



North Dakota Educational Technology Council

1510 12th Avenue North
P.O. Box 5036
Fargo, ND 58105-5036

Phone: 701.231.6032
Fax: 701.231.6050

dan.pullen@sendit.nodak.edu

www.ndetc.k12.nd.us

August 31, 2007

Mr. John Walstad
Code Revisor
ND Legislative Council
600 East Boulevard
Bismarck, ND 58505-0360

SEP
4 2007

Dear Mr. Walstad:

Regarding your request for information related to the ND Educational Technology Council's exemption from the Administrative Agencies Practice Act, I provide the following responses to the four questions you posed.

1. *Does the Educational Technology Council require exemption from rulemaking provisions of NDCC Chapter 28-32, the adjudicative proceedings provision of Chapter 28-32, or both?*

The North Dakota Educational Technology Council (ND ETC) requests continued exemption from the rule making provisions and the adjudicative proceedings provisions in Century Code. The ND ETC is a state board responsible for coordinating educational technology initiatives for elementary and secondary education. The purposes of the ND ETC do not include making rules, issuing orders or holding hearings on complaints (NDCC 54-59).

2. *Does the Educational Technology Council make any rules, for purposes other than internal management, which are of general statewide application and might affect the rights or duties of persons outside your agency?*

The ND ETC does not make any rules for purposes other than internal management. All of the services of the ND ETC are available to elementary and secondary schools on a voluntary basis. Schools are not required to use any of those services and the use of ND ETC services is not subject to any rules except state and federal laws.

3. *Does the Educational Technology Council hold hearings to act on complaints, applications, or appeals? If so, what rules govern the conduct of the hearing and rights of the parties?*

The Educational Technology Council does not hold hearings to act on complaints, applications, or appeals. The ND ETC holds quarterly public meetings to conduct its business.

4. *Do you believe the exemption for your agency under subsection 2 of NDCC Section 28-32-01 should be continued unchanged, modified, or eliminated?*

The ND ETC believes that its exemption in Century Code should be continued unchanged.

I look forward to responding to any questions the Administrative Rules Committee might have about the ND ETC. I will be present at the September 13, 2007 meeting as requested.

Sincerely,

Dan Pullen
Director
North Dakota Educational Technology Council

