

HOUSE BILL NO. 1270

Introduced by

Representatives Hawken, R. Kelsch, Mueller

Senators Fischer, Freborg, Heckaman

1 A BILL ~~for an Act to amend and reenact sections 15.1-13-02, 15.1-13-04, 15.1-13-05, and~~
2 ~~15.1-13-08 of the North Dakota Century Code, relating to the education standards and practices~~
3 ~~board; to provide for a transition; to provide an effective date; and to declare an emergency.~~for
4 an Act to amend and reenact sections 15.1-13-09 and 15.1-13-20 of the North Dakota Century
5 Code, relating to the licensing of teachers from other states; and to repeal section 15.1-13-21 of
6 the North Dakota Century Code, relating to reciprocal teaching licenses.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 ~~SECTION 1. AMENDMENT.~~ Section ~~15.1-13-02~~ of the North Dakota Century Code is
9 ~~amended and reenacted as follows:~~

10 ~~15.1-13-02. Education standards and practices board - Membership.~~

11 ~~1. The governor shall appoint to the education standards and practices board:~~

12 ~~a. Four individuals who are public school classroom teachers;~~

13 ~~b. One individual who is a nonpublic school classroom teacher;~~

14 ~~c. Two individuals who are school board members;~~

15 ~~d. Two individuals who are administrators; and~~

16 ~~e. One dean of a college of education or chairman of a department of education.~~

17 ~~The education standards and practices board consists of:~~

18 ~~1. The following gubernatorial appointed members:~~

19 ~~a. One individual employed as an early childhood teacher;~~

20 ~~b. One individual employed as an elementary teacher;~~

21 ~~c. One individual employed as a middle school teacher;~~

22 ~~d. One individual employed as a high school teacher;~~

23 ~~e. One school board member;~~

24 ~~f. One school administrator holding a doctoral degree;~~

- 1 ~~g. The dean of a college of arts or the dean's designee;~~
- 2 ~~h. The dean of a college of sciences or the dean's designee;~~
- 3 ~~i. The dean of a college of education or the dean's designee;~~
- 4 ~~j. The president or chairman of a professional licensing board in this state;~~
- 5 ~~k. The parent of a student enrolled in an elementary or high school;~~
- 6 ~~l. Two members of the legislative assembly; and~~
- 7 ~~m. One resident of this state;~~
- 8 ~~2. The lieutenant governor, who shall serve as the chairman; and~~
- 9 ~~3. The superintendent of public instruction or the superintendent's designee, who shall~~
10 ~~serve as a nonvoting ex officio member.~~

11 ~~**SECTION 2. AMENDMENT.** Section 15.1-13-04 of the North Dakota Century Code is~~
12 ~~amended and reenacted as follows:~~

13 ~~**15.1-13-04. Term of office -- Vacancy.**~~

14 ~~The term of office for a member of the board is threetwo years, beginning on July first of the~~
15 ~~year of appointment. No person may serve for1, 2011. A member may not serve more than~~
16 ~~twothree consecutive terms. If a vacancy occurs, it must be filled for the duration of the~~
17 ~~unexpired term in the same manner as an original appointment.~~

18 ~~**SECTION 3. AMENDMENT.** Section 15.1-13-05 of the North Dakota Century Code is~~
19 ~~amended and reenacted as follows:~~

20 ~~**15.1-13-05. Officers.**~~

21 ~~The board annually shall select a chairman andshall elect one member to serve as a vice~~
22 ~~chairman. The executive director of the board or the executive director's designee shall serve~~
23 ~~as secretary.~~

24 ~~**SECTION 4. AMENDMENT.** Section 15.1-13-08 of the North Dakota Century Code is~~
25 ~~amended and reenacted as follows:~~

26 ~~**15.1-13-08. Board duties.**~~

27 ~~1. The board shall:~~

28 ~~1. a. Supervise the licensure of teachers.;~~

29 ~~2. b. Set standards for and approve teacher preparation programs.;~~

30 ~~3. c. Seek the advice of teachers, administrators, school board members, teacher~~
31 ~~education professors, and other interested citizens in developing and updating~~

1 codes or standards of ethics, conduct, professional performance, and
2 professional practices.;

3 ~~4. d. Adopt, in accordance with chapter 28-32, codes or standards of ethics, conduct,~~
4 ~~professional performance, and professional practices.;~~

5 ~~5. e. Make recommendations for the inservice education of individuals engaged in the~~
6 ~~profession of teaching.;~~

7 ~~6. f. Issue major equivalency endorsements and minor equivalency endorsements.;~~

8 ~~7. g. Appoint an executive director to serve at its discretion.; and~~

9 ~~8. h. Authorize the executive director to employ personnel, subject to approval by the~~
10 ~~board.~~

11 ~~2. In addition to any other duties set forth in this section, during the 2011-13 biennium,~~
12 ~~the board shall:~~

13 ~~a. Review the criteria for and manner in which teacher licensure is undertaken,~~
14 ~~including provisional licensure, reciprocal licensure, and reentry licensure;~~

15 ~~b. Review the criteria for and manner in which disciplinary action is taken against an~~
16 ~~individual who fails to abide by the tenets of the teaching profession;~~

17 ~~c. Evaluate the established standards for teacher preparation programs, including~~
18 ~~the sufficiency of academic and pedagogical requirements, and compare the~~
19 ~~curricular requirements for majors within the colleges of education to those of~~
20 ~~other colleges;~~

21 ~~d. Review the manner in which other professional licensing boards provide for all~~
22 ~~forms of licensure, determine professional development requirements, and~~
23 ~~provide for reporting of professional development activities as a condition of~~
24 ~~continued licensure;~~

25 ~~e. Review the supporting organization to ensure that its overall structure,~~
26 ~~functionality, and leadership allow it to fully and capably meet all current and~~
27 ~~prospective duties; and~~

28 ~~f. Recommend any statutory changes deemed necessary to the sixty-third~~
29 ~~legislative assembly.~~

30 ~~**SECTION 5. TRANSITION.** The term of any individual appointed to the education-~~
31 ~~standards and practices board before July 1, 2011, expires on June 30, 2011. In accordance-~~

1 ~~with section 15.1-13-02, the governor may appoint any qualified individual who served on the~~
2 ~~education standards and practices board before July 1, 2011, and shall consider the~~
3 ~~appointment to be an initial appointment for the purpose of determining term limitations.~~

4 ~~— SECTION 6. EFFECTIVE DATE. This Act becomes effective on June 30, 2011.~~

5 ~~— SECTION 7. EMERGENCY. This Act is declared to be an emergency measure.~~

6 **SECTION 1. AMENDMENT.** Section 15.1-13-09 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-13-09. Board powers.**

9 The board may:

- 10 1. Adopt rules in accordance with chapter 28-32.
- 11 2. ~~Contract with other states for the reciprocal approval of teacher preparation programs.~~
- 12 ~~3.~~ Apply for and receive federal or other funds on behalf of the state for purposes related
13 to its duties.
- 14 4.3. Perform any duty related to the improvement of instruction through teacher education,
15 professional development, and continuing education programs.

16 **SECTION 2. AMENDMENT.** Section 15.1-13-20 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **15.1-13-20. ~~Interim reciprocal teaching license -- Period of validity~~ Applicants licensed**
19 **in other states.**

- 20 1. The board shall grant ~~an interim reciprocal~~ a teaching license ~~in accordance with~~
21 ~~sections 15.1-18-02 and 15.1-18-03 to an individual~~ to an applicant who holds a regular
22 teaching license or certificate from another state, provided:
- 23 a. The ~~individual's~~ applicant's licensure or certification is based upon a minimum of a
24 bachelor's degree with a major that meets the issuing state's requirements in
25 early childhood education, elementary education, middle level education, or a
26 content area taught at a public high school;
- 27 b. The ~~individual's~~ applicant's licensure or certification is based upon the completion
28 of a professional education sequence from a state-approved teacher education
29 program and includes supervised student teaching;
- 30 c. The ~~individual~~ applicant submits ~~to the required fee and~~ a criminal history record
31 check, as required of initial applicants by this chapter; and

- 1 d. The criminal history record check reveals nothing for which a North Dakota
2 applicant would be denied initial licensure; ~~and.~~
- 3 ~~e. The individual submits a plan for meeting all requirements necessary to become~~
4 ~~a licensed teacher in this state.~~
- 5 ~~2. An interim reciprocal license granted under this section is valid for two years.~~
- 6 ~~3. The individual shall submit evidence of progress on the plan required by subsection 1-~~
7 ~~to the board prior to renewal of the interim reciprocal license.~~
- 8 ~~4. The board may renew the interim reciprocal license for one additional two-year period~~
9 ~~if the board finds that the individual has demonstrated satisfactory progress.~~
- 10 ~~5. Notwithstanding any other law, an interim reciprocal license granted under this section~~
11 ~~is the equivalent of a teaching license granted under this chapter.~~
- 12 2. A license granted under this section is valid for two years if the applicant has not been
13 licensed in another state for at least eighteen months. In all other cases, a license
14 granted under this section is valid for five years.

15 **SECTION 3.** Section 15.1-13-21 of the North Dakota Century Code is repealed.