

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.

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;

- 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. ~~Certificate~~Certificates of completion for special education technicians; and
- 7 21. Certificates of completion for paraprofessionals.

8 **SECTION 2.** A new section to chapter 15.1-32 of the North Dakota Century Code is created
9 and enacted as follows:

10 **Special education technicians - Services.**

11 1. For purposes of this section:

12 a. "Special education technician" means an individual who holds a certificate of
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. "Supervising special education teacher" means an individual who holds a valid
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 2. A special education technician may provide services only under the ~~direct~~ supervision
20 of a supervising special education teacher.

21 3. A special education technician may: perform duties as assigned by local spee ed dir, local dist admin, and local supervising sped teacher

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 ~~c. 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 ~~f. Prepare educational materials;~~

- 1 ~~g. Assist the supervising special education teacher with scheduling.~~
- 2 ~~h. Maintain the educational space and equipment, and~~
- 3 ~~i. Complete other duties as assigned by the supervising special education teacher.~~
- 4 4. A special education technician may not:
- 5 a. Make independent decisions regarding changes to a student's individualized
- 6 education program;
- 7 b. Conduct evaluations ~~consisting of:~~ for purposes of eligibility determinations
- 8 (1) Standardized or ~~nonstandardized~~ diagnostic tests; or
- 9 (2) Formal ~~or informal~~ assessments; unless otherwise qualified to do so
- 10 c. Interpret test results;
- 11 d. Take referrals;
- 12 e. ~~Dismiss student caseloads;~~
- 13 f. Participate in conferences or other multidisciplinary team meetings without the
- 14 presence of ^a ~~the supervising~~ special education teacher; or service provider
- 15 g. Disclose confidential information orally or in writing unless authorized by the
- 16 supervising special education teacher;
- 17 h. Provide counseling to students or family members of students regarding special
- 18 education disability classifications; or
- 19 i. Sign formal and regulatory documentation as a supervising special education
- 20 teacher.