

ADMINISTRATIVE RULES COMMITTEE

Thursday, June 10, 2010
Prairie Room, State Capitol
Bismarck ND

Mr. Chairman and members of the Administrative Rules Committee, I am Janet Welk, executive director of the Education Standards and Practices Board and wish to testify on the rules published in the July 2010 supplement to the North Dakota Administrative Code.

This rule change resulted from the Sixty-first Legislative Assembly and other needed changes to facilitate schools and districts securing qualified teachers. We have allowed changed requirements for school counselors and special education teachers to alleviate shortage areas. At the request of the North Dakota Association of Colleges of Teacher Education have completed the study validation and adopted the cut score for the Professional Learning and Teaching (PLT) Praxis II Test for secondary teachers. The PLT is already required for elementary teachers in North Dakota. To help North Dakota schools continue to provide professional development for their educators, ESPB changed the re-education requirements from 4 semester hours every five years to six semester hours every five years effective July 1, 2011. ESPB had completed a study in 2001 and realized at that time, North Dakota

requirements were almost the lowest in the nation for re-education coursework.

The rules procedure used in adopting the rules included:

- 1) The Letter of Intent to Amend Rules to the Legislative Council on November 2, 2009;
- 2) Publication with the North Dakota Newspaper Association November 11, 2009;
- 3) A public hearing on December 9, 2009 in the Lewis and Clark Room in the Capitol; (no one appeared at the hearing)
- 4) Written public comment period until December 22, 2009; (two written comments were received and addressed by ESPB).
- 5) Final approval of the administrative rules by the Education Standards and Practices Board at their January 14, 2010 monthly meeting;
- 6) Examination by the Attorney General's Office with an opinion of the rules being in compliance received February 1, 2010; and
- 7) Final submission for review and publication on the North Dakota Administrative Code with the Legislative Council on February 11, 2010.

This rule is not expected to have an impact on the regulated community in excess of \$50,000 and there was no regulatory analysis completed.

The approximately cost of giving public notice, holding hearings and staff time is approximately \$3,500.

If there are any questions, I would be happy to answer questions at this time. Thank you for your time and consideration given these rule changes.

ESPB Meeting
January 14, 2010

Administrative Rules
Oral Comments

No oral comments were received at the public hearing held on December 9, 2009.

Written Comments

12/07/09 Barbara Combs, UND.

Hi Janet,

I have been in education just a touch over 30 years and can truly attest to the changes in terms/terminology over the years. It is with this in mind that I express a concern about proposed changes in the administrative rules specifically the underlined wording as follows:

coursework in cultural diversity strategies for creating learning environments that contribute to positive human relationships, and strategies for teaching and assessing diverse learners including universal design for learning, response to intervention, early intervention, positive behavior interventions and supports.

Is it the role of ESPB to target specific instructional approaches and thus mandate particular curriculum for Teacher Education programs? I'd venture to say that most programs include these approaches because they are so prevalent and proven right now. Still, it think that dictating what's to be taught is problematic. How about something like:

coursework in cultural diversity strategies for creating learning environments that contribute to positive human relationships, and strategies for teaching and assessing diverse learners that have been proven effective (e.g. universal design for learning, response to intervention, early intervention, positive behavior interventions and supports.)

Such wording guides but does not dictate and assumes that as new approaches are proven effective, the Teacher Education Programs, as dynamic entities, include them in the curriculum. As always, thanks for your consideration.

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ESPB Response: 01.14.10 accepted the suggested changes.

12/09/09 LeAnn Nelson, NDEA

Dr. Welk and Members of the Rules Committee, the NDEA would like to thank the ESPB for its commitment and dedication to the profession of education in North Dakota, and for the opportunity for NDEA to provide feedback on some of the suggested changes to the ND teaching licenses requirements. After reading some of the proposed changes we would like to ask some clarification questions and propose some suggested changes to assist in clarification.

1. 67.1-02-02-5. Professional development for license renewal.

- Licensure Renewal Course Credits.

1. In the first sentence it states – “The following minimum requirements must be approved by the education standards and practices board prior to course approval for relicensure or through the institutional program review process.” According to this statement ESPB must preapprove all renewal credits? Is this a correct assumption?

ESPB Response: 01.14.10 accepted suggestion and deleted “prior to course approval for relicensure.”

2. (C) Multi-speaker events require presenter information. This section states to see “About Presetners” below, but we could not locate this information. What is the essence of this information and where is it located?

ESPB Response: 01.14.10 ESPB will include in administrative rules.

3. (D) Proposal Form – states “(b) objectives/learner outcomes aligned to ND K-12 Standards.” Which standards - content? And align to “ESPB teacher education program approval standards in professional education or content.” Confusion exists over what these are and where they are located. Teacher Education Program Approval Standards 2004 are located at <http://www.nd.gov/espb/progapproval/standards.html>. Are these the standards that are referenced under (D) Proposal Form (b)? If so these are program approval standards for pre-service teachers. Is there another location for active teacher standards? If ESPB wants educators to know and understand the standards, we are in favor, but this should be placed on the onus of the participants to determine the alignment to standards not the sole identification on instructors. Participants can show alignment through project outcomes. Results will probably show participants using the new knowledge and aligning it to different standards. However, we are not saying that the instructor should not identify standards if he/she is so inclined.

ESPB Response: 01.14.10 ESPB will remove reference to any standards.

4. (D) – “Completion of **the** matrix of presenters” – Is there a matrix or do the instructors create it?

ESPB Response: 01..14.10 ESPB will send NDEA a letter indicating this is a matrix the instructor must create.

5. (E) Credit Requirements (2) – states “Participants must attend a minimum of 15 hours of graduate level activity per credit hour.” Is this face-to-face? Technology has become an integral part of the 21st century. Students are taking more courses online, as well as educators to fulfill professional development credit renewal requirements. Authoring tools such as BlackBoard/WebCT and Moodle are being utilized to provide a means to deliver these programs. Many online professional development options integrate videos, discussion boards, team activities, journals, assessments, slide presentations, webcasts, live presentations, and many other instructional and learning strategies to provide an effective learning environment. If it is fifteen hours of face-to-face, ESPB is limiting access to some quality professional development. With the capacity of technology, NDEA feels that all renewal credit hours do not have to be face-to-face.

ESPB Response: 01.14.10 The original language in the rules does not mention “face-to-face.” The administrative rules language is “15 hours of graduate level activity per credit hour” which would not hinder the electronic delivery.

6. 2. 67.1-02-02-07. Human relations and cultural diversity.

NDEA is concerned with the addition of the word “coursework.” What is ESPB’s definition of “coursework?” There are many effective professional development opportunities that address the educational concepts identified in this section, face-to-face, online and IVN, but we are not sure how ESPB is defining “coursework.” Is this a typical college face-to-face course or can other formats be used to garner the information. Example – a school is using PLCs. If the focus of the PLC is UDL and the school has gone through the credit approval process for educators to receive credits – will this constitute as “coursework” and the credits approved. NDEA is concerned with using precise terminology such as, response to intervention, and universal design for learning. Some states and/or higher education institutions may refer to them with different terminology (BLST) or maybe not label them with terms but teach the concepts. To avoid confusion in the future, NDEA would like to see “or their equivalent” added to the end of the first paragraph. Has ESPB conducted research to see how many institutions in ND have these concepts integrated into their present coursework or will this have to be something they add before July 1, 2010?

ESPB Response: 01.14.10 This was addressed with the UND response.