



Education Standards and Practices Board
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Interim Education Funding and Taxation Committee

March 16, 2012

Good afternoon, Madam Chair and Members of the Interim Education Funding and Taxation Committee. For the record, I am Janet Welk, Executive Director of the Education Standards and Practices Board.

The Education Standards and Practices Board is in the process of adopting Administrative Rules as required by NDCC 28-32. That process began as soon as the session ended. Draft rules were developed, reviewed, and approved during the summer with final approval of the proposed rules for public review process at their August 11th meeting. The following was the timeline:

August 11	Board approved final draft of rules for public comment.
September 26	Full notice of proposed rules submitted to Legislative Council, Newspaper Association, and Legislators.
November 7	Public Hearing
November 21	Written Comments

ESPB became aware of an issue with the special education degrees coming in from non-categorical states in October, when schools were required to complete the MIS03 reports for the Department of Public Instruction. Because of

the issue, Mike Bitz and Mike Heilman, ESPB members, submitted oral comments at the November 7th hearing.

The Board, at their November and December meetings, met with the Department of Public Instruction's Director of Special Education Dr. Alison Dollar and Dr. Tracy Klein, Special Education Director, Morton and Sioux Special Education Unit.

The issue concerning the special education licenses in North Dakota has been a categorical state since 1976, when IDEA was authorized. In special education, categorical means the teacher has been prepared to work with children with disabilities in a specific area such as intellectual disabilities. In 2001, ND passed legislation adopting a special education strategist credential (NDCC 15.1-18-06) which is our cross categorical license. This license allows a teacher to work with three types of children who have disabilities: intellectual disabilities, emotional disabilities, and learning disabilities.

Non-categorical means the teacher has been prepared in special education without any specific categorical background and is allowed to work with all types of children with disabilities.

At their December 8 meeting, the Board discussed the administrative rules process with the Attorney General's office. It was recommended the Board start the administrative rules process over because of all of the possible changes.

On December 15, testimony was provided to the Administrative Rules Committee. Recommendations from that meeting provided the Board the opportunity to ask the Administrative Rules Committee to delete administrative

rules that are obsolete due to North Dakota law.

ESPB invited additional special education stakeholders to discuss these issues at their January 12, 2012 meeting. In addition, legislators that are or have been educators, were invited to meet with the Board on January 11 to discuss licensure issues and Representative RaeAnn Kelsch was invited to the Board meeting on January 12. A special subcommittee was formed including legislators, special education directors and teachers, DPI, NDEA, and NDCEL to make a recommendation to the Board on February 9th.

On February 9, the recommendation accepted by the Board was to provide a license to all applicants from other states that hold a minimum of a bachelor's degree in special education. This license will allow that applicant to work with all children with disabilities. To provide ND teachers with the same opportunities, an "exceptional children" code has been developed and will be on the second page of all special education licenses whether they are graduates from North Dakota universities and colleges or from out of state institutions.

What this means for graduates from North Dakota institutions is that North Dakota will no longer require ND graduates to hold a double major in a content area as well as a special education major. ND will no longer require special education teachers to be prepared in a specific category to be authorized to work with children with those specific disabilities.

ESPB is still in discussions with ND institutions as to how this ruling will affect our special education programs within our universities. The Council for Exceptional Children Standards are categorical standards. These standards are

the basis for our university programs. The exit examination that all North Dakota applicants must complete beginning July 1, 2012 is also prepared categorically. As institutions move forward developing new programs to meet the new law, these will have to be considerations.

On March 14, the Board will request obsolete administrative rules be deleted by the Administrative Rules Committee and then finish the regular administrative rules process as outlined in NDCC 28-32.

Secondly, I would like to address the issue the Board has just begun discussing and that is work experience in lieu of student teaching. National accreditation standards for our teacher education programs within our universities require that teachers have supervised classroom experience at the level of preparation for their content area. This means that to graduate from an approved regular teacher education program, that university must provide and supervise classroom experience for an elementary teacher in grades one through six. The secondary program requires supervised classroom experience in grades seven through twelve.

ESPB has authority to issue endorsements under NDCC 15.1-13-08. These endorsements are based on the same accreditation standards of approved teacher education programs.

ESPB provides an endorsement (Teaching Alternative Flexibility Endorsement TAFE) that allows a teacher prepared with student teaching experience at the elementary level to be the classroom teacher of record while working with an institution in a clinical practice opportunity at the level they

seeking to achieve. This clinical practice opportunity (through an institution of higher education) is based and evaluated on the pedagogical content knowledge, adolescent development, and skills, dispositions, and knowledge base for the content area and level of preparation.

The Board does not want to jeopardize the national accreditation or state approval standards for any of our North Dakota university programs in teacher education but does have the authority to change the endorsement process under NDCC 15.1-13-08. This will be a topic at their March 8th meeting.

Thank you for the opportunity to testify today and I would be happy to answer any questions. If you have questions after my testimony today, I can be reached at 328-9646 or jwelk@nd.gov.