MINUTES--November 14, 1996
Public Service Commission Board Room

The Education Standards and Practices Board meeting was called to order by vice chair, Dr. Doug Johnson. Board members present were Dr. Doug Johnson, Linda Davis, Sue Andrews, Don Haugen, Randy Gordon, Bev Sandness, board intern Deb Jensen, executive director Marilyn Ridenhower and ex-officio board member Dr. Gary Gronberg.

Members of the board absent were Dr. Mary Harris, Maryjane Martens and Michael Schatz.

Visitors present were Helen Busche, Faye Reimers and Joe Westby from NDEA, Doug Bahr, Lt. Governor Rosemarie Myrdal, Arnie Zent and Mel Olson from Vocational Education and Leon Ableidinger Steele/Dawson Public Schools and Roman Weiler from the ND association for non-public schools.

A motion was made by Sue Andrews and seconded by Linda Davis to accept the minutes from the September 23, 1996 meeting. Motion carried.

Marilyn reported on the financial report. The rental waiver was denied, therefore we will be paying $1,762 every 6 months.

An introduction and formal welcome was extended to Bonnie Thompson who accepted the administrative secretary III position. Bonnie's official starting date was November 18.

Marilyn informed the board of the upcoming ND Educational Conference (April 20-22) in Grand Forks. Activities will be on the UND Campus. This would be an opportunity for the board to have a board meeting (sub pay available), possibly meeting on Tuesday This is a joint effort with North Central, Indian Education, Title I, Bridges, students and parents.

Marilyn met with the SD Board of Education and visited about our certification standards. Marilyn also talked about her visit in Kansas (McRel), 9 year plan on professional development....school improvement process. The board will set the standards on professional development/help facilitate/monitor implementation and work with McRel to see if it would fit with the state plan.

Deb Jensen and Doug Johnson reported on the October 24-25 meeting of the Program Approval Advisory Committee. Deb Jensen met with the deans of education regarding a participatory process for the revision of our North Dakota Standards for Program Approval. She also reported on meetings that took place November 12 and 29 with representatives for the PAAC, DPI, teacher education and the Council of School Administrators to discuss protocols for program approval of programs that lead both the ESPB certified degrees and DPI issued credentials. The draft of the resulting recommended procedures for program standards revisions were distributed to the board

Deb reported on the Professional Development Guidelines project and the training of trainers scheduled November 15-16. Deb talked briefly about upcoming program approval visitations:

Tri College, spring 97
University of Mary, spring 97
Minot State, spring of 98.

<u>CASES</u>

Terry Clark - the board agreed to approve/process the teaching application. Motion made by Linda Davis and seconded by Don Haugen. Motion carried.

Duane Dannewitz - upon recommendation from Doug Bahr, the board is waiting for additional clarification for further board action.

Roger Behm - the board agreed to deny a teaching certificate based on fraudulent action. Motion made by Sue Andrews and seconded by Don Haugen. Motion carried.

Paul Anderson - the board agreed to ask for the volunteer resignation Motion made by Don Haugen and seconded by Linda. Motion carried

Jason Schwabe - the board decided that a teaching certificate should be denied. Motion made by Sue Andrews and seconded by Bev Sandness Motion carried. Marilyn will notify the superintendent in Munich.

Rambel vs. Six - no findings had been found and prior channels/contacts had been made. Therefore, the board decided that no further review of the case should be made. Motion made by Don Haugen and seconded by Sue Andrews. Motion carried.

Vocational Education change should be treated as a restricted certificate (see attachment A). Motion made by Don Haugen and seconded by Sue Andrews to proceed as an emergency rule.

Doug Bahr reviewed various rules from other states and he developed a standard (see attachment B). The board agreed to accept the wording as submitted by Doug Bahr.. Motion made by Dr. Doug Johnson seconded by Sue Andrews. Motion carried.

Discussion was held on fingerprinting. Marilyn has contacted the ND Nurses Asso. , ND Child Care Asso., ND School Administrators and Higher Education to work as a collation on fingerprinting. The board agreed that timing was critical but would like a joint effort made with the above organizations to help with upcoming legislation. It was recommended that out-of-state and entrance applicants be fingerprinted, with the recommendation that ND colleges would have fingerprinting as part of the college entrance requirement.

Dr. Doug Johnson explained to the board the proposed drafts of the evaluation instrument to be used for the executive director. A motion was made by Don Haugen and seconded by Randy Gordon to use the performance appraisal form. The board members as well as the ESPB staff are to complete the performance appraisal form and send the completed form to the ESPB chair (Maryjane) by December 2nd The chair will compile the data. The chair and vice-chair will review the results with the executive director prior to the December board meeting.

Dr. Johnson moved that the meeting be adjourned. Don Haugen seconded. Motion carried.

Vice-Chair

Executive Director

dmw

Section 67.1-02-05-04
Endorsements and Restrictions

The North Dakota educator's professional certificate is issued as described in section 67.1-02-02-02. This certificate qualifies the holder for regular classroom teaching or for functioning in areas with the proper endorsements and restrictions as assigned. The endorsements could be recently acquired college granted majors or minors or a new degree, endorsements in kindergarten, elementary, middle school, bilingual, secondary or any other endorsement issued by the education standards and practices board. The restricted certification is for psychology(master's degree with a major in school psychology), speech therapy, mental retardation, deaf education, visually impaired, early childhood education, preschool handicapped, vocational-technical education composite major, and reserve officers' training corps. All other special education categories require regular elementary or secondary qualifications. If a certificate holder requests the addition of an endorsement to a certificate at any time other than renewal, a fee of thirty-five dollars must accompany the request for the addition if it is any endorsement other than a newly acquired major or minor or new degree, and seventy-five dollars if the request for change is for a new major or minor or degree. An additional five years is also added to the certificate at the time of the addition of the new major, minor or degree. No additional fee for an endorsement will be assessed if an endorsement is added at a regularly scheduled renewal.

History: Effective July 1, 1995
General Authority: NDCC 15-36-01, 15-38-08, 28-32-02
Law Implemented: NDCC 15-36-01

ATTACHMENT B
(submitted by Doug Bahr)

CHAPTER 15-38

15-38-18.2. Background check. The education standards and practices board shall adopt rules that require a background check of applicants for initial certification ~~and renewal certification~~. ~~The rules shall also provide a procedure for a background check of each person~~ who holds a certificate that has no expiration date. A background check shall require the applicant or certificate holder file a complete set of fingerprints taken by an authorized law enforcement officer. The finger print shall be submitted by the education standards and practices board to the bureau of criminal investigations for state processing and to the federal bureau of investigation for federal processing.

15-38-19. Complaints against teachers and school administrators. The education standards and practices board or the administrator's professional practices board shall accept complaints against any member of the teaching profession engaged in teaching or administration alleging a violation or violations of rules promulgated in accordance with section 15-38-18 or alleging grounds as set forth in section 15-36-15. The complaint shall prepare and file a clear and concise complaint with the appropriate board. The complaint must contain a concise statement of the claims or charges upon which the complainant relies ~~including references to the statute or rule allegedly violated~~. The complaint must be signed and may include supporting ~~affidavits~~ documentation. Upon the filing of the complaint with the appropriate board, that board shall serve a copy of the complaint and any supporting ~~affidavits~~ documentation upon the teacher or administrator personally or by certified mail. Within twenty days of the receipt of the complaint by the teacher or administrator, the teacher or administrator may file with the appropriate board a clear and concise answer to the complaint. The answer may include supporting ~~affidavits~~ documentation. If the teacher or administrator fails to file an answer with the appropriate board, the allegations in the complaint will be deemed admitted and the appropriate board shall proceed to hold a hearing pursuant to section 15-36-16. If an answer is submitted by the teacher or administrator, the appropriate board shall hold a ~~hearing~~ meeting for the purpose of reviewing and discussing the documentation submitted by the respective parties. No testimony by any witnesses may be permitted at this ~~hearing~~ meeting. Following the ~~hearing~~ meeting, the board may dismiss a complaint as unfounded, issue a written warning and reprimand, or, upon the determination that sufficient evidence exists to sustain the charges, order a hearing pursuant to section 15-36-16.