-performing schools (Humphrey, Koppich, & Hough, 2004). As a result, criticism of state investments in National Board certification has mounted, and policy-makers have questioned whether the growing pool of National Board-certified teachers will have a significant impact on schools that need expert teachers the most (Rotherham, 2004).

To further explore the potential for National Board-certified teachers to help narrow the achievement gap, the Southeast Center for Teaching Quality studied the involvement of these teachers in lower-performing schools in North Carolina.<sup>1</sup> From fall 2003 through fall 2004, we made several visits to selected schools, reviewing documents, observing in classrooms, and interviewing administrators and teachers. All schools in the study had faculties with

at least 9 percent National Board-certified teachers and also had student achievement falling in the bottom 30th percentile of the state sometime during the last three years of available data.

The following story highlights one school and school district in the study that successfully used the leadership of National Board-certified teachers to spur school improvement.

### Teacher Leadership in a Rural School

Adams Elementary<sup>2</sup> is a rural school serving 560 students in grades 3–5. More than 60 percent of its students are eligible for free or reduced-price lunch. During the last four years, Adams has progressed from a struggling school—in which slightly

more than half of the students performed at or above grade level—to a rapidly improving community of learners with more than 80 percent of students meeting grade-level standards (see fig. 1, p. 59). In the fall of 2004, the district recognized Adams as the school showing "most dramatic improvement."

Among Adams's 25 teachers, 9 have National Board certification and 4 more are seeking certification. The school district in which Adams resides has a tradition of teacher professionalism and teacher involvement in decision making. The district offers teachers a variety of incentives to become National Board-certified, from precandidate informational gatherings to weekend retreats during which teacher candidates can polish their assessment portfolios. Five years ago, as Adams struggled to raise the achievement of its students, conditions were ripe in the district for National Board-certified teachers and other expert teachers to make the evolutionary leap from classroom leaders to school leaders.

### ***Opening the Door to Change***

When faculty members look back on the days when Adams was struggling, they realize that the ideas and expertise needed to turn the school around were already present, embedded in their own faculty. The school simply needed a catalyst that would encourage more sharing of that expertise and give teachers the confidence to open up their teaching practices to peer critique.

Two events provided such a catalyst. First, the district administration began to apply its collective gleanings from the National Board experience to its ongoing development of a sharply focused, job-embedded approach to professional growth. Second, Adams got a new principal—herself a National Board-certified teacher with a strong commitment to teaching quality and a determination to spread the power of teacher reflection and collaboration throughout the school.

### ***Building Teacher Community***

Several strategies have helped Adams become the kind of school where teachers openly discuss their practice and work together to solve knotty instructional problems. With consultant support from a regional education laboratory, teachers organized professional learning teams to research solutions to problems uncovered by a careful analysis of school data. In these professional learning teams, teachers share lessons learned, use protocols to make decisions, and rely on systematic note taking to inform other colleagues about their work.

At one team meeting we observed, members watched a video presentation of various strategies for reading instruc-



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tion and discussed their own experiences, expanding on the material presented on the tape by using the reflective skills encouraged by NBPTS. In another meeting, a 4th grade team discussed how to use test prep materials in ways that encourage meaningful student learning. In yet another meeting, teachers were involved in a search for a new reading assessment tool. The frank conversation and the high level of trust in these meetings showed that Adams's teachers have constructed a genuine culture of collaboration. As one teacher leader put it, "Teachers talking about their practice is what this school is all about." Another teacher commented, "Now we're more involved in decision making. We are given data and we're always analyzing it."

The school replaced traditional "sit and get" staff development with carefully chosen training opportunities that grew out of its data-driven school

improvement plan. Literacy circles and reading comprehension workshops drove collective work that teachers did in cross-grade learning teams. The school schedule was redesigned to create common planning time several hours a week so that teachers could learn from one another.

The impact of all this work has been magnified by the presence of respected National Board-certified teachers on the school's faculty and administrative staff. As a result of their own certification experience, these teachers can speak convincingly about the value of conducting regular classroom assessments and engaging in personal reflection; inviting "critical friends" to observe in classrooms and offer constructive criticism;

and using such self-improvement strategies as analyzing videotaped lessons, sampling student work, and reading and critiquing professional literature. In addition, National Board-certified teachers try out and model new instructional strategies.

### ***Spreading Teacher Expertise***

Teaching's long-standing egalitarian culture, described by Lortie (1975) three decades ago, prevents teachers in many schools from emerging as leaders and influencing their peers. Adams is an exception. The school expects its National Board-certified teachers to lead and serve as role models. As one district administrator noted, "We supported them in order for them to become certified—now we expect them to help the school." Certified teachers receive the training, support, and time they need to mentor other teachers. They are encouraged to make presentations at state, regional, and

national meetings about the impact of National Board certification on themselves and on their school and about the ways in which their district is ratcheting up teaching quality.

Adams also encourages all non-National Board-certified teachers to consider themselves on a path to National Board certification. Teachers often prepare for National Board exams in teams and share with one another as they develop their student-work assessments and teaching videos.

We saw no evidence, however, of a class system at Adams based on whether one has or has not earned National Board certification. District and school leaders expect all teachers—not just those with National Board certification—to be leaders of school improvement. By involving all teachers in

and examining their teaching. Other teachers see National Board-certified teachers as go-to colleagues for support as they try out innovations in the classroom. District planners also welcome teacher leaders' professionalism and assertiveness.

#### ***Policy and Political Infrastructure***

Adams Elementary and its parent school system have embraced NBPTS principles and place a high value on National Board-certified teachers and their potential for leadership in school reform. These attitudes, uncommon in many states, have flourished in North Carolina because of the state's combina-

**FIGURE 1 North Carolina ABC's Results for Adams Elementary**

	Percentage at or Above	Rating
Grade Level		
1999–2000	56	Expected Growth
2000–2001	62	No Recognition
2001–2002	73	No Recognition
2002–2003	81	School of Distinction
2003–2004	83	School of Distinction

**Teaching's long-standing egalitarian culture prevents teachers in many schools from emerging as leaders and influencing their peers.**

multiple learning teams, schoolwide planning committees, and grade-level groups, Adams's principal consciously encourages all teachers to contribute their voices to school decisions and intra- and intergroup modeling and learning. Although certified teachers lead several committees and teams, other formal leadership roles are filled by accomplished educators who have not made that choice. And teachers across the school use Adams's web of interaction to identify and call on experts in specific areas at each grade level—experts who represent a range of experience levels and achievements.

At the same time, teachers respect and value the school's National Board-certified teachers, both for their commitment to hold themselves publicly accountable to high standards and for their drive to continue learning

tion of coherent state policy and political leadership, provided initially by former governor James B. Hunt, who was the founding chairman of NBPTS.

School administrators and teachers throughout the state recognize National Board certification as a tool for teacher development and school reform. Universities have created new master's programs geared toward NBPTS standards, and some National Board-certified teachers now serve as high-profile teacher educators. North Carolina's experience with National Board certification reveals the crucial importance of state leadership in raising standards of teaching quality.

#### **Working on the Work**

Although Adams is a small rural school in a district with limited resources, district administrators have used

strategic budgeting practices to build a comprehensive professional development program. District leaders report that new teachers are attracted to the district because they know they will get the support they need to earn certification by their fourth or fifth year of teaching. District leaders have also found that encouraging veteran teachers to seek National Board certification not only improves overall teaching quality but also provides an opportunity for veterans to rejuvenate themselves and renew their commitment to the profession.

Teachers at Adams Elementary understand that their school reform work has just begun. They recognize that one hallmark of excellent teaching is a perpetual restlessness to improve. They eagerly look forward to moving Adams from a North Carolina School of Distinction to the next and highest level—School of Excellence—and they are determined to meet the high adequate yearly progress bar set by North Carolina's NCLB requirements.

Administrators at Adams value teaching expertise, understand it deeply, and believe they can rely on the precepts of the National Board for Professional Teaching Standards to identify and develop accomplished teachers. They know that no curriculum package, textbook, or software can substitute for good teachers and quality teaching. For them, teacher professionalism is the clearest and most powerful path to improving schools and closing the achievement gap. ■

The study, led by SRI International along with the Southeast Center for Teaching Quality, Julia Koppich and Associates, and WestEd, provided the opportunity for our research team to visit six North Carolina schools for one day each in October 2003. Two schools were chosen from that group for follow-up case studies in April 2004. The school described in this article is one of those two.

The school's name is a pseudonym.

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