

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

ARTICLE 67-09

APPROVAL FOR SCHOOL CONSTRUCTION ESTIMATED TO COST MORE THAN ~~TWENTY-FIVE~~ FORTY THOUSAND DOLLARS

Chapter
67-09-01 Approval for School Construction Estimated to Cost More Than
~~Twenty-five~~ Forty Thousand Dollars

CHAPTER 67-09-01

APPROVAL FOR SCHOOL CONSTRUCTION ESTIMATED TO COST MORE THAN ~~TWENTY-FIVE~~ FORTY THOUSAND DOLLARS

Section
67-09-01-01 Definitions
67-09-01-02 Construction Must Be Approved by the Superintendent of Public Instruction - Exception
67-09-01-02.1 General Requirements for Approval
67-09-01-03 Consultation With the Department Required
67-09-01-04 Preparing the Application
67-09-01-05 Facility Plan Required for Certain Construction [Repealed]
67-09-01-05.1 Approval of Remodeling Construction Costing Less Than ~~One~~ Two Hundred Fifty Thousand Dollars
67-09-01-05.2 Approval of New Construction or Remodeling Construction Costing ~~One~~ Two Hundred Fifty Thousand Dollars or More
67-09-01-06 Submission of Application
67-09-01-07 Demonstration of Need and Educational Utility [Repealed]
67-09-01-08 Application Acted on Within Sixty Days
67-09-01-09 Appeal of Disapproved Application to Board
67-09-01-10 Approval Effective for ~~Two~~ Three Years - Change in Approved Plan
67-09-01-11 Submission of Architectural Plans

67-09-01-01. Definitions. For purposes of this article:

1. "Application" means the appropriate construction approval application provided by the department, including all required supporting documentation.
2. "Board" means the North Dakota state board of public school education.
3. "Construction" means construction, purchase, repair, improvement, renovation, or modernization of any school building or facility which is estimated by the school board to cost more than ~~twenty-five~~ forty thousand dollars.
4. "Consult" means to meet with, discuss data and plans, and seek advice and counsel.

- 1 5. "Department" means the North Dakota department of public instruction.
2
3 6. "District" means a North Dakota public school district.
4
5 7. "Emergency construction" means any new construction or remodeling
6 construction that is requested because of damage or destruction of buildings or
7 facilities as a result of fire, tornado, flood, or other act of God.
8
9 8. "Facility" includes a parking lot, athletic complex, or any other improvement to
10 real property owned by the district.
11
12 9. "Facility plan" means the school district's facility plan required for new
13 construction, or remodeling construction estimated to cost ~~one~~ two hundred fifty
14 thousand dollars or more, completed on forms provided or sanctioned by the
15 department.
16
17 10. "New construction" means any construction that provides additional area to the
18 current buildings or facilities and is estimated to cost more than ~~twenty-five~~ forty
19 thousand dollars.
20
21 11. "Project" means the building, facility, or improvement that would result from the
22 construction.
23
24 12. "Remodeling construction" means any construction that improves current
25 buildings or facilities and is estimated to cost more than ~~twenty-five~~ forty
26 thousand dollars.
27
28 ~~13. "Stable" enrollment may only be demonstrated by using either of the~~
29 ~~following methods:~~
30
31 ~~a. The enrollment for the district has remained the same or has~~
32 ~~increased over the three-year period prior to the year the~~
33 ~~application is made; or~~
34
35 ~~b. The enrollment as projected by the department using the~~
36 ~~cohort survival method will remain the same or will increase over~~
37 ~~the five-year period subsequent to the year the application is~~
38 ~~made.~~
39
40 13. "Superintendent" means the North Dakota superintendent of public instruction.
41
42 14. "Technical assistance" means counsel, advice, and involvement in the
43 completion of the application and facility plan.
44

45 **History:** Effective April 1, 1994; amended effective November 1, 2002.

46 **General Authority:** NDCC 15.1-36-01

1 **Law Implemented:** NDCC 15.1-36-01; 15.1-06-09

2
3 **67-09-01-02. Construction must be approved by the superintendent of public**
4 **instruction - Exception.** A district may not undertake construction of any school
5 building or facility estimated to cost more than ~~twenty-five~~ forty thousand dollars unless:

- 6
7 1. The construction is approved by the superintendent; ~~or~~
8
9 2. The construction is required as part of a plan to correct deficiencies
10 required under North Dakota Century Code section 15.1-06-09, approved
11 by the state fire marshal, and the estimated cost does not exceed seventy-
12 five thousand dollars ~~or~~ .

13
14 **History:** Effective April 1, 1994; amended effective May 1, 1999; November 1, 2002.

15 **General Authority:** NDCC 15.1-36-01

16 **Law Implemented:** NDCC 15.1-06-09, 15.1-36-01

17
18 **67-09-01-02.1. General requirements for approval.** The superintendent may not
19 approve any new construction or remodeling construction unless the school district
20 demonstrates:

- 21
22 1. The need for the project:
23
24 2. The educational utility of the project;
25
26 3. ~~a. The ability to sustain a stable or increasing student enrollment for~~
27 ~~a period of time at least equal to the anticipated usable life of the~~
28 ~~project; or~~
29 ~~b a.~~ Potential use of the project by a future reorganized school district;
30 and
31
32 4. The capacity to pay for the project.

33
34 **History:** Effective November 1, 2002.

35 **General Authority:** NDCC 15.1-36-01

36 **Law Implemented:** NDCC 15.1-06-09, 15.1-36-01

37
38 **67-09-01-03. Consultation with the department required.** The district shall consult
39 with the department at least:

- 40
41 1. Sixty days prior to the submission of an application if the construction is
42 new construction, or remodeling construction estimated to cost ~~one~~ two
43 hundred fifty thousand dollars or more; or
44

- 1 2. Thirty days prior to the submission of an application if the construction is
2 remodeling construction estimated to cost less than ~~one~~ two hundred fifty
3 thousand dollars.

4
5 The department may waive the timelines in this section for emergency
6 construction.

7
8 **History:** Effective April 1, 1994; amended effective November 1, 2002.

9 **General Authority:** NDCC 15.1-36-01

10 **Law Implemented:** NDCC 15.1-36-01

11
12 **67-09-01-05.1. Approval of remodeling construction costing less than ~~one~~ two**
13 **hundred fifty thousand dollars.** The superintendent may approve remodeling
14 construction estimated to cost less than ~~one~~ two hundred fifty thousand dollars if the
15 district demonstrates:

- 16
17 1. The need for the remodeling construction by showing that the remodeling is
18 required to address any of the following criteria:
19
20 a. Implementation of the life safety code;
21
22 b. Implementation of the Americans with Disabilities Act of 1990
23 [42 U.S.C. 12101, et seq.];
24
25 c. Implementation of section 504 of the Rehabilitation Act of 1973
26 [29 U.S.C. 794];
27
28 d. Asbestos abatement or removal;
29
30 e. The school's total enrollment, or the enrollment in a particular grade
31 range that will be affected by the remodeling, has increased;
32
33 f. The part of the building or facility that is to be remodeled has exceeded its
34 useful life;
35
36 g. The building or facility has been damaged as a result of fire, tornado,
37 flood, or other act of God; or
38
39 h. Violations of fire, health, safety, and any other required state or federal
40 standards will be corrected by the construction;
41
42 2. The remodeling construction will enhance or facilitate delivery of educational
43 services in the district; and

1 ~~3. Enrollment is likely to increase or remain stable for a period of time at least equal~~
2 ~~to the anticipated usable life of the project or the project will potentially be used~~
3 ~~by a future reorganized school district; and~~

4
5 4. 3. The ability to pay for the project.

6
7 **History:** Effective November 1, 2002.

8 **General Authority:** NDCC 15.1-36-01

9 **Law Implemented:** NDCC 15.1-36-01

10
11 **67-09-01-05.2. Approval of new construction or remodeling construction costing**
12 **one two hundred fifty thousand dollars or more.** The superintendent may approve
13 new construction or remodeling construction estimated to cost one two hundred fifty
14 thousand dollars or more, if the district meets the following requirements:

- 15
16 1. The district must submit a completed facility plan with the application for
17 construction approval.
18
19 2. At the time of consultation with the department, the district shall complete and
20 review its facility plan with the department. The district shall receive and consider
21 technical assistance provided by the department in completing and reviewing the
22 district's facility plan. If the district submitted an acceptable facility plan within the
23 preceding two three years, the district may submit a copy of that plan but the
24 superintendent may require the district to update or revise the plan.
25
26 3. The facility plan must include:
27
28 a. A description and preliminary diagrams of the proposed construction;
29
30 b. A description of programs to reduce energy costs and waste disposal
31 costs;
32
33 c. Trend data on school or facility maintenance;
34
35 d. The estimated difference in operation costs as a result of construction
36 completion; and
37
38 e. Any other information deemed advisable by the superintendent.
39
40 4. The facility plan must address the following factors, which relate to the need for
41 the project, but may also relate to the other general requirements for approval as
42 indicated in section 67-09-01-02.1:
43
44 a. A description of district schools and facilities;
45

- 1 b. Alternatives considered by the district and reasons for rejecting
2 alternatives;
3
- 4 c. Evidence that demonstrates that, despite attempted cooperation or
5 collaboration with area schools, health and human service agencies and
6 other education agencies and political subdivisions, no form of
7 cooperation with another entity will result in buildings or facilities that meet
8 the needs of the students;
9
- 10 d. The need for buildings or facilities could not be met within the district or
11 adjacent districts at a comparable cost by leasing, repairing, remodeling,
12 or sharing existing buildings or facilities or by using temporary buildings or
13 facilities;
14
- 15 e. Description of district programs and services and an assessment of
16 improvements that will occur as a result of construction completion;
17
- 18 f. Violations of fire, health, safety, and any other required state or federal
19 standards, which will be corrected by the construction;
20
- 21 g. The new construction or remodeling is required to address any of the
22 following criteria:
23
- 24 (1) Implementation of the life safety code;
25
- 26 (2) Implementation of the Americans with Disabilities Act of 1990
27 [42 U.S.C. 12101, et seq.];
28
- 29 (3) Implementation of section 504 of the Rehabilitation Act of
30 1973 [29 U.S.C. 794];
31
- 32 (4) Asbestos abatement or removal;
33
- 34 (5) The school's total enrollment or the enrollment in a particular grade
35 range that will be affected by the construction has increased;
36
- 37 (6) The building or facility, or part of the building or facility, has
38 exceeded its useful life; or
39
- 40 (7) The building or facility has been damaged or destroyed as a result
41 of fire, tornado, flood, or other act of God; and
42
- 43 h. Any other information deemed advisable by the superintendent.
44

- 1 5. The facility plan must address the following factors, which relate to the
2 educational utility of the project construction, but may also relate to the other
3 general requirements for approval as indicated in section 67-09-01-02.1:
4
- 5 a. The building or facility will enhance or facilitate delivery of educational
6 services in the district;
 - 7
 - 8 b. The building or facility meets or exceeds the size standards recommended
9 by the department;
 - 10
 - 11 c. The proposed building or facility is comparable in size, cost, and quality to
12 buildings or facilities recently constructed in other districts that have
13 similar enrollment; and
 - 14
 - 15 d. Any other information deemed advisable by the superintendent.
 - 16
- 17 6. The facility plan must address the following factors, which relate to the district's
18 ~~ability to sustain a stable or increasing student enrollment for a period of time at~~
19 ~~least equal to the anticipated usable life of the project, but may also relate to the~~
20 ~~other general requirements for approval as indicated in section 67-09-01-02.1:~~
21
- 22 a. Past, present, and projected enrollment data;
 - 23
 - 24 b. The economic and population bases of the communities to be served are
25 likely to grow or to remain stable;
 - 26
 - 27 ~~c. Enrollment is likely to increase or remain stable for a period of time at~~
28 ~~least equal to the anticipated usable life of the project;~~
 - 29
 - 30 ~~d. c.~~ The building or facility will be in use for the life of the building or facility;
31 and
 - 32
 - 33 ~~e. d.~~ Any other information deemed advisable by the superintendent.
 - 34
- 35 7. The facility plan must address the following factors, which relate to the potential
36 utilization of the project by a future reorganized school district, but may also
37 relate to the other general requirements for approval as indicated in section 67-
38 09-01-02.1:
39
- 40 a. The location of school sites in each surrounding school district, including
41 surrounding districts' attendance numbers in elementary and high school,
42 capacity of buildings, and distances from the applicant's district;
 - 43
 - 44 b. Geographic information regarding the area proposed to be served;
 - 45

- 1 c. Appropriate efforts to determine how this building or facility fits into the
- 2 learning needs of the area have been made;
- 3
- 4 d. Information regarding the potential utilization of the project by a future
- 5 reorganized school district; and
- 6
- 7 e. Any other information deemed advisable by the superintendent.
- 8
- 9 8. The facility plan must address the following factors, which relate to the district's
- 10 capacity to pay for the project, but may also relate to the other general
- 11 requirements for approval as indicated in section 67-09-01-02.1:
- 12
- 13 a. The availability and manner of financing the construction has been
- 14 thoroughly evaluated;
- 15
- 16 b. Trend data on general fund revenues, expenditures, and fund balances;
- 17
- 18 c. Trend ~~date~~ data on tax levies;
- 19
- 20 d. Trend data on taxable valuation per student;
- 21
- 22 e. Current bonded indebtedness, debt retirement schedules, and total capital
- 23 expenditures of the district;
- 24
- 25 f. Current sources of district revenue;
- 26
- 27 g. The operating budget of the district can satisfactorily meet the projected
- 28 operating cost of the proposed building or facility; and
- 29
- 30 h. Any other information deemed advisable by the superintendent.
- 31

32 **History:** Effective November 1, 2002.

33 **General Authority:** NDCC 15.1-36-01

34 **Law Implemented:** NDCC 15.1-36-01

35

36

37 **67-09-01-10. Approval effective for ~~two~~ three years - Change in approved**

38 **plan.** Construction approval received under this chapter is effective for ~~two~~ three years

39 from the date of approval. If the district has not commenced construction within the ~~two~~

40 three-year period, the district must apply again for construction approval. If a district

41 modifies an approved plan and the modification results in a cost of more than ~~twenty-~~

42 five ~~forty~~ thousand dollars in excess of the cost of the approved plan, or if the

43 modification changes the purpose or stated function of the approved plan, the district

44 shall again obtain the approval of the superintendent as provided by this chapter.

45

46 **History:** Effective April 1, 1994; amended effective November 1, 2002.

- 1 **General Authority:** NDCC 15.1-36-01
- 2 **Law Implemented:** NDCC 15.1-36-01

1 **67-10-01-02. Loan eligibility.** A district may apply for a loan from the fund if the
2 following are met:

- 3
- 4 1. The project has been approved by the superintendent or the state board of public
5 school education pursuant to North Dakota Century Code section ~~15-35-01.1~~ 15.1-
6 36-01, and is estimated to cost in excess of fifty thousand one million dollars; and
7 has an expected utilization of thirty years.
 - 8
 - 9 2. The district has an existing indebtedness equal to at least fifteen percent of the
10 district's taxable valuation; and
 - 11
 - 12 3. The principal amount of the loan requested does not exceed the lesser of thirty
13 percent of the taxable valuation of the district or five million dollars.
 - 14

15 **History:** Effective April 1, 1994.

16 **General Authority:** NDCC ~~15-35-01.1~~ 15.1-36-01, 15.1-36-02(a), 15.1-36-04

17 **Law Implemented:** NDCC ~~15-35-01.1, 15-60~~ 15.1-36-02, 15.1-36-04

18

19 **67-10-01-04. Order of approval – Priority - Times loan applications considered.**

20 ~~Loan applications received before July 1, 1994, will be considered for approval within~~
21 ~~forty five days after the application is received. Thereafter, l~~ Loan applications will be
22 considered in the order of approval of construction under chapter 67-09 but priority will
23 be given to any district meeting the requirements for receipt of an equity payment under
24 15.1-27-11. Applications will be considered for approval two times each year, in the
25 months of March and September. For consideration in March, the loan application must
26 be received no later than February first. For consideration in September, the loan
27 application must be received no later than August first.

28

29 **History:** Effective April 1, 1994

30 **General Authority:** NDCC ~~15-35-01.1, 15.1-36-02~~

31 **Law Implemented:** NDCC ~~15-35-01.1, 15-60,~~ 15.1-36-02

32

33

34 ~~**67-10-01-06. Loan approval – Order – Determination of loan amount and percent of**~~
35 ~~**interest.** Loan applications will be considered for approval in the order of approval of~~
36 ~~construction of the project by the superintendent or the state board of public school~~
37 ~~education. The superintendent may determine the loan amount and a percentage rate~~
38 ~~of interest to be paid on the loan.~~

- 39
- 40 ~~1. The superintendent will not approve a loan amount that exceeds two million~~
41 ~~five hundred thousand dollars for any particular application. In determining the~~
42 ~~loan amount to be awarded, the superintendent shall consider the following:~~
 - 43
 - 44 ~~a) The total number of loan applications received and the total amount of~~
45 ~~loans requested in the six month application period, or, if the application is~~
46 ~~received prior to July 1, 1994, the total number of loan applications~~

- 1 received and the total amount of loans requested at the time the
2 application is considered;
- 3 ~~b) The total amount of money the superintendent has determined will be~~
4 ~~approved for loans in the six-month period, or, if the application is received~~
5 ~~prior to July 1, 1994, the total amount of money the superintendent has~~
6 ~~determined will be approved for loans at the time the application is~~
7 ~~considered; and~~
- 8 ~~c) The cost of the project and the fiscal capacity of the district.~~
- 9
- 10 2. ~~The interest on a loan may not exceed the rate of two percent below the net~~
11 ~~interest rate on comparable tax-exempt obligations as determined on the date~~
12 ~~the loan application is approved by the superintendent, provided the interest~~
13 ~~rate may not exceed six percent.~~
- 14

15 **History:** Effective April 1, 1994.

16 **General Authority:** ~~NDCC 15-35-01.1~~

17 **Law Implemented:** ~~NDCC 15-35-01.1, 15-60~~

18

19 **67-10-01-07. Board approval.** The superintendent shall submit any approved loan
20 applications to the board for final approval with recommendations regarding the loan
21 amounts, the rates of interest to be paid on the loans, and the terms of the loans. The
22 board shall consider the loan applications in the order in which they were approved by
23 the superintendent. The board shall consider the superintendent's recommendation in
24 determining whether to approve the loan. A loan may not be approved if approval would
25 increase the outstanding principal balance of loans made from the fund to more than
26 ~~twenty-five~~ fifty million dollars. The superintendent shall notify each applicant of the
27 action taken by the board.

28

29 **History:** Effective April 1, 1994.

30 **General Authority:** ~~NDCC 15-35-01.1~~ 15.1-36-02

31 **Law Implemented:** ~~NDCC 15-35-01.1, 15-60~~ 15.1-36-02

Chapter 67-11-04 Library Media Credential

Section

- 67-11-04-01 Credentials Required
- 67-11-04-02 Issuing Agency
- 67-11-04-02 Approval for Library Media Programs
- 67-11-04-04 Types of Credentials
- 67-11-04-05 Credential Standards
- 67-11-04-06 Application Process
- 67-11-04-07 Renewal Requirements
- 67-11-04-08 Reconsideration

67-11-04-01. Credentials required. For purposes of school accreditation, a school may employ as a librarian only a person who holds a library media credential as outlined in this chapter or who has been authorized by the North Dakota education standards and practices board in this specialty at a level the Department determines meets or exceeds the requirements of this chapter and is consistent with the North Dakota teacher education program approval standards ~~2000 with 2002~~ 2004 with 2006 revisions adopted by the education standards and practices board ~~on August 1, 2002~~. An individual holding a library media credential issued under this chapter may serve students in ~~kindergarten~~ prekindergarten through grade twelve.

History: Effective February 1, 2000; amended effective November 1, 2002; October 1, 2006.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC 15.1-02-04, 15.1-02-11

67-11-04-04. Types of credentials.

1. The plan of study option to qualify for a library media credential is:
 - a. Issued to an individual licensed to teach or approved to teach by the North Dakota education standards and practices board;
 - b. Issued to an individual who is employed as a librarian in a school that is unable to employ a credentialed librarian and who does not meet the qualifications for an LM01, LM02, or LM03 credential, as required by the total number of students served;
 - c. Issued to an individual who has completed a minimum of six semester hours of undergraduate or graduate credits in library media from subsection 1 of section 67-11-04-05; and
 - d. Issued to an individual who submits a written plan of study for approval to become a credentialed librarian and who annually submits college transcripts showing a minimum of six semester hours of undergraduate or graduate credits in library media until the licensed teacher qualifies for the required credential.

2. The librarian credential (LM03) is:
 - a. Issued to coincide with the period for which the individual is licensed to teach or approved to teach by the North Dakota education standards and practices board; however, an individual holding a lifetime educator's professional license must renew the credential every five years;
 - b. Issued to an individual who has completed a minimum of fifteen semester hours of undergraduate or graduate credits in library media from subsection 1 of section 67-11-04-05.
3. The library media specialist credential (LM02) is:
 - a. Issued to coincide with the period for which the individual is licensed to teach or approved to teach by the north Dakota Education standards and practices board; however, an individual holding a lifetime educator's professional license must renew the credential every five years; and
 - b. Issued to an individual who has completed a minimum of fifteen semester hours of undergraduate or graduate credits in library media from subsection 1 of section 67-11-04-05 and nine semester hours of undergraduate or graduate credits in library media from subsection 2 of section 67-11-04-05.
4. The library media director credential (LM01) is:
 - a. Issued to coincide with the period for which the individual is licensed to teach or approved to teach by the North Dakota Education standards and practices board; however, an individual holding a lifetime educator's professional license must renew the credential every five years;
 - b. Issued to an individual who holds a master's degree in library Science, media education, another field of education, or education administration from a state-approved program; and
 - c. Issued to an individual who has completed a minimum of fifteen semester hours of undergraduate or graduate credits in library media from subsection 1 of section 67-11-04-05, nine semester hours of undergraduate or graduate credits in library media from subsection 2 of section 67-11-04-05, and six semester hours of graduate credits in educational administration library or education course work under subsection 3 of section 67-11-04-05.
5. If a credential issued under this chapter will expire within twelve months of issuance because the educator's professional license will expire within twelve months of the issuance of the credential, the credential will be issued for a period coinciding with the period of licensure of the succeeding educator's professional license.

History: Effective February 1, 2000; amended effective May 16, 2000; November 1, 2002; October 1, 2006.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC 15.1-02-04, 15.1-02-11

67-11-04-05. Credential standards.

1. Coursework required for all library media credentials and the plan of study option identified in section 67-11-04-04 must be taken from a state-approved library media program and must include at least fifteen semester hours of undergraduate or graduate credits in the following areas:
 - a. Introduction to the role of the librarian in the school library;
 - b. Reference;
 - c. Selection of materials and collection development;
 - d. Classification and cataloging of library materials; and
 - e. Library administration.

A minimum of two semester hours must be taken in each area identified in subdivisions a through e.

2. Coursework required for the LM01 and LM02 credentials identified in section 67-11-04-04 must be taken from a state-approved library media program and must include at least nine semester hours of undergraduate or graduate credits in the following areas:
 - a. Conducting research following state and national library standards;
 - b. Current issues in school librarianship; and
 - c. A study of children's literature or young adult literature or reading methods which may be accomplished through a class taken in either a state approved library or state approved education program.

A minimum of two semester hours must be taken in each area identified in subdivisions a through c.

3. Coursework required for the LM01 credential identified in section 67-11-04-04 must be taken from a state-approved ~~educational administration~~ library or education program and must include at least six semester hours of graduate credits from two or more courses in the following areas:

- a. Personnel supervision;
- b. Policy and educational finance;
- c. Staff and program evaluation; or
- d. Curriculum, instruction, and learning theory.

History: Effective February 1, 2000; amended effective May 16, 2000; October 1, 2006.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC 15.1-02-04, 15.1-02-11

67-11-04-07. Renewal requirements. All library media credentials are renewed by submitting the following:

1. A completed application, SFN 14236, available on the department of Public instruction's web site; and
2. A copy of college transcripts showing completion of ~~two~~ three semester hours of graduate credit in library media and information science.

History: Effective February 1, 2000; amended effective May 16, 2000; November 1, 2002; October 1, 2006.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC 15.1-02-04, 15.1-02-11

**CHAPTER 67-11-05
SCHOOL COUNSELOR CREDENTIALS**

Section

- 67-11-05-01 School Counselor Credential
- 67-11-05-02 Issuing Agency
- 67-11-05-03 ~~Program~~ Approval for School Counselor Programs
- 67-11-05-04 Types of Credentials
- 67-11-05-05 Credential Standards
- 67-11-05-06 Application Process
- 67-11-05-07 Renewal Requirements
- 67-11-05-08 Reconsideration

67-11-05-01. School counselor credential. For purposes of school accreditation, a school may employ as a school counselor only a person who holds a school counselor credential or a provisional school counselor credential ~~the counselor designate credential~~ as outlined in this chapter or who has been authorized by the education standards and practices board in that specialty at a level the department determines meets or exceeds the requirements of this chapter and is consistent with the North Dakota teacher education program approval standards ~~2000 with 2002 revisions~~ 2004 with 2006 revisions adopted by the education standards and practices board ~~on August 1, 2002.~~

History: Effective February 1, 2000; amended effective May 16, 2000; November 1, 2002.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC ~~15-20.4-03,~~ 15.1-02-04, 15.1-02-11, 15.1-13-23

67-11-05-03. ~~Program~~ Approval for school counselor programs.

Whenever this chapter refers to "state-approved program", it refers to the process by which the education standards and practices board in concert with the department of public instruction shall supervise a system of program approval at those colleges within the state of North Dakota which provide school counselor education programs. School counselor education programs from other states or private colleges which meet standards for program approval are listed in the manual on certification and preparation of education personnel in the United States and Canada published by the national association of state directors of teacher education and certification.

History: Effective May 16, 2000; amended effective November 1, 2002.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC ~~15-20.4-03,~~ 15.1-02-04, 15.1-02-11, 15.1-13-23

67-11-05-04. Types of credentials.

1. ~~Counselor designate credential CD08 will no longer be issued. A CD08 issued on or before January 1, 2001, is valid until the expiration date on the credential. See subsection 4 of section 67-11-05-04 for an option to satisfy accreditation requirements.~~

2. Counselor designate credential CD16 will not be issued after June 30, 2010. ~~is valid only while the individual holds a valid North Dakota educator's professional license.— A credential~~ Counselor designate credentials must be renewed each time the individual's educator's

professional license is renewed. However, an individual who holds a lifetime North Dakota educator's professional license must renew the credential every five years.

~~3. 2. School counselor credential CG01, CG02, CG03, CG1G, CG2G, or CG3G.~~

~~a. These credentials will be known as the CG01 and CG1G for secondary, CG02 and CG2G for elementary, and CG03 and CG3G for elementary and secondary in any school grade configuration. An individual with a school counselor credential will serve grades prekindergarten to grade 12. Individuals holding previous school counselor credentials CG01, CG02, CG03 will be re-designated as school counselor serving prekindergarten, kindergarten, elementary, and secondary students.~~

~~b. Each CG01, CG02, and CG03 school counselor credential is valid only while the individual holds a North Dakota educator's professional license, or a professional school counseling restricted license. A credential must be renewed each time the individual's educator's professional license is renewed. However, an individual who holds a lifetime North Dakota educator's professional license must renew the credential every five years.~~

~~c. Each CG1G, CG2G, and CG3G school counselor provisional credential is valid for one year, provided the holder is pursuing the seven-year course of study required by North Dakota Century Code section 15.1-13-23 and North Dakota Administrative Code section 67.1-02-04-03, and is renewable for one-year terms for a maximum of seven years. Individuals approved by the education standards and practices board may be eligible for provisional school counseling credentials, until the earlier of:~~

~~(1) Seven years from the date of initial employment as a school counselor; or~~

~~(2) The credentialed individual acquires an educator's professional license~~

~~After successful completion of the required seven-year course of study and acquisition of an educator's professional license, and prior to the expiration of the one-year term for the last year the individual was credentialed. as a CG1G, CG2G, or CG3G, the individual must obtain appropriate credentials as a CG01, CG02, or CG03.~~

~~4. 3. Plan of study option to qualify for counselor qualification points to satisfy accreditation requirements.~~

~~If a school is unable to employ a credentialed counselor or counselor designate as required by the enrollment of students served, the school may employ a licensed teacher to serve as the counselor designate on a plan of study approved by the department of public instruction. A written plan of study, from a state-approved school counseling program, including course names, numbers, and credit hours, to become a credentialed counselor or counselor designate must be submitted to the department of public instruction and be approved. Upon written request, the department may authorize a change of the courses selected for a particular year in the written plan of study if the change will not result in fewer than five semester hours per year of core counseling coursework. The To be considered for approval, a licensed teacher must have completed a minimum of three graduate classes that are part of the required curriculum for a masters degree in school counseling or its equivalent from a state approved counseling program addressing the following content areas:~~

- Counseling methods or techniques,
- Program management, and
- Ethics/law.

minimum of eight hours of graduate coursework in counseling from a state-approved school counseling program in order for the plan to be considered for approval. Once the written plan of study is approved, the licensed teacher must submit transcripts documenting completion of a minimum of five semester hours of graduate core counseling coursework, as listed in subdivision d of subsection 1 of section 67-11-05-05, each year until the teacher obtains the required credential.

5. To synchronize credentials issued under this chapter with the licensure period of the educator's professional license, any credential that will expire within twelve months of issuance, because the educator's professional license will expire within twelve months of the issuance of the new credential, will be issued for a period coinciding with the period of licensure of the succeeding educator's professional license.

History: Effective February 1, 2000; amended effective May 16, 2000; November 1, 2002.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC ~~15-20.4-03~~, 15.1-02-04, 15.1-02-11, 15.1-13-23

67-11-05-05. Credential standards.

1. School counselor credential standards for ~~CG01, CG02, and CG03~~

credentials. The counselor must:

- ~~Hold a valid educator's professional license issued by the education standards and practices board in accordance with North Dakota Century Code sections 15-36-01 and 15-38-18 and North Dakota Administrative Code title 67.1 except as provided through provisions in North Dakota Century Code section 15.1-13-23 and subsection 3;~~
- ~~Have two years of successful professional experience in teaching or a related human service field except as provided through provisions in North Dakota Century Code section 15.1-13-23;~~
- ~~Obtain a favorable letter of recommendation from the counselor's state-approved school counseling program advisor; and~~
- ~~Have a master's degree in education, counseling, or a related human service field and the following graduate core counseling coursework content from a state-approved school counseling program listed below:~~

(1) ~~a. Elementary school counseling (CG02, CG2G, CG03, and CG3G);~~

(2) ~~b. Secondary school counseling (CG01, CG1G, CG03, and CG3G);~~

(3) ~~c. Supervised school-based internship:~~

~~(a) (1) For the CG01, CG1G, CG2G, or the CG02, a A minimum of four hundred fifty contact hours at the appropriate grade levels; and~~

~~(b) (2) For the CG03 and the CG3G, a A minimum of four hundred fifty contact hours of which at least one hundred fifty contact hours are at both the elementary and secondary level;~~

(4) ~~d. Guidance administration and consulting;~~

- (5) e. Counseling theories;
- (6) f. Assessment techniques;
- (7) g. Group techniques or group dynamics;
- (8) h. Career counseling and testing; and
- (9) i. Counseling techniques.

2. Counselor designate credential standards CD16. The counselor designate must:

- a. Hold an valid educator's professional license issued by the education standards and practices board in accordance with North Dakota Century Code sections 15.1-13-08 and 15.1-13-10 and North Dakota Administrative Code title 67.1; and
- b. Have completed a minimum of sixteen semester hours of graduate core counseling courses from a state-approved school counseling program; and
- c. ~~Obtain a favorable letter of recommendation from the counselor's state-approved school counseling program advisor.~~ Renewal of a counselor designate credential will require four semester hours of graduate credit in school counseling content coursework every five years and must be renewed each time the individual's educator's professional license is renewed. However, an individual who holds a lifetime North Dakota educator's professional license must renew the credential every five years.

~~**3. School counselor credential standards for CG1G, CG2G, and**~~

~~**CG3G credentials.** To qualify as a CG1G, CG2G, or CG3G, an individual must:~~

- ~~a. Have a graduate degree in counseling from a state-approved school counseling program;~~
- ~~b. Have completed the requirements required in subdivisions c and d of subsection 1; and~~
- ~~c. Be pursuing licensure as a teacher by engaging in a course of study that will result in licensure within seven years of initial employment as a school counselor as provided in section 67.1-02-04-03.~~

~~**History:** Effective February 1, 2000; amended effective May 16, 2000; November 1, 2002.~~

~~**General Authority:** NDCC 15.1-02-04, 15.1-02-11, 28-32-02~~

~~**Law Implemented:** NDCC 45-20.4-03, 15.1-02-04, 15.1-02-11, 15.1-13-23~~

67-11-05-06. Application process. An initial applicant must submit the following:

- 1. A completed application form, SFN 51622, provided by the department of public instruction;
- 2. A copy of official college transcripts;
- ~~3. Written documentation from a supervisor verifying two years of successful professional experience in teaching or a related human service field except as provided by North Dakota Century Code section 15.1-13-23 and subsection 3 of section 67-11-05-05;~~
- ~~4. A favorable letter of recommendation from the applicant's state-approved school counseling program advisor; and~~
- 5 3. Documentation from a counselor educator verifying the school-based internship for a ~~CG01, CG02, CG03, CG1G, CG2G, or CG3G~~ that details:
 - a. Grade levels and number of contact hours involved in the internship experience; and

b. The name and location of the school where the internship occurred.
History: Effective February 1, 2000; amended effective May 16, 2000;
November 1, 2002.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC ~~15-20.4-03~~, 15.1-02-04, 15.1-02-11, 15.1-13-23

67-11-05-07. Renewal requirements.

1. All school counselor credentials are renewed by submitting a copy of ~~official~~ college transcripts documenting the completion of four semester hours of graduate coursework in education, of which two semester hours must be in the area of counseling. These two semester hours of required counseling coursework may be replaced by thirty clock-hours of continuing education hours in counseling with a signed verification of attendance or participation by the conference or workshop sponsor, the employer, or a school district business manager.

2. Renewals for the purpose of aligning the renewal dates of their credentials with their educator's professional licenses may be granted upon request of applicants. The number of semester hours needed for renewal will be calculated on a one semester hour per year basis.

History: Effective February 1, 2000; amended effective May 16, 2000;
November 1, 2002.

General Authority: NDCC 15.1-02-04, 15.1-02-11, 28-32-02

Law Implemented: NDCC ~~15-20.4-03~~, 15.1-02-04, 15.1-02-11, 15.1-13-23

ARTICLE 67-16
ALTERNATIVE EDUCATION PROGRAM
Chapter
67-16-01 Alternative Education Program
CHAPTER 67-16-01
ALTERNATIVE EDUCATION PROGRAM

Section

- 67-16-01-01 Eligibility
- 67-16-01-02 Applications
- 67-16-01-03 Certification
- 67-16-01-04 Courses
- 67-16-01-05 Students
- 67-16-01-06 Monitoring
- 67-16-01-07 Cooperative Alternative Programs
- 67-16-01-08 Payments

67-16-01-04. Courses. All If an alternative education program is authorized by the superintendent of public instruction under this chapter, courses in the alternative education program must need not meet the following criteria:

- ~~1. Minimum~~ minimum curriculum in North Dakota Century Code section ~~15-41-24~~ 15.1-21-02 and ~~course length in North Dakota Century Code section 15-41-06~~ must be maintained unless, after submitting an acceptable plan for alternatives, as outlined in chapter 67-16-01, a waiver is granted by the superintendent of public instruction.
- ~~2. Program~~ But all program courses must lead toward graduation for each of the participants.

History: Effective January 1, 2000.

General Authority: NDCC ~~15-40.1-07.2~~ 15.1-02-11, 28-32-02

Law Implemented: NDCC ~~15-40.1-07.2~~ 15.1-09-03, 15.1-27-03.1

ARTICLE 67-19

ACCREDITATION: PROCEDURES, STANDARDS, AND CRITERIA

Chapter

67-19-01 Accreditation: Procedures, Standards, and Criteria

67-19-02 Waiver of Accreditation Standards or High School Unit Instructional Time

CHAPTER 67-19-01

ACCREDITATION: PROCEDURES, STANDARDS, AND CRITERIA

Section

67-19-01-01 Definitions

67-19-01-02 Accreditation Status

67-19-01-03 Loss of Accreditation Status - Penalties

67-19-01-04 Nonclassified

67-19-01-05 Identification of Accreditation Status

67-19-01-06 Classification by School Grade Description and Authority

67-19-01-07 Enrollment Categories

67-19-01-08 Qualifications and Time Assignments for Administrators, Counselors, and Library
Media Specialists

67-19-01-09 Types of Standards and Criteria - Penalties [Repealed]

67-19-01-10 Review Cycle

67-19-01-11 Appeals Procedure [Repealed]

67-19-01-12 Alternative Formats and Procedures [Repealed]

67-19-01-13 Calculation Tables for Secondary, Middle Level, and Junior High Schools

67-19-01-14 Calculation Tables for Elementary Schools

67-19-01-15 Education Improvement Process

67-19-01-16 Administration - Superintendent Qualifications and Time Assignments

67-19-01-17 Qualifications of an Administrative Assistant or Assistant Superintendent

67-19-01-18 Administration - Secondary School Principal Qualifications and Time Assignments

67-19-01-19 Administration - Middle Level and Junior High School Principal and Assistant
Principal - Qualifications and Time Assignments

67-19-01-20 Administration - Elementary School Principal Qualifications and Time Assignments

67-19-01-21 Administration - Shared Elementary School Principal - Elementary School Principal
Qualifications and Time

Assignments

67-19-01-22 Administration - Assistant Elementary School Principal - Elementary School
Principal Qualifications and Time Assignments

67-19-01-23 Instructional Personnel - Curriculum or Instructional Area Director [Repealed]

67-19-01-24 Instructional Personnel - Secondary School Teacher Qualifications [Repealed]

67-19-01-25 Instructional Personnel - Secondary School Teacher Qualifications - Specific
Subject Area Preparation [Repealed]

67-19-01-26 Instructional Personnel - Middle Level or Junior High School Teacher
Qualifications - General Preparation [Repealed]

67-19-01-27 Instructional Personnel - Middle Level or Junior High School Teacher
Qualifications - Specific Subject Area Preparation [Repealed]

67-19-01-28 Instructional Personnel - Elementary School Teacher Qualifications - General
Preparation [Repealed]

67-19-01-29 Instructional Personnel - Elementary School Teacher Qualifications - Specific
Subject Preparation [Repealed]

67-19-01-29.1 Instructional Personnel - Specialized Credential Preparation

67-19-01-30 Professional Development Plan

67-19-01-31 Written Curriculum Plan for Kindergarten Through Grade Twelve [Repealed]

67-19-01-32 Instructional Program - Enrollments in Grades Nine Through Twelve [Repealed]

67-19-01-33 Middle Level or Junior High School - Enrollment in Grade Nine

67-19-01-34 Instructional Program - Enrollments in Grades Seven and Eight

67-19-01-35. Instructional program - Enrollments in ~~kindergarten~~ prekindergarten through grade
six.

67-19-01-36 Class Size

67-19-01-37. Teacher preparation time - ~~Kindergarten~~ prekindergarten through grade twelve.

67-19-01-38 Student Evaluation

67-19-01-39 Pupil Personnel Services

67-19-01-40. Counseling and guidance services – prekindergarten through grade 6.

67-19-01-40.1 Counseling and guidance services – grades 7-12 for the 2009-2010 school year.

67-19-01-40.2 Counseling and guidance services – grades 7-12 after the 2009-2010 school year.

67-19-01-41 Library Media Services

67-19-01-42 School Policies - Handbooks

67-19-01-43 Driver's Education Program - Administrative Requirements [Repealed]

67-19-01-02. Accreditation status. A school earning the status of accredited must:

1. Meet all the required standards and criteria;
2. Accrue at least eighty-five percent of the total point values assigned to the point-value standards and criteria that apply to the school: and
3. Accrue at least fifty percent of the point values assigned to ~~subdivision a through h of subsection 6 of section~~ under sections 67-19-01-13 and 67-19-01-14.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC ~~15-21-04.1, 15-45-02~~ 15.1-02-11

Law Implemented: NDCC ~~15-21-04.1, 15-45-02~~ 15.1-02-04

67-19-01-06. Classification by school grade description and authority.

1. A school must be classified as a secondary school, middle level or junior high school, or an elementary school dependent upon the grade organization in that school. Accreditation standards and criteria must be applied according to the declared organization of a school. A school district retains the discretion to organize grades in the configurations that are most appropriate for that district.

2. Configurations for school organizations are:

a. A secondary school may include any consecutive combination of grades from seven through twelve.

b. A middle level or junior high school may include any consecutive combination of grades from five through nine.

c. An elementary school may include any consecutive combination of grades from ~~kindergarten~~ prekindergarten through grade eight.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-10. Review cycle.

1. Before September 15 of each year, A each school must submit required accreditation information ~~each fall~~;
2. A school will be reviewed on all standards and criteria in section 67-19-01-13 or 67-19-01-14 annually;
3. The accreditation status as provided in section 67-19-01-02 will be reported to each school by March thirty-first of each school year; and
4. Corrections must be ~~sent to~~ received by the department ~~and postmarked~~ no later than ~~April~~ June thirtieth or the reported school status will be ~~retained~~ continued.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-13. Calculation tables for secondary, middle level, or junior high schools.

1. The calculation tables outline the standards for secondary schools and middle level and junior high schools. The tables identify the required standards and the point-value standards and criteria that apply to the school.
2. The accreditation standards and criteria that are identified by the letter R are those which are required of all schools.
3. The point-value standards and criteria are designed to provide some flexibility to schools.
4. A school must accrue at least eighty-five percent of the overall points that apply to the school and accrue at least fifty percent of the points assigned to each section.
5. Schools accrue points for the standards that apply directly to them. For example, a school employing an assistant superintendent is eligible for the two points assigned to that standard if the person holding the position is qualified for the position.
6. Calculation tables for secondary, middle level, or junior high are:

	Points
a. Education improvement process	R
b. Administration:	

- (1) Superintendent:
- (a) Qualifications R
 - (b) Time assignment 5
- (Accrual of 5 points only if qualified.)
- (2) Assistant superintendent qualifications 2
- (Accrual of 2 points only if employed and qualified)
- (3) Principal:
- (a) Qualifications R
 - (b) Time assignment 5
- (Accrual of 5 points only if qualified.)
- (4) Assistant principal:
- (a) Qualifications 2
- (Accrual of 2 points only if employed and qualified)
- (b) Time assignment 2
- (Accrual of 2 points only if employed and qualified)
- (5) Special Education Director:
-
- (a) Qualifications 2
-
- (Accrual of 2 points only if employed and qualified)
- c. Instructional personnel:
- (1) Teacher preparation R
 - (2) ~~Specialized credential preparation:~~
- ~~Maximum accrual for enrollment category:~~
- | | |
|--------------------|---------------|
| 0-100 | 10 |
| 101-250 | 15 |
| 251+ | 20 |
- ~~(Loss of 2 points for each teacher lacking appropriate credential)~~
- (3) Professional development plan R
- d. Instructional program:
- (1) Written curriculum plan R
 - (2) Curriculum:

(a) Two-year course offerings (high school only)	R
(b) Curriculum subjects and time allotment (middle level or junior high only)	R
(3) Class size:	
Maximum accrual for enrollment category:	
0-100	10
101-250	15
251+	20
(Loss of 1 point per teacher)	

e. Student evaluation plan R

f. (Effective for the 2009-2010 school year) Pupil personnel services:

(1) Pupil personnel services plan	R
(2) Coordinator	R
(3) Counseling and guidance services:	
(a) Counselor qualifications	R
(b) Counselor time assignment	3
(Accrual of 3 points <u>only</u> if qualified)	

g. (Effective after the 2009-2010 school year) Pupil personnel services:

<u>(1) Pupil personnel services plan</u>	<u>R</u>
<u>(2) Coordinator</u>	<u>R</u>
<u>(3) Counseling and guidance services:</u>	
<u>(a) Counselor qualifications</u>	<u>R</u>
<u>(b) Counselor time assignment</u>	<u>3</u>
<u>(Accrual of 3 points only if qualified)</u>	
<u>(4) Career advisor qualifications</u>	<u>R</u>

When counselor and guidance services are provided by a career advisor for grades seven through twelve, a career advisor can satisfy up to one third of the counseling requirement.

h. Library media services:

(1) Library media services plan	R
(2) Librarian:	

- (a) Qualifications 3
- (b) Time assignment 3
- (Accrual of 3 points only if qualified)

h. i. School policies - handbooks:

- (1) Teacher handbook 2
- (2) Student and parent handbook 2

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11, 15.1-06-19, 15.1-6-20

67-19-01-14. Calculation tables for elementary schools.

1. The following calculation tables outline the standards for elementary schools. The table identifies the required standards and the point-value standards and criteria that apply to the school.
2. The accreditation standards and criteria which are identified by the letter R are those which are required of all schools within the timelines established.
3. The point-value standards and criteria are designed to provide some flexibility to schools.
4. A school must accrue at least eighty-five percent of the overall points that apply to the school and accrue at least fifty percent of the points assigned to each section.
5. Schools must accrue points for the standards that apply directly to them. For example, a school employing an assistant superintendent is eligible for the two points assigned to that standard if the person holding the position is qualified for the position.
6. Calculation tables for elementary schools are:

	Points
a. Education improvement process	R
b. Administration:	
(1) Superintendent (if employed):	
(a) Qualifications	R
(b) Time assignment	5
<u>(Accrual of 5 points only if qualified.)</u>	

(2)	Assistant superintendent qualifications	2
	(Accrual of 2 points <u>only</u> if employed and qualified)	
(3)	Principal:	
	(a) Qualifications	R
	(b) Time assignment	5
	<u>(Accrual of 5 points only if qualified.)</u>	
(4)	Assistant principal:	
	(a) Qualifications	2
	(Accrual of 2 points <u>only</u> if employed and qualified)	
	(b) Time assignment	2
	(Accrual of 2 points <u>only</u> if <u>employed and</u> qualified)	
<hr/>		
(5)	Special Education Director:	
	(a) Qualifications	2
	(Accrual of 2 points only if employed and qualified)	

c. Instructional personnel:

(1)	Teacher preparation	R
(2)	Specialized credential preparation:	R
	Maximum accrual for enrollment category:	
	0-100	10
	101-250	15
	251+	20
	(Loss of 2 points for each teacher lacking appropriate credential)	
(3)	Professional development plan	R

d. Instructional program:

(1)	Written curriculum plan	R
(2)	Curriculum subjects and time allotment	R
(3)	Class size:	
	Maximum accrual for enrollment category:	
	0-100	10
	101-250	15

251+ 20
 (Loss of 1 point per teacher)

e. Student evaluation:

- (1) Student evaluation plan R
- (2) Readiness - kindergarten and first grade 2

f. (Effective for the 2009-2010 school year) Pupil personnel services:

- (1) Pupil personnel services plan R
- (2) Coordinator R
- (3) Counseling and guidance services:
 - (a) Counselor qualifications R
 - (b) Counselor time assignment 3
 (Accrual of 3 points only if qualified)

g. (Effective after the 2009-2010 school year) Pupil personnel services:

- (1) Pupil personnel services plan R
- (2) Coordinator R
- (3) Counseling and guidance services:
 - (a) Counselor qualifications R
 - (b) Counselor time assignment 3
 (Accrual of 3 points only if qualified)
- (4) Career advisor qualifications R

When counselor and guidance services are provided by a career advisor for grades seven and eight, a career advisor can satisfy up to one third of the counseling requirement.

h. Library media services:

- (1) Library media services plan R
- (2) Librarian:
 - (a) Qualifications 3
 - (b) Time assignment 3
 (Accrual of 3 points only if qualified)

h i. (Effective after the 2009-2010 school year)

Student performance strategist (grades K-3)

(1) <u>Qualifications</u>	<u>R</u>
(2) <u>Time – One FTE for each four hundred students</u>	<u>3</u>
j. School policies - handbooks:	
(1) Teacher handbook	2
(2) Student and parent handbook	2

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11; 15.1-06-19, 15.1-07-32

67-19-01-15. Education improvement process. All schools must implement an The education improvement process ~~must meet~~ that meets the needs of all students in the school. Schools may choose to follow the state education improvement process or an alternative process that at least meets the requirements of the state process. Schools that follow the state education improvement process ~~The plan for education improvement must be established~~ establish their plans as a result of a local assessment ~~assessments~~ and must describe how the plan will lead to improved student achievement at the school as follows:-

1. The continuous cycle of education improvement is conducted over a five-year period with reports submitted to the department annually by June 30.
2. The five-year continuous cycle includes peer visitation and consultation.
3. The cycle results in three reports from peer reviewers external to the school: a an initial team chair report, a ~~first~~ team visitation report, and a ~~second~~ final team visitation chair report. The continuous cycle results in the following:
 - a. An initial team chair report submitted by the external team chair during the first year;
 - b. The action plan for education improvement submitted by the school's education improvement committee;
 - c. An annual report of the education improvement activities submitted by the school's education improvement committee;
 - d. An external team report provided by the external team chair following the team visit during the second or third year of the continuous cycle; and

- e. A final team chair report submitted by the external team chair at the end of the cycle.
4. ~~The cycle includes two reports from the school: an education improvement plan following the team chair visit and a final response to the second team visitation report.~~
 5. The annual accreditation review is based on the school maintaining progress in its continuous cycle by submitting the required reports.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-29.1. Instructional personnel - Specialized credential preparation. ~~Secondary, middle level or junior high, or elementary schoolteachers~~ All school personnel must comply with the following: state credential and licensing requirements appropriate to their assignment.

1. ~~**Special education personnel.** A teacher who provides special education services must have a major in special education, or a special education credential, or a letter of approval issued by the department in the area services are provided by the teacher.~~

2. ~~**Special teachers of reading.** A remedial or title I teacher must have an appropriate reading credential.~~

3. ~~**Special teachers of mathematics.** A remedial or title I teacher must have an appropriate mathematics credential.~~

History: Effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-30. Professional development plan. A written school district plan must be adopted which describes a program for professional development. The plan must include a description of the procedures, the activities, and the timeline for completion of activities. The plan must be reviewed at least once every five years and ~~kept on file for onsite review~~ submitted to the department each time it is amended.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-31. Written curriculum plan for kindergarten through grade twelve. Repealed effective _____, 2009.

67-19-01-32. Instructional program - Enrollments in grades nine through twelve.

1. A curriculum for all students in grades nine through twelve must assure each student access to a minimum of five units of credit per year.

2. The minimum units of credit listed for each course ~~area must be taught in each school at least once every two years as~~ are set out in North Dakota Century Code § 15.1-21-02.

~~a. English language arts four units.~~

~~b. Mathematics four units.~~

~~c. Science four units.~~

~~d. Social studies three units.~~

~~e. Physical education one unit.~~

~~f. Health one fourth unit.~~

~~g. Foreign language one unit.~~

~~h. Fine arts one unit, however at least one unit of music must be offered every four years.~~

~~i. Career and technical education one unit.~~

3. A secondary school must provide additional units of credit in each school over a two-year period. The number of units is determined by the enrollment categories as follows:

a. Eighty or fewer - seven units from two course areas;

b. Eighty-one through one hundred fifty - nine units from two course areas;

c. One hundred fifty-one through three hundred fifty - eleven units from three course areas; and

d. Three hundred fifty-one or more - thirteen units from four course areas.

4. Schools must count for purposes of the minimum two-year course offering those courses in which students are enrolled which are provided through cooperative arrangements between or among schools and approved by the department.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-21-02

67-19-01-34. Instructional program - Enrollments in grades seven and eight.

1. Grades seven and eight required courses. A student must be enrolled for a minimum time of instruction per week in the following areas:

- a. English language arts two hundred minutes.
- b. Mathematics two hundred minutes.
- c. Science two hundred minutes.
- d. Social studies two hundred minutes (Social studies in grade eight must include North Dakota studies. The North Dakota studies course code must be used when reporting on the MISO3.)
- e. Physical education eighty minutes.
- f. Health fifty minutes.

2. Grades seven and eight additional courses:

- a. Music must be available to all students:
 - (1) For a minimum of one hundred minutes per week in grade seven;
 - (2) For a minimum of one hundred minutes per week in grade eight; or
 - (3) For a minimum of fifty minutes per week in grade seven and for a minimum of fifty minutes per week in grade eight.
- b. A minimum of two hundred minutes per week of instruction in courses from one or a combination of the following must be available:
 - (1) Art;
 - (2) Agribusiness;
 - (3) Business education;
 - (4) Computer education;
 - (5) Modern languages;
 - (6) Family and consumer sciences;
 - (7) Technology education; and
 - (8) Other additional courses as approved by the department.

c. A middle level or junior high school student must not be assigned to a study hall for more than one period a day.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11, 15.1-21-01

67-19-01-35. Instructional program - Enrollments in ~~kindergarten~~ prekindergarten through grade six. Specific requirements regarding the length of the minimum instructional time per week for all subject areas are:

1. Kindergarten Prekindergarten and kindergarten (two and three-quarters hours per day or 825 minutes per week, equivalent);

2. Primary (grades one through three)

Language arts	650	650	650
Mathematics	200	200	200
Social studies	100	100	
Science	60	60	60
Health	40	40	40
Music	90	90	90
Physical education	90	90	90
Art	45	45	45
Unallocated time	375	375	375

Unallocated time may be used for:

- a. Planning and guided learning;
- b. Initiating or expanding a subject area;
- c. Providing elective offerings; and
- d. Providing pupil personnel services.

3. Intermediate (grades four through six)	4th	5th	6th
Language arts	460	420	420
Mathematics	200	200	200
Social studies	200	200	200

(Social studies in grade four must include North Dakota studies. The North Dakota studies course code must be used when reporting on the MISO3.)

Science	160	200	200
Health	80	80	80
Music	90	90	90
Physical education	90	90	90
Art	45	45	45
Unallocated time	325	325	325

Unallocated time may be used for:

- a. Planning and guided learning;
 - b. Initiating or expanding a subject area;
 - c. Providing elective offerings; and
 - d. Providing pupil personnel services.
4. Thirty minutes of supervised recess may be counted as part of the ninety minutes of physical education for grades one through three.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11, 15.1-21-01

67-19-01-36. Class size.

1. Secondary and middle level or junior high school:
 - a. Class size is recommended to be twenty-five students but may not exceed thirty students.
 - b. A school unit is allowed three percent of the total number of classes taught to exceed thirty students to a maximum of thirty-four students per class without citation.
 - c. Science and career and technical education classes must not exceed the capacity of the learning stations provided.
 - d. Instrumental and vocal music classes are exempt from the class size standard.
2. Elementary school:
 - a. Classroom enrollment, one grade level per teacher:

- (1) ~~Kindergarten~~ Prekindergarten through grade three is recommended to be twenty students but may not exceed twenty-five; and
- (2) Grades four through eight is recommended to be twenty-five students but may not exceed thirty.
- b. Maximum classroom enrollment, two grade levels per teacher:
 - (1) ~~Kindergarten~~ Prekindergarten through grade three, twenty students; and
 - (2) Grades four through eight, twenty-five students.
- c. Maximum classroom enrollment, three grade levels per teacher, ~~kindergarten~~ prekindergarten through grade eight, is fifteen students.
- d. Maximum classroom enrollment, four grade levels per teacher, ~~kindergarten~~ prekindergarten through grade eight, is ten students.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-37. Teacher preparation time - ~~Kindergarten~~ prekindergarten through grade twelve. A teacher's schedule must include preparation time during the teacher's working day.

History: Effective January 1, 2000.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-38. Student evaluation.

1. A school district shall develop a plan for use of standardized test scores and other available data to enable instructional personnel and supervisors to plan curriculum, to improve the instructional program, to enhance student performance, to provide for special needs of students, and to report student progress to parents and the community. The plan must be reviewed at least once every five years and be kept on file for onsite review.
2. Kindergarten or grade one. A standardized readiness test must be administered in either kindergarten or grade one, whichever is the initial point of formal education. The most recent copyright date of the standardized readiness test administered may not be more than ten years prior to the administration of the test.

History: Effective January 1, 2000; amended effective July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-39. Pupil personnel services.

1. Each district must provide a pupil personnel services plan, which ensures students' needs are being met in counseling and guidance services, career planning, social and psychological services, and health services.
2. A district must have a written description of the pupil personnel services plan which is developed and reviewed periodically in cooperation with the staff members from counseling and guidance, social and psychological, and health services. The written plan must be on file with the pupil personnel services coordinator, must be reviewed at least once every five years, and kept on file for onsite review. In school districts with enrollments of one through twenty-four students, a copy of the written plan must be on file with the department of public instruction. The written plan must include the scope of services, personnel, and resources; schedule and time assignments of services that will be provided; and health and immunization records.
3. The pupil personnel services must be coordinated by a credentialed school counselor, superintendent, principal, or special education unit director. The classroom teacher may coordinate the services in elementary school districts with enrollments of one through twenty-four students.

History: Effective January 1, 2000; amended effective May 16, 2000; July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11, 15-20.1-24, 15-20.1-25, 15.1-06-20

67-19-01-40. Counseling and guidance services – prekindergarten through grade 6.

1. Counseling and guidance services provided to students in prekindergarten through grade 6 must be provided by credentialed counselors at the required time assignments.
2. a. Qualifications for school counseling and guidance personnel employed in a secondary, middle level or junior high, or elementary school serving students in prekindergarten through grade 6

a. ~~The qualifications for counseling and guidance personnel are determined by~~ based on the total number of students in the schools served:

(1) School district enrollment of one through twenty-four. A credentialed counselor is not required. However, the written plan as provided for in subsection 2 of section 67-19-01-39 must state what access the student has to counseling services by credentialed or licensed mental health professionals.

(2) Enrollment of twenty-five through two hundred fifty. A counselor ~~must be a licensed teacher and must~~ have a ~~CD16~~ counselor designate credential or an approved written plan of study on file with the department of public instruction as provided for in subdivision b.

(3) Enrollment of two hundred fifty-one or more. A counselor ~~must be a licensed teacher and must have a CG01 or CG1G or CG03 or CG3G credential for a high school, a CG01 or CG1G or CG02 or CG2G or CG03 or CG3G credential for a middle level or junior high school, CG02 or CG2G or CG03 or CG3G credential for an elementary school, or have an approved written plan of study on file with the department of public instruction as provided for in subdivision b~~ have a school counselor credential. Services may also be provided in accordance with North Dakota Century Code section 15.1-13-23 and North Dakota Administrative Code chapter 67-11-05 and section 67.1-02-04-03.

b. If a school is unable to employ a credentialed counselor, as required by the enrollment of students served, the school may employ a licensed teacher to serve as the counselor ~~designate~~. A written plan of study to become a credentialed counselor must be submitted to the department of public instruction and must be approved as described in section 67-11-05-04 - school counselor credentials.

2.3. ~~The time assignment for counseling and guidance personnel serving students in prekindergarten through grade 6 must be provided by a qualified counselor and is determined by~~ based on the total number of students served:

- a. The time requirement is calculated at sixty minutes per day or three hundred minutes per week for each eighty students. Proportionate time allowances may be calculated for fractions thereof. One full-time credentialed school counselor must be provided for each four hundred fifty students.
- b. A school district with enrollment of one through twenty-four must submit annually a copy of its written plan as described in subsection 2 of section 67-19-01-39 to the department of public instruction, which includes classroom guidance activities based on the same time assignment.
- c. In an elementary school, a qualified elementary school counselor (~~CG02 or CG2G or CG03 or CG3G~~) or counselor designate must provide at least fifty percent of the required counselor time assignment. Other licensed counselors or licensed social workers may be used to meet the remaining fifty percent required counselor time assignment. Time in excess of the accreditation standard may be provided by either a licensed counselor or a licensed social worker included in the school's written plan as described in subsection 2 of section 67-19-01-39.

History: Effective January 1, 2000; amended effective May 16, 2000; July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11, 15.1-06-19

67-19-01-40.1. Counseling and guidance services – grades 7-12 for the 2009-2010 school year.

During the 2009-2010 school year all schools must provide counseling and guidance services to students in grades 7 through 12 as follows:

1. Counseling and guidance services must be provided by credentialed counselors.
2. a. Qualifications for school counseling and guidance personnel serving students in grades 7 through 12 are based on the total number of students in the schools served:
 - (1) School district enrollment of one through twenty-four. A credentialed counselor is not required. However, the written plan as

provided for in subsection 2 of section 67-19-01-39 must state what access the student has to counseling services by credentialed or licensed mental health professionals.

(2) Enrollment of twenty-five through two hundred fifty. A counselor must have a counselor designate credential or an approved written plan of study on file with the department of public instruction as provided for in subdivision b.

(3) Enrollment of two hundred fifty-one or more. A counselor must have a school counselor credential. Services may also be provided in accordance with North Dakota Century Code section 15.1-13-23 and North Dakota Administrative Code chapter 67-11-05 and section 67.1-02-04-03.

b. If a school is unable to employ a credentialed counselor, as required by the enrollment of students served, the school may employ a licensed teacher to serve as the counselor. A written plan of study to become a credentialed counselor must be submitted to the department of public instruction and must be approved as described in section 67-11-05-04.

3. The time assignment for counseling and guidance personnel serving students in grades 7 through 12 is based on the total number of students served:

a. The time requirement is calculated at sixty minutes per day or three hundred minutes per week for each eighty students. Proportionate time allowances may be calculated for fractions thereof. One full-time credentialed school counselor must be provided for each four hundred fifty students.

b. A school district with enrollment of one through twenty-four must annually submit a copy of its written plan to the department of public instruction including classroom guidance activities based on the same time assignment, as described in subsection 2 of section 67-19-01-39.

c. In an elementary school, a qualified elementary school counselor or counselor designate must provide at least fifty percent of the required counselor time assignment. Other licensed counselors or licensed social

workers may be used to meet the remaining fifty percent required counselor time assignment. Time in excess of the accreditation standard may be provided by either a licensed counselor or a licensed social worker included in the school's written plan as described in subsection 2 of section 67-19-01-39.

History: Effective _____.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-40.2. Counseling and guidance services – grades 7-12 after the 2009-2010 school year.

After the 2009-2010 school year all schools must provide counseling and guidance services to students in grades 7 through 12.

1. Each school must have a minimum of one full-time equivalent counselor available For every 300 students in grades 7 through 12. Proportionate time allowances may be calculated for fractions thereof.
2. All counseling and guidance services must be provided by credentialed counselors, except a school may fulfill up to one-third of the counseling staffing level requirement with a qualified career advisor working under the direction of qualified counseling staff.

History: Effective _____.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11, 15.1-06-19, 15.1-06-20

67-19-01-41. Library media services.

1. Each school must provide a library media services plan which ensures that students and staff are effective users of ideas and information.
2. A school must have a written description of the library media services plan, developed and reviewed periodically in cooperation with the library and instructional staff and maintained at the school district level, which includes scope of services, personnel, resources, and equipment, and schedule and time assignments of services that will be provided. The library media services

written plan must be reviewed at least once every five years, and remain on file for onsite review.

3. Qualifications for school library media personnel employed in a secondary, middle level or junior high, elementary, or centralized (~~kindergarten~~ prekindergarten through grade twelve) library:

a. The qualifications for librarians are determined by the total number of students in the schools served:

(1) Enrollment of one through twenty-four. A librarian is not required; however, the library media services plan as provided in subsection 1 of section 67-19-01-41 must state what access students have to library materials and services.

(2) Enrollment of twenty-five through two hundred fifty. A librarian must be a licensed teacher and must have an LM03, LM02, LM01, or an approved plan of study librarian credential.

(3) Enrollment of two hundred fifty-one or more. A librarian must be a licensed teacher and must have an LM01 or LM02 library media credential or an approved plan of study.

b. If a school is unable to employ a credentialed librarian, as required by the enrollment of students served, the school may employ a licensed teacher to serve as the librarian. A written library plan of study to become a credentialed librarian must be submitted to the department of public instruction and must be approved as described in section 67-11-04-04 - school library media credentials.

4. The time assignment must be provided by a qualified librarian and is determined by the total number of students served.

a. The time requirement is calculated at sixty minutes per day or three hundred minutes per week for each eighty students. Proportionate time allowances may be calculated for fractions thereof. One full-time credentialed school librarian must be provided for each four hundred fifty students.

b. A school with enrollment of one to twenty-four must make library media materials and services available to all students as indicated in the district's library media services plan. The school must annually submit a copy of its written library media services plan as described in subsection 2 of this section to the department of public instruction.

c. In any school library with a full-time librarian, library media aide time assignments may be used to fulfill time requirements in excess of one full-time librarian.

d. In an elementary school, a qualified elementary school librarian must provide at least fifty percent of the total library program time assignment for organization, curriculum, service, coordination, and supervision responsibilities. Library media aide time assignments may be used to meet the total library time assignments in excess of the fifty percent librarian serving in ~~an elementary kindergarten~~ a prekindergarten through grade six or ~~kindergarten~~ prekindergarten through grade eight library.

History: Effective January 1, 2000; amended effective May 16, 2000; July 1, 2007.

General Authority: NDCC 15.1-02-11

Law Implemented: NDCC 15.1-02-11

67-19-01-43. Driver's education program – Administrative requirements. Repealed effective , 2009.

ARTICLE 67-20
SUMMER HIGH SCHOOL PROGRAMS
Chapter
67-20-01 Summer High School Programs
CHAPTER 67-20-01
SUMMER HIGH SCHOOL PROGRAMS

Section

67-20-01-01 Eligibility and Application

67-20-01-02 Application [Repealed]

67-20-01-03 Courses

67-20-01-04 Scheduling

67-20-01-05 Students

67-20-01-06 Monitoring

67-20-01-07 Cooperative Programs

67-20-01-08 Payments

67-20-01-01. Eligibility and Application. A school district must apply for and receive approval from the superintendent of public instruction for a summer high school program. To be considered by the superintendent, an application must be received ~~no later than June first or before the start of the program, whichever is earlier.~~ by the department 15 days prior to the start of the program.

History: Effective May 1, 1999; amended effective October 1, 2006.

General Authority: NDCC 15.1-27-19

Law Implemented: NDCC 15.1-27-19, 15.1-21-16

67-20-01-02. Application. Repealed effective _____.

67-20-01-03. Courses. All courses in the summer high school program must meet the following criteria:

1. Each course must be part of the high school curriculum as adopted by the school board and must be offered and available to all high school students.
2. Each course must be selected from courses listed in the department of public instruction's ~~kindergarten through grade twelve~~ course codes and descriptions available on the department's web site.
3. Courses that are not listed in the department of public instruction's ~~kindergarten through grade twelve~~ course codes and descriptions are considered experimental courses and ~~must be~~ may not be offered unless approved by the department prior to the first day the summer program is in session.
4. Teachers must be licensed to teach or approved to teach in accordance with North Dakota Century Code section 15.1-06-06.
5. ~~A summer school program in driver's education will be approved only if the driver's education instructor submits to the department an abstract of the instructor's driving record from a state driver's license office showing not more than three moving traffic~~

violations in the previous thirty-six months. Each summer course must satisfy graduation requirements and consist of at least the same number of hours as the same course offered during the school year.

History: Effective May 1, 1999; amended effective October 1, 2006.

General Authority: NDCC 15.1-27-19

Law Implemented: NDCC 15.1-06-06, 15.1-27-19, 15.1-21-16

67-20-01-08. Payments. ~~Proportionate payments will be paid based on pupil membership in an approved course. The payment is determined by the weighting factor of the high school, the amount of credit issued, average daily membership, and the amount of funding available for the current biennium. The minimum driver's education credit payment is for one-fourth credit consisting of thirty clock-hours of classroom instruction and twelve clock-hours of driving and observation time, which is paid proportionately if either or both parts are offered during the summer. The classroom instruction, driving, and observation must be completed by a student for the school to receive the proportional payments for a driver's education credit.~~

Summer school payments will be made through the state school aid system based on the number of full time equivalent students enrolled in summer courses multiplied by the weight for summer education programs in N.D.C.C. § 15.1-27-03.1. Fulltime equivalent students are determined using this formula:

1. For science or vocational courses the total membership hours divided by 150 hours multiplied by .25.
2. For all other courses the total membership hours divided by 120 hours multiplied by .25.

Summer school payments will be made for drivers' education only if classroom instruction, driving and observation are all completed by the student during summer school and the driver's education credit is a minimum of one-fourth credit consisting of thirty clock-hours of classroom instruction and twelve clock-hours of driving and observation time.

History: Effective May 1, 1999; amended effective October 1, 2006.

General Authority: NDCC 15.1-27-19

Law Implemented: NDCC 15.1-27-19, 15.1-27-03.1; 15.1-21-16

ARTICLE 67-24
SUMMER REMEDIAL ELEMENTARY SCHOOL PROGRAMS

Chapter

67-24-01 Summer Remedial Elementary School Programs

CHAPTER 67-24-01

SUMMER REMEDIAL ELEMENTARY SCHOOL PROGRAMS

Section

67-24-01-01 Eligibility and Application

67-24-01-02 Application [Repealed]

67-24-01-03 Courses – Summer Remedial Elementary School Program

67-24-01-03.1 Courses – Summer Elementary School Grades 5-8 Program

67-24-01-04 Scheduling

67-24-01-05 Students

67-24-01-06 Monitoring

67-24-01-07 Cooperative Programs

67-24-01-08 Payments

67-24-01-01. Eligibility and Application. A school district must apply for and receive approval from the superintendent of public instruction for a summer remedial elementary school program or summer elementary grades 5-8 school program. To be considered by the superintendent, an application must be received ~~no later than June first or before the start of the program, whichever is earlier~~ by the department 15 days prior to the start of the program.

History: Effective February 1, 2000; amended effective November 1, 2002; October 1, 2006.

General Authority: NDCC 15.1-27-19

Law Implemented: NDCC 15.1-27-19, 15.1-21-16

67-24-01-02. Application. Repealed effective _____.

67-24-01-03. Courses –Summer Remedial Elementary School Program. The delivery of courses in the summer remedial elementary school program must be developmentally appropriate instruction in remedial reading and remedial mathematics, which enables students to achieve challenging academic standards. All courses in the summer remedial elementary school program must meet the following criteria:

1. Each course must be part of the elementary curriculum as adopted by the school board and must be offered and available to all eligible elementary students.
2. Each course must be selected from courses listed in the department of public instruction's ~~kindergarten through grade twelve~~ course codes and descriptions available on the department's web site.
3. Teachers must be licensed to teach or approved to teach in accordance with North Dakota Century Code section 15.1-06-06.

History: Effective February 1, 2000; amended effective November 1, 2002; October 1, 2006.

General Authority: NDCC 15.1-27-19

Law Implemented: NDCC 15.1-06-06, 15.1-27-19, 15.1-21-16

67-24-01-03.1 Courses – Summer Elementary School Grades 5-8 Program. After the 2009-2010 school year, the delivery of courses provided to students enrolled in grade five through eight may include mathematics, reading, science, and social studies. All courses offered to students enrolled in grades five through eight must:

1. Be part of the grades 5-8 school curriculum as adopted by the school board and must be offered and available to all grades 5-8 school students.
2. Be selected from courses listed in the department of public instruction's course codes and descriptions available on the department's web site.
3. Be taught by teachers licensed to teach or approved to teach in accordance with North Dakota Century Code section 15.1-06-06.

History: Effective _____.

General Authority: NDCC 15.1-27-19.

Law Implemented: NDCC 15.1-21-16; 15.1-27-19;

67-24-01-04. Scheduling. Summer remedial elementary school programs and summer elementary grades 5-8 school programs must be conducted between the closing date of the regular school year and the beginning date of the next regular school year.

1. Eligible remedial elementary students must be enrolled:
 - 1- a. For a minimum of sixty hours in remedial mathematics;
 - 2- b. For a minimum of sixty hours in remedial reading; or
 - 3- c. For a minimum of thirty hours in remedial mathematics and thirty hours in remedial reading.
2. Elementary grades 5-8 school students must be enrolled:
 - a. For a minimum of sixty hours in mathematics;
 - b. For a minimum of sixty hours in reading;
 - c. For a minimum of sixty hours in science;
 - d. For a minimum of sixty hours in social studies; or
 - e. For a minimum of two thirty hour segments in mathematics, reading, science, or social studies.

History: Effective February 1, 2000; amended effective November 1, 2002; October 1, 2006.

General Authority: NDCC 15.1-27-19

Law Implemented: NDCC 15.1-27-19, 15.1-21-16

67-24-01-05. Students. Students must be in ~~grade one kindergarten~~ through grade eight based upon the grade they ~~will be in the fall~~ have actually attained at the time the course is taken for the district to qualify for proportionate payments.

1. For remedial elementary students to be served, they must score:
 - 1- a. Below the sixtieth percentile on a standardized test;
 - 2- b. Below the sixtieth percentile on a teacher-developed test; or
 - 3- c. Have a grade of C or below in the school year that just ended.

2. Any grade 5-8 student is eligible to attend summer school reading, mathematics, science, and social studies.

3. No more than fifteen students may be served by one licensed teacher in remedial courses.

4. No more than twenty five students may be served by one licensed teacher in summer school grades 5-8 reading, mathematics, science, or social studies courses.

History: Effective February 1, 2000; amended effective November 1, 2002; October 1, 2006.

General Authority: NDCC 15.1-27-19

Law Implemented: NDCC 15.1-27-06(6), 15.1-27-19, 15.1-21-16

~~67-24-01-08. Payments. The proportionate payment will be calculated by multiplying average daily membership times the weighting factor for the elementary school determined under North Dakota Century Code section 15.1-27-07 times the educational support per student provided under North Dakota Century Code section 15.1-27-04. If necessary, the educational support per student must be reduced to stay within the total amount of funding made available for remedial elementary programs under North Dakota Century Code section 15.1-27-19. Average daily membership must be reported by course and must be computed based on the following formula:~~

~~1. The quotient of the total hours membership divided by one hundred twenty hours times the product of .25 times one hundred eighty days equals the computed days membership.~~

~~Computed days membership = Total hours membership / 120 x .25 x 180 days~~

~~2. The computed days membership for each class is totaled to obtain the aggregate computed days membership. The aggregate computed days membership is divided by one hundred eighty days to obtain the average daily membership.~~

~~Average daily membership = Σ Computed days membership / 180~~

Summer school payments will be made through the state school aid system based on the number of full time equivalent students enrolled in summer courses multiplied by the weight for summer education programs in North Dakota Century Code § 15.1-27-03.1. Fulltime equivalent students are determined for all courses by dividing the total membership hours by 120 hours and multiplying by .25.

History: Effective February 1, 2000; amended effective November 1, 2002.

General Authority: NDCC 15.1-27-19

Law Implemented: NDCC 15.1-27-03.1; 15.1-27-19; 15.1-21-16

ARTICLE 67-11
EDUCATION PROFESSIONAL CREDENTIALS

Chapter

- 67-11-01 Driver Education Instructor's Credential [Repealed]
- 67-11-02 Elementary Principal's Credential
- 67-11-03 Reading Credentials [Repealed]
- 67-11-03.1 Reading and Mathematics Credentials [Repealed]
- 67-11-03.2 Reading and Mathematics Credentials
- 67-11-03.3 Title I Coordinator Credential
- 67-11-04 Library Media Credential
- 67-11-05 School Counselor Credentials
- 67-11-06 Secondary Principal's Credential
- 67-11-07 Superintendent's Credential
- 67-11-08 Special Education Director's Credential
- 67-11-09 Early Childhood Special Education Teacher Credential
- 67-11-10 Emotional Disturbance Teacher Credential
- 67-11-11 Gifted and Talented Teacher Credential
- 67-11-12 Physical Disabilities Teacher Credential
- 67-11-13 Specific Learning Disabilities Teacher Credential
- 67-11-14 Certificate of Completion for Paraprofessionals
- 67-11-15 School Psychology Intern Approval
- 67-11-16 Special Education Strategist Credential
- 67-11-17 Mental Retardation Teacher Credential
- 67-11-18 Credential Requirement for Teachers of the Visually Impaired
- 67-11-19 Credential Requirement for Teachers of Students Who Are Deaf or Hard of Hearing
- 67-11-20 Certificate of Completion for Speech-Language Pathology Paraprofessionals

CHAPTER 67-11-01
DRIVER EDUCATION INSTRUCTOR'S CREDENTIAL

[Repealed effective _____]