REQUEST FOR INQUIRY

NORTH DAKOTA EDUCATION STANDARDS AND PRACTICES BOARD

SFN 51900 (11-26)

Documents to attach to this report when applicable and available: copy of contract, copy of resignation letter, copy of board minutes, and any other pertinent documents.

Request for inquiry initiated by:			
Last Name	First Name		M.I.
Mailing Address	City	State	Zip (9 digit)
Work Telephone Number Home Telephone Number	Employment Email Address		
Representing: ☐ Self ☐ Organization, Name: ☐ Other group, Name:			

Request for inquiry on personal/professional activities of:			
Last Name	First Name	M.I.	License Number
Mailing Address	City	State	Zip (9 digit)
Work Telephone Number Home Telephone Number	Employment/Position School District		

Request for inquiry on the following activities:
Which part of NDCC or Educator's Code of Ethics has been violated?
Has this behavior occurred previously? ☐ No ☐ Yes, give date or dates:
Describe behavior and situation in detail. Use additional pages if necessary:

Briefly describe what steps to your knowledge have been taken to correct this situation? Use additional pages if necessary.

List the names of the individuals at the local level who have been contacted.	
Name of Individual Contacted at the Local Level	Position
Date Contacted	Contact Information Work Telephone Number Email Address
Response	

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Response	

List three persons who can substantiate the above situation or incident by attaching their written explanation. These three persons must also be willing to substantiate the activities listed at the time of the investigation or hearing.

Name		Employment	
Mailing Address	City	State	Zip (9 digit)
Work Telephone Number Home Telephone Number		Signature	

Name		Employment	
Mailing Address	City	State	Zip (9 digit)
Work Telephone Number Home Telephone Number		Signature	

Name		Employment	
Mailing Address	City	State	Zip (9 digit)
Work Telephone Number Home Telephone Number		Signature	

I, the undersigned, recognize the above is an open record as prescribed by law and further acknowledge that it is true and accurate to the best of my knowledge. It is my understanding that I or any one of the people listed above are able to substantiate the complaint and willing to appear if the case is presented to the Education Standards and Practices Board (ESPB) for a formal hearing.

Signature	Date

Submit the completed Request for Inquiry form to the ESPB Secretary at:
Education Standards and Practices Board
2718 Gateway Ave Suite 204
Bismarck ND 58503
espbinfo@nd.gov

In compliance with the Federal Privacy Act of 1974, the disclosure of the individual's social security number on this form is mandatory pursuant to North Dakota Century Code (NDCC) 43-50-02. The individual's social security number is used by the Education Standards and Practices Board (ESPB) as an identification number for file control purposes, background checks, and recordkeeping.

ESPB does not advocate, permit, nor practice discrimination on the basis of sex, race, color, national origin, religion, age, or disability as required by various state and federal laws.

Instructions for Request for Inquiry

The following process will be used for the submission of inquiries to ESPB:

Date

1) A patron, a professional, or a district representative will request in writing the ESPB Request for Inquiry form and procedural guidelines to register a complaint against a named educator. Pursuant to 67.1-01-01-02 the ESPB may also initiate a complaint.

2) The requesting party shall return the completed Request for Inquiry (RFI) form to the ESPB secretary.

   a) The person submitting the RFI form should indicate the current employment status of the affected educator and whether the educator is a teacher or an administrator to assist in determining whether the complaint will be heard by the ESPB or the Administrator's Professional Practices Board.

   b) The RFI must contain a concise statement of the claims or charges upon which the complainant relies, including references to the statute or rule allegedly violated. (See attachments: North Dakota Century Code (NDCC) 15.1-13-24 and ESPB Rules of Certification Article 67.1-03 Educator's Code of Ethics.)

   c) The RFI must contain a concise statement of the claims and charges from persons who can substantiate the incident or situation.

   d) The RFI form must be signed by the complainant and attach documents specifically supporting the allegations.

3) The ESPB secretary, upon receipt of the RFI form, shall transmit a copy with the supporting documentation to the affected educator by certified mail. A clear and concise answer to the complaint must be received by the ESPB secretary within 20 working days from the day it was received by the affected educator and may include supporting documentation. If the affected educator fails to file an answer, the allegations in the complaint will be deemed admitted and the Board shall proceed to a hearing pursuant to NDCC 15.1-13.

4) Upon receipt of the response from the affected educator, or passage of the deadline for a response, the ESPB secretary will place the RFI on the agenda of the next meeting of the ESPB or Administrator's Professional Practices Board for preliminary discussion. According to ESPB organizational rules, meeting notification must occur with ten days prior notice.

5) At the ESPB meeting, the ESPB or Administrator's Professional Practices Board will review the written documents presented. No testimony or witnesses will be allowed at this time. Based upon the paper review, the Board will determine the following:

   a) To dismiss the RFI as not having enough substance to proceed.

   b) To dismiss the RFI as being outside the jurisdiction of the presiding Board.

   c) Upon completion of the hearing, the appropriate Board shall: (NDCC 15.1-13-24)

      1) Dismiss the case.

      2) Issue a warning and/or reprimand.

      3) Suspend or revoke the license of the affected educator.

      4) Take other appropriate disciplinary action.

   d) To request a hearing pursuant to NDCC 15.1-13. The hearing will be conducted according to the Administrative Agencies Practices Act, NDCC 28-32. (Parties may be represented at the administrative hearing.)

When the affected educator is an administrator, steps 4 and 5 will be carried out by the Administrator's Professional Practices Board, a subset of the ESPB.

Submit to the ESPB Secretary at: Education Standards and Practices Board
2718 Gateway Avenue, Suite 204
Bismarck, ND 58503-0585
(701) 328-9641 office
(701) 328-9647 fax