Sixty-seventh Legislative Assembly of North Dakota

HOUSE BILL NO. 1188

Introduced by

Representatives Schreiber-Beck, D. Johnson

Senator Oban

- 1 A BILL for an Act to create and enact a new section to chapter 15.1-32 of the North Dakota-
- 2 Century Code, relating to services provided by special education technicians; and to amend and
- 3 reenact section 15.1-02-16 of the North Dakota Century Code, relating to a certificate of
- 4 completion for special education technicians; and to declare an emergency.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 6 SECTION 1. AMENDMENT. Section 15.1-02-16 of the North Dakota Century Code is
- 7 amended and reenacted as follows:

8 15.1-02-16. Superintendent of public instruction - Issuance of credentials to teachers

9 and administrators.

- 10 The superintendent of public instruction may adopt rules governing the issuance of:
- 11 1. Credentials for teachers of driver's education;
- 12 2. Credentials for teachers of early childhood special education;
- 13 3. Credentials for elementary school principals;
- 14 4. Credentials for teachers of students who are emotionally disturbed;
- 15 5. Credentials for teachers of students who are gifted and talented;
- 16 6. Credentials for secondary school principals;
- 17 7. Credentials for library media;
- 18 8. Credentials for teachers of title I;
- 19 9. Credentials for teachers of students who have intellectual disabilities;
- 20 10. Credentials for teachers of students who are physically disabled;
- 21 11. Credentials for coordinators of programs for students with limited English proficiency;
- 22 12. Credentials for school counselors;
- 23 13. Credentials for special education directors;
- 24 14. Credentials for special education strategists;

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1	15.	Credentials for teachers of students who have specific learning disabilities;			
2	16.	Credentials for superintendents;			
3	17.	Credentials for teachers of students who have vision impairments;			
4	18.	Credentials for teachers of students who are deaf or hard of hearing;			
5	19.	Credentials for teachers of computer and cyber science; and			
6	20.	CertificateCertificates of completion for special education technicians; and			
7	<u>21.</u>	Certificates of completion for paraprofessionals.			
8		CTION 2. A new section to chapter 15.1-32 of the North Dakota Century Code is created			
9	and enacted as follows:				
10	<u> <u>Spe</u></u>	ecial education technicians - Services.			
11	<u> <u> </u></u>	For purposes of this section:			
12		a. <u>"Special education technician" means an individual who holds a certificate of</u>			
13		completion for a special education technician and provides services under this			
14		section to individuals receiving special education services in an educational			
15		setting.			
16		b. <u>"Supervising special education teacher" means an individual who holds a valid</u>			
17		teaching license issued by the board and has a minimum of one year full-time			
18		experience providing special education services from the date of licensure.			
19	<u> <u> </u></u>	A special education technician may provide services only under the direct supervision			
20		of a supervising special education teacher.			
21	<u> <u> </u></u>	A special education technician may:			
22		a. Conduct academic and behavioral screenings pursuant to protocols developed			
23		by the supervising special education teacher;			
24		b. Perform documented tasks developed by the supervising special education			
25		teacher;			
26		<u>c.</u> Document student progress toward meeting identified goals and objectives;			
27		d. Report the information documented under subdivision c to the supervising special			
28		education teacher;			
29		e. Assist the supervising special education teacher with regulatory paperwork as			
30		directed;			
31		<u>f.</u> <u>Prepare educational materials;</u>			

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1		<u>g.</u>	Assist the supervising special education teacher with scheduling;
2		<u>h.</u>	Maintain the educational space and equipment; and
3		<u>i.</u>	Complete other duties as assigned by the supervising special education teacher.
4	<u> <u>4. </u></u>	<u>A s</u> p	pecial education technician may not:
5		<u>a.</u>	Make independent decisions regarding changes to a student's individualized
6			education program;
7		<u>b.</u>	Conduct evaluations consisting of:
8			(1) Standardized or nonstandardized diagnostic tests; or
9			(2) Formal or informal assessments;
10		<u> </u>	<u>Interpret test results;</u>
11		<u>d.</u>	- <u>Take referrals;</u>
12		<u>e.</u>	- <u>Dismiss student caseloads;</u>
13		<u>f.</u>	Participate in conferences or other multidisciplinary team meetings without the
14			presence of the supervising special education teacher;
15		<u>g.</u>	Disclose confidential information orally or in writing unless authorized by the
16			supervising special education teacher;
17		<u>h.</u>	Provide counseling to students or family members of students regarding special
18			education disability classifications; or
19		<u>i.</u>	Sign formal and regulatory documentation as a supervising special education
20			teacher.
21	SEC		N 2. EMERGENCY. This Act is declared to be an emergency measure.