

**MINUTES – Board Meeting**  
**Thursday, February 13 2025**  
Teams

The Education Standards and Practices Board (ESPB) meeting was called to order at 8:00am by Board Chair Cory Steiner. Board members present by video conference were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, Cory Steiner, and Superintendent Kirsten Baesler.

Also present were ESPB Executive Director Rebecca Pitkin, Mari Riehl, and Amy Bigelow from ESPB, Mark Openshaw and Allyson Hicks from Office of Attorney General, Amy Flicek from NDUnited, Constance Frankenbery from NHSC, Michelle Griffin from UND, Alex Kelsch, and other online guests.

Introductions were held.

**Motion to Include Additional Agenda Items** – Additions to the agenda include a review of Senate Bill 2395 with need for a motion on testimony. An updated agenda was included with board materials this week with new cases for Bernadette Baker, Montgomery Brown, Ronald Azure, a driver education request, and a copy of testimony regarding the school psychologist compact bill. Jenny Bladow made a motion to approve the agenda as amended. Seconded by Dustin Hager. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Motion to Ratify January Licensure List** – Angela Nagel made a motion to ratify the January licensure list. Motion seconded by Amber Fridley. Board members who voted in favor were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**CASES**

**Baker, Bernadette #1** – Ms. Baker's file was reviewed after a Request for Inquiry was received. Patti Stedman asked why this didn't go before the local school board, as it seems to be a local issue. Materials submitted showed the complaint did go to the Bureau of Indian Education (BIE), but there was no clear information about what had happened at the local level and if the complaint was addressed. Evan Kritzberger asked about the EEOC complaint that Ms. Baker referenced and if attorney Mark Openshaw had additional information. Mark does not. Evan wondered if the board requested a response from the district if they would be more likely to respond. Becky was unsure.

Evan Kritzberger made a motion to send a letter to the school district asking if there was a formal investigation and the findings. Seconded by Patti Stedman. Evan said it is important for the board to know if anything was done at the district level and what the outcome of was. He also feels it's important to see if there is more to this complaint. Cory Steiner agreed the board needs more information, but also believes this is a local issue. Board members who voted in favor were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Baker, Bernadette #2** – A second Request for Inquiry was received regarding Ms. Baker, and she's submitted a separate response to the inquiry. Information submitted is very similar to the first case. Evan Kritzberger made a motion to send a letter to the school district asking if there was a formal investigation and the findings. Seconded by Patti Stedman. Board members who voted in favor were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Baker, Bernadette #3** – A third Request for Inquiry was received, and Ms. Baker submitted a separate response to this inquiry. Information submitted is very similar to the first two cases. Evan Kritzberger made a motion to send a letter to the school district asking if there was a formal investigation and the findings. Seconded by Patti Stedman. Board members who voted in favor were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Cook, Kayla** – A Request for Inquiry was received from Wahpeton Public Schools for breach of contract in August 2022. Patti Stedman is wondering why this is coming about now, when breach of contract occurred over two years ago. Evan Kritzberger pointed out that Ms. Cook was not teaching anywhere until this school year. Becky said to her understanding, there was a board member who wanted the complaint filed, though the administrator believed it had all been settled. The Wahpeton School Board minutes from August 2022 show Ms. Cook's resignation was approved contingent upon payment of breach of contract fee.

Cory Steiner asked attorney Mark Openshaw if the board can direct Ms. Cook to go back to the district to take care of her liquidated damages. Mark said the board's normal disciplinary actions are available in this case, but it's not the board's job to enforce district policy.

Patti said it doesn't seem right that a person can pick up a new contract when they've been in breach of contract previously that was not known about. Evan agrees there needs to be resolution and if fees haven't been paid then the breach hasn't been cured. Mark said the board could offer a conditional dismissal or even a suspension until the breach is cured. Some benefits to the conditional dismissal are the board can give an allotted number of days, where with a suspension, it would take effect immediately. Sarah Lerud asked if Ms. Cook could reach out to the school board president to get documentation that the fees were waived.

Evan doesn't believe it's best for kids if a license is suspended immediately. He wondered if a settlement agreement could be written for Ms. Cook to cure the breach by the end of the school year and if not, then her license would be suspended for a period of time. He doesn't want to suspend her license immediately.

The board found violations of NDCC §§ 15.1-13-25(1)(g), 15.1-13-25(1)(j), and N.D. Admin. Code § 67.1-03-01-03(10). Siri Coleman made a motion to issue a settlement agreement to Ms. Cook for a conditional dismissal if the breach is cured by the end of the school year, May 22, 2025, or the case will come back before the board. Motion seconded by Dustin Hager. Siri feels the board is doing what's best for her students, but legally, there is a breach and she's hoping this allows ample time to resolve that. Dustin agreed. Mark Openshaw clarified what needs to be provided to ESPB, and something official would need to come from the district in the form of school board minutes. If there is not time for this, the superintendent could write a letter. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Azure, Ronald** –Mr. Azure's file was reviewed after he disclosed offenses on his application for licensure. Mark Openshaw said there are no offenses that would fall under Century Code that would require automatic denial. Mark also reviewed NDCC 12.1-33-02.1 that outline the terms the board needs to consider in determining if a person has been sufficiently rehabilitated. The board needs to keep in mind the amount of time that has elapsed since the offenses occurred. If it's been more than 5 years, the individual is considered rehabilitated. The board also need to take into consideration if any of the offenses have a direct bearing on Mr. Azure's ability to work as a teacher. Patti Stedman made a motion to grant Mr. Azure's application for a CTE license. Seconded by Angela Nagel. Patti said many of the offenses happened a long time ago, with no offenses in the past 10 years. Many of the offenses seem to be connected. Angela agreed the offenses don't seem to have an impact on the job he's been hired to do. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Brown, Montgomery** – Before discussion on this case began Jenny Bladow disclosed that Mr. Brown was a student at UND, where she is employed. She only knows the name as part of the program and does feel like she can move forward and not be biased in any way. Evan Kritzberger motioned to allow Jenny Bladow to participate in this case. Motion seconded by Sheila Schlafmann. Board members who voted yes were Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Mr. Brown's file was reviewed after he disclosed past offenses on his application for licensure. Mark Openshaw verified that none of Mr. Brown's offenses fall under NDCC 15.1-13-26 that would require automatic denial of his application. Patti Stedman made a motion to grant Mr. Brown's license. Seconded by Sarah Lerud. Patti appreciated his letter and explanation, showing growth to where he is now and noted that his offenses are more than 5 years old. Sarah agreed with Patti and commented on Mr. Brown's

well-written letter. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Determan, Lisa** – Before discussion began Cory Steiner recused himself from this case, as he is on the board for the Rural Cass Special Education Unit that employed Ms. Determan. He will mute himself and turn off his camera for this portion of the meeting. He asked vice-chair Evan Kritzberger to take over as vice chair.

Evan Kritzberger disclosed that he works at Northern Cass and does know of Ms. Determan, but not personally aside from a few staff meetings. He worked on the other side of the building from Ms. Determan and believes he can be impartial. He deferred to the board to decide if he should be allowed to participate. Jenny Bladow made a motion to allow Evan Kritzberger to participate in the case. Motion seconded by Angela Nagel. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Sarah Lerud, Angela Nagel, Sheila Schlafmann, and Patti Stedman. None opposed. Motion carried.

Ms. Determan's file was reviewed due to a Request for Inquiry being received for violation of the Educator's Code of Ethics after she resigned mid-year. Patti Stedman said the complaint referenced a previous resignation from North Border School District and the administrator at that district is listed on the Request for Inquiry one of the persons who could substantiate the situation. Rural Cass Special Education has their own contracts with their own provisions. Patti asked what options there may be if there is not a way to cure the breach. Sarah Lerud said she doesn't believe Ms. Determan needs to lose her license but wondered if a letter of reprimand could be issued so she knows this isn't ok. Is there a way to let other districts know this has happened in the past? If a letter of reprimand would be issued that would go into the NASDTEC Clearinghouse, but unfortunately not all districts belong to the Clearinghouse. Patti said she believes there at least needs to be a letter of reprimand.

The board found violations of NDCC §§ 15.1-13-25(1)(g), 15.1-13-25(1)(j), and N.D. Admin. Code § 67.1-03-01-03(10). Patti Stedman made a motion to issue a settlement agreement to send a letter of reprimand to Lisa (Lindmeyer) Determan and to require her to complete Professional Ethics in Education: Guiding Principles for Educators from the ND Educational Hub with copies of the essays submitted to ESPB within 30 days. Motion seconded by Amber Fridley. Patti believes the board needs to find a way to let educators know they can't breach a contract in the middle of a school year, and this is a good way to do that. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, and Patti Stedman. None opposed. Motion carried.

Regular meeting recessed at 9:10am.

**Administrative Subcommittee** – Called to order at 9:10am by Administrative Subcommittee Chair Cory Steiner. Reviewed by Administrative Subcommittee of the Education Standards and Practices Board. Administrative Subcommittee members present were Amber Fridley, Dustin Hager, Sarah Lerud, Sheila Schlafmann, Patti Stedman, and Cory Steiner.

**Hirning, Sherlock** – At the December 2024 meeting the subcommittee passed a motion to issue Dr. Hirning a counteroffer with a settlement agreement to complete Professional Ethics in Education: Guiding Principles for Educators from the ND Educational Hub and to remove the letter of reprimand they had originally voted to issue in August 2024. Becky has connected Dr. Hiring with the Educational Hub manager, but has not received documentation of course completion or the signed settlement agreement from December.

An email was received yesterday from Dr. Hiring's attorney stating he will not accept the proposed settlement agreement. Dr. Hirning agrees to complete the Hub course if the board agrees to a conditional dismissal of the complaint. Mark Openshaw said this is treated as another counteroffer and the board can choose to accept or reject. The other option is to move to litigation.

It appears that the sticking point for Dr. Hirning is that he does not want disciplinary action to show in the NASDTEC Clearinghouse. Patti Stedman said with Dr. Hirning's continued counteroffers, she feels that if the board removes disciplinary action being entered in the Clearinghouse that could set a precedent for other cases moving forward and that's not ok.

Attorney Allyson Hicks clarified that an extension was granted in January 2025 to allow Dr. Hirning to discuss settlement agreement with his legal counsel. She also said the initial offer was letter of reprimand and mandated reporter course. Dr. Hirning's counteroffer was to remove letter of reprimand and to have him complete Hub course. Since there is a settlement agreement offered, there would still be something entered in the Clearinghouse showing disciplinary action. A conditional dismissal would not be entered into the Clearinghouse as disciplinary action. It seems Dr. Hirning is willing to complete education mandated by the board but does not want disciplinary action reflected in the NASDTEC Clearinghouse, as demonstrated by his current counteroffer.

Patti asked if the board would not accept the current counteroffer and this case moves to litigation, what does that look like. Allyson outlined the very extensive litigation process.

Patti Stedman made a motion to issue Dr. Hirning a conditional dismissal based on finishing the course from the Educational Hub within 30 days. Motion seconded by Sarah Lerud. Patti doesn't like the precedence this sets but doesn't know if it's worth moving to litigation. Administrative subcommittee members who voted yes were Amber

Fridley, Dustin Hager, Sarah Lerud, Sheila Schlafmann, and Patti Stedman. Cory Steiner voted no. Motion carried.

The Administrative Subcommittee meeting ended, and the regular meeting resumed at 9:37am. Dustin stepped away from the meeting for a period of time.

**January Meeting Minutes, Special Meeting Minutes, License and Financial Reports** – Sheila Schlafmann made a motion to approve the January meeting minutes, special meeting minutes, January license and financial reports. Motion seconded by Sarah Lerud. Board members who voted in favor were Jenny Bladow, Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

The January 2025 financial report showed \$115,998.31 in total income received, \$94,317.08 in total expenses, with a net income of \$21,681.23. The January 2025 financial items totaled 1081. This number includes background checks, endorsements, late fees, licensing fees, and application fees.

**Disability Waiver Requests –**

- **Taft, Averyl** – Ms. Taft has submitted a request for waiver of her Core writing and math, Praxis II Elementary Education, and PLT tests. Amber Fridley made a motion to grant Ms. Taft's application for a disability waiver. Motion seconded by Angela Nagel. Amber said all required elements are present. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. No opposed. Motion carried.
- **McLaughlin, Crystal** – Ms. McLaughlin has submitted a request for waiver of the PLT. She has made three attempts at the test and is one point short. Evan Kritzberger made a motion to grant Ms. McLaughlin's request for a disability waiver of the PLT. Seconded by Siri Coleman. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. No opposed. Motion carried.
- **Freese, Hannah** – Ms. Freese has requested a disability waiver for her Praxis II Social Studies test. Her highest score is one point below passing score. Jenny Bladow made a motion to grant Ms. Freese's request for a disability waiver. Motion seconded by Evan Kritzberger. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. No opposed. Motion carried.

**Substitute License: Applicant Request** – Lori Lachowitzer has applied for an interim substitute license and completed Frontline training. She has been unable to submit documentation of high school graduation because her high school has closed. Cory

Steiner made a motion to grant Ms. Lachowitzer's application for an interim substitute license. He knows the school Ms. Lachowitzer attended has been closed for nearly 30 years, so those records would be difficult to obtain. Motion seconded by Sarah Lerud. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Shortage Areas** – In past years all areas have been declared critical shortage. The critical shortage area declaration allows retired teachers to return to the profession and also allows for alternate access licenses for content areas. Sheila Schlafmann made a motion to declare all content areas shortage for the 25-26 school year. Seconded by Evan Kritzberger. Board members who voted in favor were Jenny Bladow, Siri Coleman, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**SB 2395** – Senate Bill 2395 has been introduced and is a result of the board study that was completed in 2024. There is little in this bill that ESPB doesn't already do, with exception of a report to the state. Becky would like to testify in support of SB 2395, as it is the most palliative of all the board bills this session. Evan Kritzberger made a motion for ESPB to testify in support of SB 2395. Motion seconded by Siri Coleman. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Administrative Rules** – NDACTE has proposed a change to administrative rule 67.1-02-02-02 regarding student teaching for P-12 licensure areas and 67.1-02-03-02 for the kindergarten endorsement. The changes would allow flexibility for student teachers who are double majors or in para-to-teacher programs. The revisions do not mean they will apply to all student teachers.

Evan Kritzberger made a motion to accept the proposed revisions to administrative rule 67.1-02-02-02 and 67.1-02-03-02 presented by NDACTE. Motion seconded by Angela Nagel. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

**Driver's Education Request** – Mark Wisnewski holds a life license and has an expired driver education endorsement. When DPI issued driver education credentials, he said he obtained a lifetime driver education credential but cannot find documentation of the lifetime credential. DPI no longer has this information in their records. If an individual had documentation of their lifetime driver education credential, ESPB has continued to honor that. Mr. Wisnewski has not completed the two driver education credits needed to update his endorsement at this time. Mr. Wisnewski is asking for an extension of his driver education endorsement to allow him to teach through Summer 2025, while he

mentors a teacher who is working to complete his driver education endorsement requirements. The last time Mr. Wisnewski completed driver education credits were in Spring 2018 and Spring 2019. For life license holders, 2 re-education credits are needed every 6 years.

Evan Kritzberger made a motion to grant Mr. Wisnewski's request for an extension. Motion seconded by Sarah Lerud. Evan said he understands the shortage and thinks it's reasonable to extend for 1 final year so he can mentor a new teacher for driver education. Cory Steiner has concerns about extending Mr. Wisnewski's driver education endorsement expiration date without the needed credits, should something happen. Board members who voted yes to the motion were Jenny Bladow, Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, and Patti Stedman. Cory Steiner voted no. Motion carried.

**ND RISE** – On January 24<sup>th</sup> Marijke Leibel and Erin Jacobson testified in front of the House Education and Environment Appropriations committee in support of ND RISE funding. An ND RISE program review has been created and Erin will mail all board members a copy of that information. The ND Teacher Retention and Recruitment Talk Force recommended the legislature fund a graduated mentorship through ND RISE for teachers in their first three years in a new position. The Governor's Budget reflects an increase in funding to ND RISE to support this recommendation.

**Director's Report** – Becky asked Mari to share about the Future of Education Technology conference she attended in January. Becky attended the NASDTEC board meeting at the end of January in Austin, TX. Becky and Mari will be presenting at the NDACTE student teaching conference in April, addressing artificial intelligence (AI), how it can help teachers, and the possible ethical implications.

**Administrative Rules Overview** – A chart with administrative rules changes has been provided to the board. These changes have been submitted to the attorney general's office. Waiting to hear back.

**Session Update** – A list of legislative bills ESPS is watching was updated as of February 12, 2025. ND RISE Coordinator Erin Jacobson provided an update to DPI budget bill, which includes ND RISE funding. Becky met with Rep. Ista and communicated amendments proposed by the board to HB 1238. Senate Bill 2180 relates to the opportunity for public comment at the meeting of a public entity. Crossover will occur at the end of February.

### **Board Member Reports**

**NDACTE** – Jenny Bladow shared proposed rule change on behalf of NDACTE. Spring conference is April 11 in Bismarck.

**Association of Non-Public Schools** – Keeping a close eye on legislation.

**Association of School Administrators** – Cory Steiner said much the same as other organizations, they are watching legislation. There has been an accreditation bill that



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would allow for options other than Cognia. School choice is at the forefront for all. Cory suggested all read the supreme court decision on the definition of classroom teacher and think about how that could impact teachers.

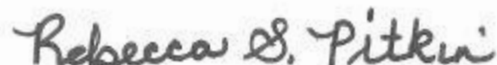
**School Boards Association** – ND SBA has held their negotiations seminar recently.

**NDUnited** – NDUnited lobby day at the legislature is upcoming on February 17<sup>th</sup>.

**DPI** – Not present.

Meeting adjourned at 10:40am.

  
Chair

  
Secretary/Executive Director