

Introduced by

**NORTH DAKOTA CENTURY CODE CHAPTER 15.1-18 -
TEACHER QUALIFICATIONS**

Chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

15.1-18-01. Early childhood education teaching certificate. The education standards and practices board shall develop and implement an optional early childhood education teaching certificate. The optional early childhood education teaching certificate may be used in nonparental settings such as early childhood programs, preschool programs, and head start programs.

NOTE: Present Section 15-47-52.

**15.1-18-02. Kindergarten through grade eight - Teacher qualifications -
Exceptions.**

1. In order to teach kindergarten, an individual must:
 - a. Be licensed or approved to teach by the education standards and practices board and have a kindergarten endorsement; or
 - b. Be licensed 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 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 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

- 1 education within two years from the date of the assignment to teach any
- 2 grade from one through eight.
- 3 3. Notwithstanding the provisions of subsection 2, an individual may teach any grade
- 4 from five through eight if the individual:
- 5 a. Is licensed or approved to teach by the education standards and practices
- 6 board and has a major or an endorsement in middle school education; or
- 7 b. Is licensed or approved to teach by the education standards and practices
- 8 board and demonstrates to the satisfaction of the education standards and
- 9 practices board that the individual will obtain an endorsement in middle school
- 10 education within two years from the date of assignment to teach any grade
- 11 from five through eight.
- 12 4. Notwithstanding the provisions of subsection 2, an individual may teach grade
- 13 seven or eight if the individual is licensed or approved to teach by the education
- 14 standards and practices board and has a major or a minor in the assigned course
- 15 area or field.
- 16 5. Notwithstanding the provisions of subsection 2, an individual may teach special
- 17 education, foreign language, art, music, physical education, business education,
- 18 and computer education at any grade level from kindergarten through eight,
- 19 provided the individual is licensed or approved to teach by the education standards
- 20 and practices board and meets the requirements imposed by the superintendent of
- 21 public instruction.
- 22 6. An individual may obtain an endorsement by completing teaching requirements
- 23 and the minimum number of credit hours in courses prescribed by the education
- 24 standards and practices board.
- 25 7. The provisions of this section do not apply to an eminence-credentialed teacher.

NOTE: Present Section 15-47-46.

15.1-18-03. Grades nine through twelve - Teacher qualifications - Exceptions.

- 27 1. In order to teach any grade nine through twelve, an individual must be licensed or
- 28 approved to teach by the education standards and practices board and have a
- 29 major, a minor, or a minor equivalency endorsement issued by the board in the
- 30 course area or field being taught by the individual.

2. The approval status of a high school is not impacted by the employment of an individual who has a teaching license issued by the education standards and practices board in the disciplines of trade, industrial, technical, or health under chapter 15-20.1 but has neither a major nor a minor in the assigned field.
3. A minor equivalency granted to an individual by the superintendent of public instruction under prior authority remains valid.
4. The provisions of subsection 1 do not apply to an eminence-credentialed teacher.

NOTE: Present Section 15-41-25.

15.1-18-04. Student teacher - Eminence-credentialed teacher - Legal authority and status.

1. An individual assigned as a student teacher or employed as an eminence-credentialed teacher has the same legal authority and status as a licensed teacher employed by the school district. The authority extends to all aspects of student management and discipline, the handling of confidential student records, and to all legal authority granted to a licensed teacher in the state.
2. An individual assigned as a student teacher or employed as an eminence-credentialed teacher must be deemed a licensed teacher employed by the district with respect to acts performed by the individual at the direction of or with the consent of the district employees under whose supervision and control the individual performs duties, whether or not the duties are performed entirely in the presence of district employees assigned to supervise the individual.
3. An individual assigned as a student teacher or employed as an eminence-credentialed teacher must be deemed an employee of the school district for purposes of liability insurance coverage under sections 32-12.1-05 and 39-01-08.
4. For purposes of this chapter, "eminence-credentialed teacher" means an individual who provides teaching services in accordance with subsection 21 of section 15.1-09-33.

NOTE: Present Section 15-47-42.

Section 32-12.1-05 provides that "[a]n insurance policy or insurance contract purchased by a political subdivision or a government self-insurance pool in which a political subdivision participates ... may provide coverage for the types of liabilities established

by this chapter and may provide such additional coverage as the governing body of the political subdivision determines to be appropriate."

Section 39-01-08 provides that "[t]he state or any department, agency, or bureau, as well as any county, city, or other political subdivision including townships, school districts, and park districts ... using or operating motor vehicles and aircrafts, may carry insurance for their own protection and for the protection of any employees from claims for loss or damage arising out of or by reason of the use or operation of the motor vehicle or aircraft, whether the vehicle or aircraft at the time the of loss or damage in question occurred was being operated in a governmental undertaking or otherwise."