

2021 HOUSE EDUCATION

HB 1432

2021 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

HB 1432
1/26/2021

Relating to teacher licensing fees

Chairman Owens called the hearing to order at 10:35 AM. Roll call was taken with Reps. Owens, Schreiber-Beck, Heinert, D. Johnson, Longmuir, Marschall, Pyle, Richter, Zubke, Hager and Guggisberg present. Reps. Hoverson, M. Johnson and Simons were absent.

Discussion Topics:

- Recommendation to add emergency clause
- Renewal of out of state license question
- Transcript review fee change

Rep. Mitch Ostlie introduced HB 1432, #3437

Rebecca Pitkin, Exec. Director, Education Standards and Practices Board,
#3105

Closed the hearing on HB 1432 at 10:47 AM.

Bev Monroe, Committee Clerk by Anna Fiest

Good morning Chairman Owens and members of the House Education committee. I am Representative Mitch Ostlie, District 12 and I am here to present House Bill 1432.

At the present time there is a difference in fees to get a North Dakota out of state teacher license. The 2-year initial license is the same amount, but the 5-year renewal is \$50 more.

In a conversation I had with the executive director of ESPB, it was mentioned there isn't a significant difference in time in reviewing out of state or in state applicants and that there really wasn't a need any longer to have a difference in fees. Even though to many, this is a small amount of money, passing this bill will eliminate any potential barriers for individuals wanting to get licensed and work in ND. With the teacher shortage that we have, we should be doing all we can to encourage individuals to apply for positions in our state.

This bill is pretty straight forward, but I would like to make a suggestion to the committee for consideration. And that is to add an emergency clause to this bill, so if passed, applicants can take advantage of this as soon as possible.

Mr. Chairman, this concludes my testimony. I will be happy to answer any questions.



Testimony
House Bill 1432
House Education Committee
January 25, 2021; 10:30 a.m.
Education Standards and Practice Board
Dr. Rebecca Pitkin

Good morning Chairman Owens and members of the House Education Committee. My name is Rebecca Pitkin and I am the Executive Director of the Education Standards and Practices Board. I am here today to provide information on the fees associated with an Out-of-State teacher's license. ESPB currently charges the same fee for both in-state and out-of-state initial two-year licenses (\$75.00). The difference in charges occurs in the renewal process. For example, a 5 year in-state renewal is \$130.00, and an out-of-state license 5-year renewal is \$180.00. These fees were established as a result of HB 1270, 2011 (attached). Rules written in response to this law are found in Chapter 67.1-02-06-03. The words "submission of all fee for initial licensure pursuant to section 67.1-02-02-02" led the 2011 ESPB board to determine the additional fees due to the needed transcript analysis to ensure the out of state applicant met North Dakota standards and requirements. The board minutes from 2011 are listed below.

In the board's efforts to remove potential barriers for out of state applicants, given the current teacher shortage, the ESPB board at their January 11, 2021 meeting motioned to make the fees for in-state and out of state the same and to put this in our next administrative rules submission.

This concludes my testimony and I will answer any questions.

. May 2011 ESPB Minutes: Discussion of HB 1270 (2011)

- Discussion was done regarding HB 1270 other state educator license (OSEL). Janet shared a letter which was sent to all out-of-state applicants announcing the law change and informing applicants of two, other-state options; to proceed with the out-of-state license w/transcript analysis or submit an original/valid license from their state. The fee for the new license will be \$35 a year as required by law; \$70 for a two-year and \$175 for a five-year. Out-of-state applicants, who do not have a license from their state, will need to complete the out-of-state transcript analysis process. The OSEL will become effective July 1, 2011. A motion was made by Mike Heilman to approve the OSEL license process. Second by Rod Jones. Motion carried. Board members who voted yes Greg Allen, Nick Archuleta, Mary Eldredge-Sando, Mike Heilman, Angela Korsmo, Rod Jonas, Amy Mann, Don Paulsrud and Marlene Srock.

Licensing Fees

The Education and Standards Practices Board does not receive any state tax dollars and carries out its mandated duties using the license fees provided by North Dakota educators. Our profession has the authority to set the rules and regulations for educators but then also has the responsibility of providing the funding.

** Beginning June 1, 2019, every new ESPB application includes a \$5 maintenance charge.

Initial Application Fee	\$30
Fingerprinting	\$44.50
Interim Substitute License - 2 year (as of July 1, 2017)	\$85
Initial In State 2 Year License	\$75
2 Year Renewal License	\$55
Out-of-State Reciprocal License	\$75
5 Year License	\$130
30 Year Life License	\$130
Re-entry License	\$75
Alternate Access License	\$155
Probationary License	\$55
40 Day Provisional License	\$55
Transcript Review (only applies to individuals who graduated from institutions outside of ND and do not hold a valid teaching license in another state.)	\$175
Endorsements	\$80
Duplicate License Request	\$20
OSEL FEES – only applies to those with an OSEL license (Other State Educator License)	
Initial 2 year OSEL	\$75
2 Year OSEL	\$75
5 Year OSEL	\$180
OSEL Endorsements	\$90
Late Fee Fine for Lapsed License	\$100

67.1-02-06-03. Other state educator license (OSEL).

North Dakota other state educator licensure will be issued to those applicants who hold a regular teaching license or certificate in early childhood, elementary, middle, or secondary education from another state and submit the following:

1. A completed application pursuant to section 67.1-02-02-02 for the North Dakota professional educator's license;
2. Submission to a fingerprint screening for criminal records in accordance with North Dakota Century Code section 15.1-13-14;
3. Completion and documentation of a four-year bachelor's degree from a state-approved teacher education program in a North Dakota-recognized program area major, including the professional education sequence and a student teaching experience, submission of all fees for initial licensure pursuant to section 67.1-02-02-02; and
4. Documentation of a valid regular professional educator's license from the issuing state.

An applicant who holds a valid out-of-state license who has completed an alternate certification program will be issued an out-of-state license upon completion of the Praxis I, Praxis II PLT, and Praxis II content specific test.

A license granted under this section is valid for two years if the applicant has not been licensed in another state for at least eighteen months. If the applicant received a teaching license or certificate from another state on or after January 1, 2002, and if the issuing state did not require that the individual pass a state test as a condition of licensure or certification, the board shall require that the individual, within two years from the date of the license, pass all state licensure tests normally required of applicants from this state.

In all other cases, a license granted under this section is valid for five years and is renewable if the licenseholder meets the reeducation requirements established for all five-year license renewals.

A license granted under this section must include all of the applicant's endorsements issued or recognized by the applicant's other state of licensure.

History: Effective July 1, 2012; amended effective October 1, 2014; October 1, 2020.

General Authority: NDCC 15.1-13-09, 15.1-13-10

Law Implemented: NDCC 15.1-13-08, 15.1-13-10, 15.1-13-11, 15.1-13-14, 15.1-13-25, 15.1-13-26

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

HOUSE BILL NO. 1270
(Representatives Hawken, R. Kelsch, Mueller)
(Senators Fischer, Freborg, Heckaman)

AN ACT to amend and reenact sections 15.1-13-09 and 15.1-13-20 of the North Dakota Century Code, relating to the licensing of teachers from other states; and to repeal section 15.1-13-21 of the North Dakota Century Code, relating to reciprocal teaching licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-13-09 of the North Dakota Century Code is amended and reenacted as follows:

15.1-13-09. Board powers.

The board may:

1. Adopt rules in accordance with chapter 28-32.
2. ~~Contract with other states for the reciprocal approval of teacher preparation programs.~~
3. Apply for and receive federal or other funds on behalf of the state for purposes related to its duties.
- 4.3. Perform any duty related to the improvement of instruction through teacher education, professional development, and continuing education programs.

SECTION 2. AMENDMENT. Section 15.1-13-20 of the North Dakota Century Code is amended and reenacted as follows:

15.1-13-20. Interim reciprocal teaching license -- Period of validity Applicants licensed in other states.

1. The board shall grant an ~~interim reciprocal~~ teaching license in accordance with sections ~~15.1-18-02 and 15.1-18-03~~ to an individual to an applicant who holds a regular teaching license or certificate from another state, provided:
 - a. The ~~individual's~~ applicant's licensure or certification is based upon a minimum of a bachelor's degree with a major that meets the issuing state's requirements in early childhood education, elementary education, middle level education, or a content area taught at a public high school;
 - b. The ~~individual's~~ applicant's licensure or certification is based upon the completion of a professional education sequence from a state-approved teacher education program and includes supervised student teaching;
 - c. The ~~individual~~ applicant submits ~~to the required fee and~~ a criminal history record check, as required of initial applicants by this chapter; and
 - d. The criminal history record check reveals nothing for which a North Dakota applicant would be denied initial licensure; and
 - e. ~~The individual submits a plan for meeting all requirements necessary to become a licensed teacher in this state.~~

- ~~2. An interim reciprocal license granted under this section is valid for two years.~~
- ~~3. The individual shall submit evidence of progress on the plan required by subsection 1 to the board prior to renewal of the interim reciprocal license.~~
- ~~4. The board may renew the interim reciprocal license for one additional two-year period if the board finds that the individual has demonstrated satisfactory progress.~~
- ~~5. Notwithstanding any other law, an interim reciprocal license granted under this section is the equivalent of a teaching license granted under this chapter.~~
2. a. A license granted under this section is valid for two years if the applicant has not been licensed in another state for at least eighteen months.
- b. Notwithstanding subdivision a, if the individual received a teaching license or certificate from another state on or after January 1, 2002, and if the issuing state did not require that the individual pass a state test as a condition of licensure or certification, the board shall require that the individual, within two years from the date of licensure, pass all state licensure tests normally required of applicants from this state.
- c. In all other cases, a license granted under this section is valid for five years and is renewable if the licenseholder meets the reeducation requirements established for all five-year license renewals.

SECTION 3. REPEAL. Section 15.1-13-21 of the North Dakota Century Code is repealed.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1270.

House Vote: Yeas 91 Nays 0 Absent 3

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State

2021 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

HB 1432
2/2/2021

Relating to teacher licensing fees

Chairman Owens called the meeting to order at 9:50 AM.

Roll call: Reps. Owens, Schreiber-Beck, Heinert, Hoverson, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Simons, Zubke, Guggisberg and Hager present.

Rep. Heinert made a motion for a **Do Not Pass**, seconded by **Rep. Longmuir**.

Roll call vote:

Representatives	Vote
Representative Mark S. Owens	Y
Representative Cynthia Schreiber-Beck	Y
Representative Ron Guggisberg	Y
Representative LaurieBeth Hager	Y
Representative Pat D. Heinert	Y
Representative Jeff A. Hoverson	Y
Representative Dennis Johnson	Y
Representative Mary Johnson	Y
Representative Donald Longmuir	Y
Representative Andrew Marschall	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Luke Simons	Y
Representative Denton Zubke	Y

Motion carried 14-0-0. Rep. Marschall is the carrier.

Chairman Owens closed the meeting at 9:53 PM.

Bev Monroe, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1432: Education Committee (Rep. Owens, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1432 was placed on the Eleventh order on the calendar.