

**Agency Summary of September 8, 2009, Hearing
and Summary and Consideration
of Oral and Written Comments**

The Department of Public Instruction proposed changes in chapters 67-09-01- Approval for School Construction Estimated to Cost More Than Twenty-five Thousand Dollars; 67-10-01- School Construction Loan Application and Loan Approval; 67-11-04- North Dakota Library Media Credential; 67-11-05- School Counselor Credentials; 67-16-01 - Alternative Education Program; 67-19-01 - Accreditation: Procedures, Standards, and Criteria; 67-20-01 - Summer High School Programs; and 67-24-01 - Summer Remedial Elementary School Programs of the North Dakota Administrative Code; and repeal of chapter 67-11-01 Driver's Education Instructor's Credential.

There were no comments before the hearing, at the hearing, or during the 10 day comment period after the hearing for the changes proposed in chapters 67-09-01- Approval for School Construction Estimated to Cost More Than Twenty-five Thousand Dollars; 67-10-01- School Construction Loan Application and Loan Approval; 67-20-01 - Summer High School Programs; and 67-24-01 - Summer Remedial Elementary School Programs of the North Dakota Administrative Code; or the repeal of chapter 67-11-01 Driver's Education Instructor's Credential. Consequently the changes proposed will be adopted as proposed.

Comments on 67-11-04- North Dakota Library Media Credential

Summary of comments from the September 8, 2009, hearing on 67-11-04.

Individuals spoke at the hearing in opposition to the increase in the renewal requirement for the credentials from two to three semester hours of graduate level credit in library media and information science. The speakers noted that limiting the type of course work allowed to renew the credential also limited the kind of things that could be taken. In some schools library media specialists must also teach in other areas and need to maintain their knowledge in those areas as well. Also other classes help library media specialists understand the educational challenges facing their peers in other specialties and allow them to prepare better library programs. Some observed that there was a shortage of library media specialists and this could serve as a barrier to getting more involved in this area. Some believed that there was only one institution in North Dakota that provided graduate level courses in library media and information science. They believed this program did not allow the flexibility needed by those seeking to renew their library media specialty. They also believed that the course work was more expensive than other programs.

One individual felt that the library media specialists were not informed of the increase in 2006 to two credits. She thought that many believed that they would

not be able to take credits in general education. She suggested that the change be suspended so that the library media specialists could discuss the issue further. After the discussion she suggested that there be a study committee to make suggestions to DPI as to how to proceed.

One individual supported the increase from two to three credits. She noted that the courses in library media and information science are very valuable and helpful in planning an appropriate library program. She has found that the courses are on the cutting edge and provide information that is not available in the general education. She says the courses are offered nearly every month and at various locations. She has found that the cost is the same as that offered at other Universities. She has always taken more courses than the required number. She has herself performed a study and noted that the library media course work has allowed her to help the other educators in the school increase the student's test scores. She urged that the change be kept because it was in the best interest of the students.

Summary of comments made prior to and after the hearing on chapter 67-11-04.

Comments before and after the hearing also focused only on the increase in the renewal requirement for the credentials from two to three semester hours of graduate level credit in library media and information science.

Several individuals stated that only one university had a library media program from which they could get the required credits. They noted that courses were expensive (one thought they cost was twice as much as other coursework) and some had difficulty affording them.

Some noted that library science teachers also taught other courses and needed to maintain knowledge in those areas as well.

Some stated there was a shortage of library media specialists.

One noted that a prior change to two credits was not well-known among the library media personnel before the change was adopted.

One thought that the required course levels exceeded the levels for other credentials. Some felt that they should be able to use their professional judgment in determining which courses to take. Some urged that the credit requirement be

dropped entirely so that they could take any coursework they considered pertinent.

One individual offered a compromise of having the number of credits related to the time as a librarian.

There was some support for increasing the credits required from 2 to 3 credits because they felt there was a need to stay on top of the field in which librarians practice. They noted that others who are issued credentials also have to take courses in their credentialed areas. They noted that the cost of credits at VCSU and other colleges is similar and that the coursework can be obtained from any state approved school. They felt it was the professional responsibility of all to maintain the competence and knowledge in their changing field and the increase from 2 to 3 credits would achieve this.

Agency Response to comments on proposed changes to 67-11-04- North Dakota Library Media Credential:

The only comments received were related to the rule changing the number of credits for credential renewal from two to three credits. For the reasons noted below, the agency has determined that the change from two to three credits for credential renewal should not be made at this time. The opposition to this change seems to be widespread and deep. In contrast there were few individuals that commented in support of the change. This may be because those supporting the change did not feel a need to speak up because the change was already proposed; it may also reflect that only a few individuals support the change.

DPI notes that the suggested change to increase from two to three credits came from library media specialists themselves who recognized that individuals with more training in this area will be more qualified as a library media specialist. The supporters for the change from two to three graduate level credits cite the increase as necessary to increase the level of expertise of library media specialists so they can apply their knowledge to assist students in their educational achievement. We also note that the library media specialist credential sets an individual apart as one who has special training and expertise in library media science. Employment of individuals with this expertise is recognized as a positive in the accreditation process and points are awarded toward accreditation in schools that employ credentialed library media specialists.

Reviewing and considering the comments and checking on some of the statements made, we note that there seems to be confusion about whether graduate credits in library media

and information science are available only from Valley City State University. We found that these courses are also available from any North Dakota university that has a library program approved by the Education Standards and Practices Board. This will include the program that Mayville State is now seeking approval for, and any out of state library media programs that are documented with state approval by Education Standards and Practices Board. We also found that expense of the course work offered for library media courses is in line with course work at the graduate level for other areas as well.

While most of the claims made by the opponents are based upon the personnel expense and inconvenience, several commented that limiting their coursework to a specific area could mean that they were not able to take coursework in an area that would also be extremely helpful to their schools. In light of the controversy, the proposed study by the organization with recommendations to DPI seems to be a reasonable solution. The Department has determined that the change from two to three credits will not be adopted at this time, but we will work with the North Dakota Library Association and other educational groups to reconsider whether this change is in the best interest of the students and should be made at a later time.

Comments on 67-11-05- School Counselor Credentials

Summary of comments from the September 8, 2009, hearing on 67-11-05.

There were no comments received at the September 8, 2009, hearing.

Summary of comments made prior to and after the hearing on 67-11-05.

Comments received on the school counselor rules included several non-substantive changes including naming the PK-12 counselor credential SC03; correcting typographical errors; adding "school" before "counselor" on page 2 #3; changing "Supervised school-based internship" to "Supervised school counseling internship;" replacing "Guidance administration and Consulting" with "Counseling Program Management"; replacing "Group techniques or group dynamics" with "Group counseling"; replacing "Career counseling and testing" with "Career counseling and assessment"; changing the codes from CG0# to another code to make the transition clearer.

Substantive changes suggested were to increase the school counseling internship hours from 450 to 600; to eliminate the counselor designates; to require that counselors have a teaching background; to add Counseling Ethics, Multicultural Counseling, and Counseling Theory to the list of graduate courses required. There was support for a provisional plan of study.

An individual also suggested adding a list of 13 courses to take, instead of the listing the three content areas from which courses could be taken.

Agency Response to comments on proposed changes to 67-11-05 – School Counselor Credentials:

The agency has considered the comments and has adopted the following non-substantive changes: typographical errors were corrected; “SC03” is incorporated as the name of the PK-12 school counselor credential; “school” is added before “counselor” where applicable; “Supervised school-based internship” is changed to “Supervised school counseling internship;” “Guidance administration and consulting” is replaced with “Counseling program management”; “Group techniques or group dynamics” is replaced with “Group counseling”; “Career counseling and testing” is replaced with “Career counseling and assessment.”

The current Education Standards and Practices Board requirement for internships in school counseling is 450 hours; therefore the suggested change to 600 hours is not adopted. It is noted that the 450 hour requirement is a minimum, and colleges/universities may require more than this if they choose.

The counselor designate credential cannot be eliminated at this time because there are individuals who are in the process of obtaining licensure under this process. However, the counselor designate renewal requirements have been adjusted to coincide with renewal requirements for the SC03 counselor credential.

Under N.D.C.C. § 15.1-13-23 a school counselor does not have to have a teaching background so long as the individual obtains a teaching license within seven years, consequently the suggested change to require a teaching background is not made.

The suggestion to add Counseling Ethics and Multicultural Counseling to the list of graduate courses required under 67-11-05-05 is adopted by adding “Ethics/Law” and “Social and Multicultural Counseling.”

The suggestion to add a list of 13 courses to take instead of the three content areas is rejected because this will limit the coursework that is eligible for the credential to specific courses.

Comments on 67-19-01 - Accreditation: Procedures, Standards, and Criteria

Summary of comments from the September 8, 2009, hearing on 67-19-01.

There were no comments received at the September 8, 2009, hearing.

Summary of comments made prior to and after the hearing on 67-19-01.

An individual commented that the word “guidance” should be removed from the rules as individuals now provide counseling.

**Agency Response to comments on proposed changes to 67-19-01- Accreditation:
Procedures, Standards, and Criteria:**

Because the language in N.D.C.C. § 15.1-13-23 still provides for both counseling and guidance services the suggested change will not be made and the rules will be adopted as proposed.

Comments on 67-16-01 - Alternative Education Program

Summary of comments from the September 8, 2009, hearing on 67-16-01.

An individual noted that they support the alternative education program at the high school level but also believe that the opportunity for alternative education at the elementary and middle school levels should also be allowed.

Summary of comments made prior to and after the hearing on 67-16-01.

There were no comments made prior to or after the hearing on 67-16-01.

Agency Response to comments on proposed changes to 67-16-01 - Alternative Education Program

No change was suggested to the proposed rule changes and the changes to chapter 67-16-01 will be adopted as proposed.