

**MINUTES – Board Meeting  
Thursday, February 10, 2022  
CTE Conference Room and Teams**

The Education Standards and Practices Board (ESPB) meeting was called to order at 8:02am by Chair Carly Retterath. Board members present were Andrea Fox, Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Joshua Standing Elk, Patti Stedman, Cory Steiner, Brenda Tufte, and Superintendent Kirsten Baesler.

Board member Siri Coleman was absent. Joshua Standing Elk left the meeting at 8:25am.

Also present were ESPB Executive Director Rebecca Pitkin, Amy Bigelow and Lacey Hinsz from ESPB, Carl Karpinski from Attorney General's Office, Erin Jacobson and Marijke Leibel from Teacher Support System, Joe Kolosky, Stacey Duffield, Jen Wallender, Patrick Meyer, Michelle Griffin, Jenny Bladow, and other online guests.

**Additions/Changes to the Agenda** – Items to add to the agenda include a discussion item regarding Robert Thom for possible action and a driver education request regarding Kyle Bryce Laxdal. Patti Stedman made a motion to accept the agenda as amended. Seconded by Kathy Lentz. All voted in favor, none opposed, motion carried.

**Motion to Ratify January Licensure List** – Kathy Lentz made motion to ratify the January 2022 licensure list. Seconded by Cory Steiner. All voted in favor, none opposed. Motion carried.

**CASES**

**Varholdt, Jameson** – Andrea Fox recused herself from the case. Mr. Varholdt's file was brought before the board due to a background offense he self-disclosed on his application for renewal. His case is currently pending. Ben Johnson made a motion to table until his pending charges have been resolved through the court system. Motion seconded by Patti Stedman. Board members who voted yes were Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

**Kroll, Terri** – Ms. Kroll's file was reviewed by the Board after a Request for Inquiry was received. Patti Stedman made a motion to table until further discussion on other related cases for Aimee Zachrison and Patrick Meyer. Motion seconded by Brenda Tufte. Board members who voted yes were Andrea Fox, Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Joshua Standing Elk, Patti Stedman, and Brenda Tufte. Cory Steiner was not present for the vote.

**Hartje, Kim** – Ms. Hartje's file was reviewed by the board due to self-disclosed background offenses as well as the disclosure on her application for an interim substitute license that she'd previously had her nursing license suspended. Attorney Carl Karpinski pointed out that she has had some offenses that have occurred within the past 5 years.

Patti Stedman made a motion to approve Ms. Hartje's application for an interim substitute license. Motion seconded by Kathy Lentz. Andrea Fox asked if Patti would be open to an amendment to require Ms. Hartje to self-report any future offenses. Patti amended her motion to amend to include self-reporting future offenses. Kathy

February 2022

Page 2

seconded. Board members who voted yes were Andrea Fox, Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Joshua Standing Elk, Patti Stedman, and Brenda Tufte. None opposed. Motion carried. Cory Steiner was not present for the vote.

The regular meeting was recessed at 8:24am and meeting of Administrative Subcommittee was called to order.

**Administrative Subcommittee** – Reviewed by Administrative Subcommittee of the Education Standards and Practices Board. Administrative Subcommittee members present were Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Patti Stedman, and Cory Steiner.

**Volk, Larry** – Patti Stedman disclosed that the complaint does involve her district. No administrative board members expressed concern with Patti participating and voting on the case. Mr. Volk's file is being reviewed after a Request for Inquiry was received. Carly Retterath made a motion to dismiss. Motion seconded by Kathy Lentz. Patti Stedman voted yes. Board members who voted no were Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, and Cory Steiner. Motion failed.

Superintendent Baesler reminded the board that each school has an acceptable use policy. Cory Steiner also reminded the subcommittee that even if it was a private listserv, all of our emails are public.

Carly Retterath made a new motion to issue Mr. Volk a letter of reprimand and remind him of the acceptable use policy. Motion seconded by Cory Steiner. Administrative subcommittee members who voted in favor were Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Patti Stedman, Cory Steiner. Motion carried.

**Keplin, Cory** – A case for TiRay Azure was tabled at the January meeting and the board voted to initiate a Request for Inquiry on Mr. Keplin, Mr. Azure's administrator. Mr. Azure's file was reviewed due to being listed as a contracted teacher on the MIS03 while holding a license that only allowed him to work as a substitute teacher. Kathy Lentz made a motion to dismiss the case for Mr. Keplin. Motion seconded by Carly Retterath. Administrative subcommittee members who voted in favor were Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Patti Stedman, Cory Steiner. Motion carried.

**Zachrison, Aimee** – The next item on the agenda is for Aimee Zachrison. This item must be discussed in executive session. Legal authority for closing this portion of the meeting is NDCC 50-25.1-11 The topic or purpose of this executive session is discussion and review of confidential records.

Patti Stedman made a motion to go into executive session. Motion seconded by Ben Johnson. Executive session began at 8:40am and was attended by Board members

February 2022

Page 3

Carly Retterath, Ben Johnson, Cory Steiner, Kathy Lentz, Sonya Hansana, Patti Stedman, Andrea Fox, Brenda Tufte and Superintendent Kirsten Baesler. Also present were ESPB Executive Director Becky Pitkin, Carl Karpinski, legal counsel from Attorney General's Office, and Amy Bigelow, ESPB staff and meeting secretary. Due to a technical difficulty this executive session ended at 8:48am.

Kathy Lentz made a motion to move back into executive session. Motion seconded by Patti Stedman. Legal authority for closing this portion of the meeting is NDCC 50-25.1-11 The topic or purpose of this executive session is discussion and review of confidential records. Executive session began at 8:51am and was attended by Board members Carly Retterath, Ben Johnson, Cory Steiner, Kathy Lentz, Sonya Hansana, Patti Stedman, Andrea Fox, Brenda Tufte and Superintendent Kirsten Baesler. Also present were ESPB Executive Director Becky Pitkin, Carl Karpinski, legal counsel from Attorney General's Office, and Amy Bigelow, ESPB staff and meeting secretary. Executive session was adjourned at 9:05am.

Ben Johnson made a motion to issue Ms. Zachrison a formal letter of reprimand and said he is open to the addition of ethics course if the Administrative Subcommittee sees appropriate. Motion seconded by Patti Stedman. Carly Retterath asked if Ben would be open to friendly amendment with ethics course and mandated reporter training. Ben said he would be open to that, but he's also looking for something additional.

Becky reminded the subcommittee of the variety of sanctions possible, including a reminder letter from the office, a formal letter of reprimand that cites Century Code and is entered into the NASDTEC Clearinghouse, suspension, and revocation. Recent administrative rules allow someone with a revoked license to reapply after one year. The Board can also add additional requirements such as coursework.

Ben Johnson asked what the status is of any police investigation. From attorney Carl's understanding, the police investigation has concluded and there was not information found that would allow the State's Attorney to take action. If the subcommittee wants Carl to look into it further, he could.

Ben Johnson amended his motion to issue Ms. Zachrison a formal letter of reprimand, with completion of a Title IX course, mandatory reporter training, and harassment training for violating NDCC 15.1-13-25(1)f. Ben said he would allow Becky to approve coursework to meet these requirements. Patti Stedman seconded the amendment to the motion.

Ben also added an amendment to allow 6 months to complete the requirements and if not completed or if the settlement agreement is not signed, Ms. Zachrison's license will come back before the Board and license will be suspended. Patti Stedman seconded the amendment.

Subcommittee members who voted in favor of the motion were Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Meyer, Patrick** – Mr. Meyer’s file was reviewed by the Administrative Subcommittee after a Request for Inquiry was received. Ben Johnson made a motion to issue Mr. Meyer a formal letter of reprimand, with completion of a Title IX course, mandatory reporter training, and harassment training. Failure to complete the requirements within 6 months or failure to sign settlement agreement will result in his file coming back to the board for suspension. Motion seconded by Cory Steiner. Administrative subcommittee members who voted yes were Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

The Administrative Subcommittee meeting was adjourned at 9:40am and the regular meeting was resumed at 9:40am.

### **Case**

**Kroll, Terri** – Ms. Kroll’s file was tabled earlier in the meeting. Andrea Fox made a motion to issue an informal letter of reprimand and highly recommended completion of the NASDTEC ethics course and mandated reporter training. Motion seconded by Kathy Lentz. Andrea commented that it seems Ms. Kroll appropriately followed her school’s chain of command. Sonya Hansana stated she hoped this would spur the school to examine what they are doing.

Becky asked attorney Carl Karpinski to provide information on administrative rules. If there are administrative or statutory rule changes, December is the goal of when to have that submitted. Carl reminded the Board that our statute gives a lot of discretion on how we want to draft our rules. We’ve received a lot of questions about waiving rules. Carl advised against waiving administrative rules, because then we’re picking and choosing which parts of rule to follow. He has recommended that we pay close attention to our rules and areas that include “may” instead of “must” or “shall”. We cannot put things into practice that are not part of rule yet. Sometimes there are legislative bills that will promulgate rules before rules are written.

**January Minutes, License, and Financial Reports** – The January 2022 financial report showed \$90,417.48 in total income received, \$68,809.23 in total expenses, with a net income of \$21,608.25. The January 2022 licensure report documented 1203 items issued. This number includes background checks, endorsements, late fees, and application fees.

Brenda Tufte moved to accept the January minutes, license, and financial reports. Seconded by Cory Steiner. All voted in favor, none opposed. Motion carried.

Becky noted that we are at 62% income and 55% of expenses. Additional office help has been hired. Lacey is working with auditors and audits will soon be completed for 2018 and 2019. We have a protected savings account for litigation.

**Driver's Education Request** – Cory Steiner disclosed that Mr. Laxdal is an employee in his district. Board members did not express concern about Cory participating in the vote. Kyle Bryce Laxdal has submitted a request for a driver education endorsement, but has more than three moving violations on his driving record in the past 36 months and a prior DUI. Administrative Rule 67-1-02-03-06(7)(q) states that to qualify for the driver education endorsement a driving record must be free from “any conviction that would constitute the basis for suspension or revocation on the instructor’s operator’s license and not more than three moving traffic violations” in the past 36 months.

Historically, someone had approached the Board about signing up for driver education coursework with a past DUI that had happened more than 10 years previous. This was approved. Also, someone had asked the board to issue a driver education with more than 3 moving violations in the past 36 months. That request was denied.

Andrea Fox made a motion to deny Mr. Laxdal’s request for a driver education endorsement at this time and ask him to reapply after his driving record meets the requirements. Seconded by Sonya Hansana. Board members who voted yes were Andrea Fox, Sonya Hansana, Kathy Lentz, Carly Retterath, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Things to consider going forward – do we want to look at number of months, or is this in accordance with Department of Transportation requirements? Should the severity of the moving violation be considered? Also, if a person is allowed to drive a bus, should this be taken into consideration? Becky will check with DOT.

**Data Reports** – Lacey Hinsz from ESPB provided snapshot of a report showing the top 10 states where ND license holder degrees are earned, excluding North Dakota. This is an example of reports we can generate with our new reporting tool, Power BI.

**Common Metrics – Dr. Stacy Duffield** – Dr. Stacy Duffield from NDSU and President of NDACTE presented. In 2009, the Common Metrics survey was developed. Three of the four surveys are used in North Dakota – the Exit Survey for student teachers, Transition to Teaching Survey one year after Exit Survey, and round the same time as the Transition to Teaching Survey, the Supervisor Survey is sent to the supervisors of first-year teachers.

Dr. Duffield showed data from many of the new teacher survey questions. Patti Stedman asked if the survey findings are provided to stakeholder groups, such as administrators. Results from surveys belong to each institution. Dr. Duffield does know that all institutions do provide results with their advisory board, which do include

administrators and other stakeholders. The purpose is intended to be for program approval and accreditation.

**Teacher Support System** – Erin Jacobson thanked Dr. Duffield and said it's nice to see that the Common Metrics survey data closely matches feedback TSS has been receiving.

Mentoring was re-opened in October and an additional 68 first-year teachers were enrolled. Enrollment was opened again in December for 2<sup>nd</sup> semester and 22 new teachers were added. Total for the 2021-2022 school year, 436 first-year teachers are being mentored. In January 2022, a webinar series for new mentors was started, in cooperation with Irdium Learning. TSS wants to be sure there is a balance between offering mentors support to do their jobs well, but not to overwhelm them in the middle of the year.

Maria Neset from Governor's Office will prepare a 1-page report that TSS will be able to review and edit to provide to the governor about what TSS is doing.

**ED Evaluation** – Summative evaluation is due to be completed. Carly will be sending materials to the Board and staff. She hopes to bring that data back for the March meeting.

**Robert Thom** – ESPB was made aware of a situation of someone acting as a school counselor without a license for the entire school year thus far at Mr. Thom's school. It was also discovered that the individual isn't eligible for a license at this time. Andrea Fox made a motion to file a Request for Inquiry against Mr. Thom. Motion seconded by Brenda Tufte. Board members who voted yes were Andrea Fox, Sonya Hansana, Ben Johnson, Kathy Lentz, Carly Retterath, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

**Director's Report** – Becky has included the 2022 license report with Board materials, as well as information on Frontline Substitute Training as a possibility for substitute teachers.

The office received the first list of Fargo Public Schools individuals who have signed up to take a test to add an endorsement to their license and the first round is a very manageable number.

Going forward, Brenda Tufte asked if in addition to focusing on standards, we should focus on programs other states have used to provide high quality and comprehensive training to attract and keep teachers like Educator's Rising and "Grow Your Own" types of programs. Brenda is on a national task force looking at using some of these programs to attract additional and more diverse individuals to the education field, and to provide them with the support they need.

## **Board Member Reports**

### **NDACTE –**

- NDACTE had their Board meeting on January 14.
- All curriculum requirements are in place for meeting the requirements of HB1388, which is the reading bill. Syllabi have been submitted to ND ESPB and implementation will begin in July 2022 and all initial licensure candidates must provide evidence of the required competencies beginning spring of 2023.
- NDACTE members are serving are participating as guests on the K-12 Coordinating Council Update
- NDACTE approved an affiliation agreement with AACTE

**Association of Non-Public Schools –** Not present.

**Association of School Administrators –** Nothing to report.

**School Boards Association –** School Boards Association held their meeting last week. Conversations about teacher shortage. Many districts have teachers from Philippines, and they are very high-quality educators. They are wondering if there is a support group to help them integrate better.

**NDUnited –** Not present.

**DPI –** Superintendent Baesler's colleague from Tennessee, Commissioner Dr. Penny Schwinn will be presenting to the Education Policy Committee on a new plan approved by Tennessee legislature for teaching to be a federally recognized apprentice program. DPI has received requests from administrators to loosen the restriction on the number of days a student teacher can substitute teach. DPI is wondering if ESPB can do something to help teacher preparation programs adopt a policy.

The meeting was adjourned at 11:11am.

---

Chair

---

Secretary/Executive Director