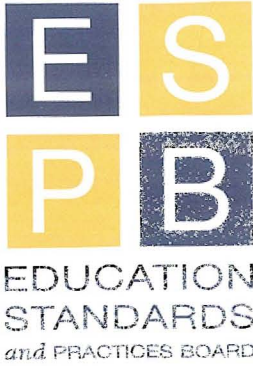


MAY 28 2010



May 26, 2010

Mr. John Walstad, Code Revisor
North Dakota Legislative Council
State Capitol
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

2718 Gateway Avenue

Suite 303

Bismarck, North Dakota

58503-0585

Dear Mr. Walstad:

The Notice of Intent to adopt and amend administrative rules and a copy of the proposed rules are enclosed as required by N.D.C.C. 28-32-10 (1).

Sincerely,

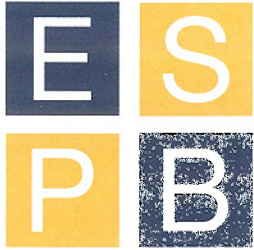
Tel: 701-328-9641

Fax: 701-328-9647

Janet Placek Welk, PhD
Executive Director

www.nd.gov/espb

Enclosures



EDUCATION
STANDARDS
and PRACTICES BOARD

May 26, 2010

North Dakota Newspaper Association
1435 Interstate Loop
Bismarck ND 58503-0567
Email: Colleenp@ndna.com

2718 Gateway Avenue

Suite 303

Bismarck, North Dakota

58503-0585

Tel: 701-328-9641

Fax: 701-328-9647

Please send the enclosed public notice to each official county newspaper for publication one time as soon as possible. Note that the publication of the notice must be in a display-type format with a minimum width of one column of approximately two inches [5.08 centimeters] and a depth of between three inches [7.62 centimeters] and four inches [10.16 centimeters.] Please also note that the notice must include a headline describing the general topic of the proposed rules.

Please send the billings along with the Affidavits of Publication to the Education Standards and Practices Board, 2718 Gateway Avenue, Suite 303, Bismarck, ND 58503.

Thank you for your assistance.

www.nd.gov/espb

Sincerely,

Janet Placek Welk, PhD
Executive Director
Enclosure

ABBREVIATED NOTICE OF INTENT TO
ADOPT AND AMEND ADMINISTRATIVE RULES
RELATING TO EDUCATOR LICENSURE

TAKE NOTICE that the Education Standards and Practices Board will hold a public hearing to address proposed changes to the N.D. Admin. Code at 1:30 p.m. on July 12, 2010, in the Sakakawea Room, State Capitol, Bismarck, ND.

A copy of the proposed rules may be obtained by writing the Education Standards and Practices Board or calling (701) 328-9641. Also, written comments may be submitted to the Education Standards and Practices Board, 2718 Gateway Avenue, Suite 303, Bismarck, ND until July 23, 2010. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Education Standards and Practices Board at the above telephone number or address at least one week prior to the public hearing.

Dated this 26th day of May, 2010.

Janet Placek Welk, PhD
Executive Director
Education Standards and Practices Board

NOTICE OF INTENT TO
ADOPT, AMEND, OR REPEAL ADMINISTRATIVE RULES

TAKE NOTICE that the Education Standards and Practices Board will hold a public hearing to address proposed new, amendments to, or repeal of N.D. Admin. Code 67.1 at 1:30 p.m. on July 12, 2010 in the Sakakawea Room, 600 East Boulevard, Bismarck, ND. The purpose of the proposed rules and amendments is to implement statues and comply with federal law. The proposed rules and amendments addresses program approval, educator licensure, professional development, and professional practices. The proposed rules and amendments is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the office of the Education Standards and Practices Board, 2718 Gateway Avenue, Suite 303, Bismarck, ND 58503. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address or calling (701) 328-9641. Written or oral comments on the proposed rules sent to the above address or telephone number and received by July 23, 2010 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Education Standards and Practices Board at the above telephone number or address at least one week prior to the public hearing.

Dated this 26th day of May, 2010.

Janet Placek Welk, Ph.D.
Executive Director
Education Standards and Practices Board



— State of —
North Dakota
Office of the Governor

John Hoeven
Governor

April 14, 2010

Janet Placek Welk, Phd
Executive Director
Education & Standards Practices Board
2718 Gateway Ave Ste 303
Bismarck, ND 58503-0585

Dear Dr. Welk,

On April 06, 2010, I received your request for approval of emergency rulemaking to amend North Dakota Administrative Code chapter 67.1-02-02 relating to licensure renewal for new elementary teachers.

I have reviewed the request pursuant to N.D.C.C. § 28-32-03 and find that emergency rulemaking is reasonably necessary to meet a mandate of federal law.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hoeven", with a long horizontal stroke extending to the right.

John Hoeven
Governor

38:34:58

RECEIVED

MAY 7 2010

ESPB



April 5, 2010

Governor John Hoeven
North Dakota State Capitol
600 East Boulevard Avenue
Bismarck ND 58505

RE: Emergency Rulemaking

Dear Governor Hoeven:

Pursuant to N.D.C.C. §28-32-03(1), the Education Standards and Practices Board requests your written approval of emergency rulemaking. Please provide the approval before April 30, 2010 to allow ample time to make the required filings with the Legislative Council.

2718 Gateway Avenue

Suite 303

Bismarck, North Dakota

58503-0585

Tel: 701-328-9641

Fax: 701-328-9647

www.nd.gov/esp

Enclosed is a copy of the proposed amendment to N.D. Administrative Code ch. 67.1-02-02. The Board found “[e]mergency effectiveness is necessary to meet a mandate of federal law” N.D.C.C. §28-32-03(2)(d). The Board declared the proposed rules to be interim final rules effective on July 1, 2010. See N.D.C.C. § 28-32-03(1).

An “emergency effectiveness is necessary to meet a mandate of federal law” because of the federal requirements established in the Elementary and Secondary Education Act to implement the highly qualified teacher status. There are no administrative rules to require teachers “new to the profession” beginning to teach in the 2005-06 school year and beyond to complete the federally required content tests for licensure renewal. Without emergency effectiveness of the proposed N.D. Admin. Code ch. 67.1-02-02, there will be no rules to require the content test for licensure renewal for “new to the profession elementary teachers” as required by the Elementary and Secondary Education Act, which could result in the loss of federal funding for education.

If you have any questions, please contact me at (701) 328-9646.) Thank you.

Sincerely,

Janet Placek Welk, PhD
Executive Director