

## **MINUTES**

**Thursday, April 13, 2017**

Hudson Room, Radisson Hotel, Bismarck

The Education Standards and Practices Board (ESPB) meeting was called to order at 8:02am by Board vice chair Karen Christensen. Board members present were Gary Thompson, Bob Toso, Dinah Goldenberg, Karen Christensen, Mike McNeff, Paul Stremick, and Kim Belgarde by telephone.

Board members absent were Mary Eldredge-Sandbo, Amy Mann, Carly Retterath, and Superintendent Kirsten Baesler.

Also present were Becky Pitkin and Amy Folkestad from ESPB, Laurie Stenehjem from Teacher Support System, and Patty Barrette from NDUnited. Edward Erickson from the Attorney General's office joined at 10:45am.

**Additions to the Agenda** – Dinah Goldenberg made a motion to accept the April meeting agenda with flexibility. Seconded by Gary Thompson. All Board members voted in favor, none opposed. Motion carried. Cases regarding Lukas Kostecky and Tyra Watson will be added, in addition to Laurie Stenehjem's resignation/retirement letter and the director's report.

**Laurie Stenehjem's Retirement/Resignation Letter** – Laurie has submitted her letter of resignation and will be retiring, with her last day of employment on July 5, 2017. Dinah Goldenberg made a motion to accept Laurie's resignation with reluctance. Motion seconded by Gary Thompson. Board members who voted in favor were Kim Belgarde, Karen Christensen, Dinah Goldenberg, Mike McNeff, Paul Stremick, Gary Thompson, and Bob Toso. None opposed. Motion carried.

Paul Stremick suggested that the Board check on what Laurie's sick leave payout should be before retirement. Becky agreed to work with legal counsel on what payout should be.

**Teacher Critical Shortage Areas** – DPI has a new formula they are using to determine shortage areas for federal reporting, which is used for student loan repayment. Teacher's Fund for Retirement (TFFR) would like the broadest list of shortage areas that is all encompassing, so they can get the most number of retired teachers back in the classroom. Paul Stremick made a motion to declare all teaching areas as critical shortage. Motion seconded by Gary Thompson. Board members who voted in favor were Kim Belgarde, Karen Christensen, Dinah Goldenberg, Mike McNeff, Paul Stremick, Gary Thompson, and Bob Toso. None opposed. Motion carried.

**Director's Report** – We are currently waiting for Governor Burgum to sign our new law, HB1098. Updated information on the law and licensure changes is ready to roll out to schools, other educational agencies, and administrators and a plan in place to implement changes after the law is signed.

DPI has approached ESPB and asked us to do additional programming to gather

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information on what mental health competency training has been provided to new educators. We are working with Nexus Innovations, our contractor for NDTeach, to build an application section to help gather this data.

ITD is holding a meeting on April 19, 2017, on the website pilot project. Soon after, a Drupal test environment will be available for staff to use for training.

Becky pointed out that the average cost for each board meeting is between \$4000 and \$5000. ESPB must have at least 4 board meetings a year. Going forward, the board will visit about eliminating a few meetings, possibly in April and December.

NASDTEC Clearinghouse data on suspended and revoked teaching licenses will now be available to school districts to view.

**Minutes, Financial, and Licensure Reports – April 2017** – Dinah Goldenberg made a motion to accept the March minutes with a correction to an incorrect date, financial and licensure reports. Motion seconded by Bob Toso. All voted in favor, none opposed. Motion carried.

The March 2017 financial report showed \$63,520.48 in total income received, \$69,119.69 in total expenses, with a net income of minus \$5,599.21. The March 2017 licensure report showed 954 total licenses issued.

**Proposed Changes to Substitute Licenses –**

- No request letter from school district needed
- License will expire on applicant's birthdate
- License will be valid for 2 years, instead of 1 year. Cost per year will stay the same (\$40), so a 2-year license will be \$80

We will be able to handle all changes through NDTeach programming that is already in place, and will just need to update our Administrative Rules.

**Administrative Rules** – Becky will make changes to the Administrative Rules regarding the Interim Substitute License and bring back to the Board next month. Other Administrative Rules changes have been submitted to Attorney General's office but won't be looked at until after the legislative session is complete.

**First Reading Policy** – Policies on social media, abstention votes, Program Approval Advisory Committee (PAAC), form of agenda, system of accounts, audits, annual leave, and sick leave were reviewed as a first reading. All items except PAAC, annual leave, and sick leave were approved. Board members would like to see additional information

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regarding PAAC representation. Becky will rewrite and bring back for a first reading in May.

Board attorney Edward Erickson answered the question that ESPB is state agency. Because ESPB is an independent board and carries out its duties funded by licensure fees of the educators in North Dakota, there are some constitutional rights that allow us to invest our dollars differently than other state agencies.

Paul Stremick asked if annual leave can be capped. Edward said yes, it is capped at 240 hours per year. Paul also asked if a person has been employed less than 10 years, if 10% of sick leave can be paid out upon retirement. Edward will need to research this.

Becky and Edward will work together to see what rules and Century Code are applicable and will bring back to the Board next month. This applies to all first reading items. Paul made a motion to table the first reading of policy for annual and sick leave. Seconded by Bob Toso. Board members who voted in favor were Kim Belgarde, Karen Christensen, Dinah Goldenberg, Mike McNeff, Paul Stremick, Gary Thompson, and Bob Toso. None opposed. Motion carried.

**Second Reading Policy** – The second reading of the Executive Director Evaluation was approved. ED Evaluation subcommittee will continue to work on the procedure portion of the Executive Director Evaluation.

### **Discussion Items**

**Credentials for Driver's Education Instructor** – We have received an inquiry from a person who is a retired Highway Patrol officer and would like to teach driver's education in a rural district. This person currently holds an interim substitute license, which does not allow him to hold a teaching contract or issue credit to students. The Board recommended the school work with the Department of Transportation for behind the wheel portion of the course.

**Model Code of Ethics** – Information regarding the Model Code of Ethics for Educators (MCEE) has been sent to NDCEL. They will gather and provide feedback to Becky. School Board Association has also been provided information. Higher Ed and NDUnited are currently using the MCEE in their programs and courses. NDUnited is presenting their ethics course that is based on MCEE and estimate that by the end of the school year they will have reached over 500 educators.

Becky would like to have a news article done on the MCEE with a focus on personal ethics and conversations the board has been having, especially in light of recent events in the news.

After feedback is received from stakeholders, the subcommittee will meet and bring

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recommendations to the board. This will be a retreat topic.

**Board Retreat** – A tentative agenda has been developed and the retreat will begin Wednesday, June 14<sup>th</sup>, at noon. Thursday, June 15<sup>th</sup>, retreat will start at 8am with hopes of being done by noon. Becky and Paul will work together to figure out details. Board members are encouraged to bring additional retreat topics to Becky. One retreat topic will be to talk about the kinds of cases ESPB has been seeing and how they have changed over the years, including how each case is different and specific to each person and their circumstances.

**New Board Orientation** – Board members are asked to give Becky thoughts on what should be covered in the new board member orientation. Some ideas provided were the creation of a manual, overview of meeting preparation, frequency of meetings, samples of cases, staff, other board members, and open meetings laws.

### **Committee Reports**

**ED Evaluation** – The Executive Director Evaluation committee has not met in the past month. Committee still needs to get through the procedure portion of the ED evaluation and will work to get this determined by the May meeting. The group will also determine where the Executive Director's evaluation will be kept.

**Policy/Budget** – Teacher Support System Coordinator position has been advertised. It ended up being posted a little later than expected as funding has not yet been approved by the legislature.

### **Board Member Reports**

**NDACTE** – NDACTE held their conference in Minot the weekend of April 7th. Funding provided by ESPB for the ND Common Metrics Survey was addressed and appreciated. Minot State University and Dickinson State University are preparing for their upcoming program reviews and are sending in all content reviews, the first step in CAEP accreditation. In June, Becky will be meeting with teachers and representatives from NDACTE to talk about licensure changes and how that will effect teacher preparation programs.

**Non-Public Schools** – n/a

**School Administrators** – Nothing new at this time. Waiting for the legislative session to end so administrators know what to change for the future.

**School Boards Association** – Executive Director Jon Martinson is retiring.

**NDUnited** – Innovation bill has been passed and Governor Burgum has signed. NDUnited is still developing more professional development opportunities. Will be working on a

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National Board for Professional Teaching Standards certification workshop in May. Bargaining conferences are coming up in the next two weekends. NDUnited summer conference will be held in Medora in June.

**DPI** – Becky has been working with DPI on updating of course code manual and new course codes.

## **Cases**

**Benjamin Chambers and Anne Chambers** – Board cases due to Requests for Inquiry filed by a parent. Mike McNeff made a motion to seek more information from Light of Christ Catholic Schools on what has been done at the school level for both Anne Chambers and Benjamin Chambers. Seconded by Paul Stremick. Board members who voted in favor were Kim Belgarde, Karen Christensen, Dinah Goldenberg, Mike McNeff, Paul Stremick Gary Thompson, and Bob Toso. None opposed. Motion carried.

**Poock, Lindsay** – At the March meeting, the Board had requested more information on what actions had been taken at the district level. Ms. Poock resigned from her teaching job, effective at the end of the school year. Bob Toso made a motion to suspend Ms. Poock's license for 3 years. Motion seconded by Gary Thompson. Bob Toso amended his motion to include 3 year suspension, another course in exceptional children, and crisis prevention training. Appropriate coursework will be determined by ESPB director in consultation with a special education content expert. Before Ms. Poock can renew her teaching license, she will need to provide documentation of successful completion of these courses. Seconded by Gary Thompson. Board members who voted in favor were Kim Belgarde, Karen Christensen, Dinah Goldenberg, Mike McNeff, Paul Stremick Gary Thompson, and Bob Toso. None opposed. Motion carried.

**Kostelecky, Lukas** – Mr. Kostelecky's file was reviewed by board in August 2016 and his license was granted on the condition that he self-disclose any new background offenses. His file is being brought before the board again due to a new background offense that has been in the media. A certified letter was sent to Mr. Kostelecky, asking for his response to the charges. The certified letter was never picked up and has been returned to the office in the mail.

His criminal case is still pending within the court system. Dinah Goldenberg made a motion to suspend Mr. Kostelecky's license until the outcome of the criminal charge. The motion was not seconded and failed.

Dinah Goldenberg made a motion to table until we learn outcome of criminal case. Seconded by Paul Stremick. Board members who voted in favor were Kim Belgarde, Karen Christensen, Dinah Goldenberg, Mike McNeff, Paul Stremick Gary Thompson, and Bob

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Toso. None opposed. Motion carried.

**Watson, Tyra** – Ms. Watson’s file was reviewed by the board due to her background check. Dinah Goldenberg made a motion to grant an interim substitute license and require Ms. Watson to self-report any further background offenses. Seconded by Bob Toso. Board members who voted in favor were Kim Belgarde, Karen Christensen, Dinah Goldenberg, Mike McNeff, Paul Stremick Gary Thompson, and Bob Toso. None opposed. Motion carried.

### **Administrative Cases**

**Morin, Charles** – Mr. Morin’s file was reviewed last month due to a Request for Inquiry. At the March meeting, the Board asked for more information on what action had been taken by Circle of Nations School. Karen Christensen made a motion to not take any action until the information that has been requested from Circle of Nations is received. Seconded by Bob Toso. Administrative board members who voted in favor were Karen Christensen, Dinah Goldenberg, Mike McNeff, Paul Stremick, and Bob Toso. None opposed. Motion carried.

The board meeting was adjourned at 11:50am.

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Chair

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Secretary/Executive Director