

MINUTES – Board Meeting
Thursday, June 9, 2022
Teams

The Education Standards and Practices Board (ESPB) meeting was called to order at 8:00am by Chair Carly Retterath. Board members present by video conference were Siri Coleman, Andrea Fox, Sonya Hansana, Carly Retterath, Patti Stedman, Cory Steiner, Brenda Tufte, and Superintendent Kirsten Baesler.

Board members Ben Johnson, Kathy Lentz, and Joshua Standing Elk were absent.

Also present were ESPB Executive Director Rebecca Pitkin, Assistant Director Mari Riehl, and Amy Bigelow from ESPB, Carl Karpinski and Courtney Titus from Attorney General's Office, Jen Wallender from Western Governor's University, Gisele Thorson from NDUnited, and Thomas Dickson.

Additions/Changes to the Agenda – Items to add to the agenda include a disability waiver request from Tyler Wolf. Brenda Tufte moved to accept the agenda as amended. Motion seconded by Patti Stedman. All voted in favor, none opposed. Motion carried.

Motion to Ratify May Licensure List – Patti Stedman made motion to ratify the May 2022 licensure list. Motion seconded by Sonya Hansana. All voted in favor. None opposed. Motion carried.

CASES

Lalka, Mary Beth – Ms. Lalka's file was reviewed by the Board for possibly teaching without a valid license. Ms. Lalka is at the same school as Emily Re, a case from last month. Siri Coleman made a motion to ask for additional information from the teacher about her role in the school and to send a Request for Inquiry to the administrator for more information. Motion seconded by Cory Steiner. Board members who voted yes were Siri Coleman, Andrea Fox, Sonya Hansana, Carly Retterath, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Danbom, Lindsey – Ms. Danbom's file was reviewed by the board due to teaching without a valid license from September 5, 2021 until April 29, 2022. Ms. Danbom did pay the late fee prior to renewal. Sonya Hansana made a motion to dismiss. Motion seconded by Andrea Fox. Carly Retterath asked for a friendly amendment to send Request for Inquiry to Ms. Danbom's administrator. Sonya agreed and Andrea seconded. Board members who voted yes were Siri Coleman, Andrea Fox, Sonya Hansana, Carly Retterath, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Case Update – Board attorney Carl Karpinski provided an update on the Kelsie Schmidt case. At the March 2022 Board meeting, the Board voted to deny her application for renewal based on Administrative Code 67.1-03-01-02 parts 3, 4, and 6, NDCC 15.1-13-25(c) and 15.1-13-26. Ms. Schmidt requested a hearing with an Administrative Law Judge. Courtney Titus, from Civil Litigation office of Attorney General Office, gave more details on the status of the case.

Ms. Schmidt's attorney, Thomas Dickson, asked if there was potential for settlement in the case. No Specific terms have been communicated. Mr. Dickson asked if there would be an opportunity for licensure if Ms. Schmidt is placed on probation, mentored, ect. Mr.

Dickson is wondering if the board would consider a settlement and what those terms could look like. He stated that any resolution that would allow her to be licensed would be considered.

Carl said this is a standard procedural process. Becky confirmed that the office has not received any additional information on the case. Carly reminded the Board it is their decision if they will consider a settlement.

The Board had much discussion. Andrea Fox stated that no, there are no criminal charges in the case, but all facts have to be considered and it's the Board's job to ensure the safety of students. Knowing that mentoring would be something Mr. Dickson would propose, Carly Retterath is unsure if that is something we could do under our laws. Carl asked if the board has ever issued conditional licensure. In the past the Board has offered a license for 1 year instead of 2 years, with a follow-up background check. Carl said the Board could do this if they wanted and it can be structured how the Board wants. Courtney Titus reminded the Board that the Administrative Law Judge decision is a recommendation to the Board and not a requirement.

Brenda Tufte asked what an administrator would be able to see if they hired her – because there ultimately was no criminal charge, nothing would show on her background check. It would not say on the license that it had ever been revoked. The revocation would only show in the NASDTEC Clearinghouse and typically administrators are not checking that. The court case was eventually dismissed because the witness withdrew cooperation and no longer agreed to testify.

Cory Steiner again stated that no new information has been received that would make him feel comfortable moving forward with a license at this time.

Cory Steiner made a motion to continue with the administrative hearing. Motion seconded by Andrea Fox. Cory stated he doesn't feel there is any harm in having another set of eyes to review and give an opinion. Before voting took place Brenda Tufte disclosed that Ms. Schmidt was a former student. Carly Retterath disclosed Ms. Schmidt works for Mandan Public Schools, but Carly does not supervise her. Sonya Hansana disclosed she knows Ms. Schmidt from the past, as did Cory Steiner. All stated they could vote impartially. No Board members expressed concern with these individuals voting. Board members who voted in favor of the motion were Siri Coleman, Andrea Fox, Sonya Hansana, Carly Retterath, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

May Minutes, License, and Financial Reports – The May 2022 financial report showed \$71,427.90 in total income received, \$57,87302 in total expenses, with a net income of \$13,554.88. The May 2022 licensure report documented 870 items issued. This number includes background checks, endorsements, late fees, and application fees.

Andrea Fox made a motion to accept the May minutes, license, and financial reports. Seconded by Siri Coleman. All voted in favor, none opposed. Motion carried.

Disability Waiver Requests – Disability waiver requests were reviewed for Kayce Briss and Tyler Wolf. Sonya Hansana disclosed that she knows Tyler Wolf, but feels she can vote impartially. No board members expressed concern with Sonya voting.

Cory Steiner made a motion to approve disability waiver requests for Kayce Briss and Tyler Wolf. Seconded by Brenda Tufte. Board members who voted in favor of the motion were Siri Coleman, Andrea Fox, Sonya Hansana, Carly Retterath, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Administrative Rules Process – The public hearing was held on May 24th. The public comment period ended June 1 and no feedback was received. Once Becky receives a hearing date, she will provide that to the Board.

Director's Report – Mari attended the teacher shortage summit and presented for ESPB. Additional information will be provided to the board at the August retreat. ESPB and Higher Ed continue to work toward completing Federal Title I data reports. These are due to ESPB by June 30.

Board Retreat – Retreat will be held August 10th and 11th in Bismarck. Becky thanked the board for their thoughtfulness in their discussions.

Board Member Reports

NDACTE – NDACTE hosted teacher shortage summit yesterday and will share more information on that in the future. Good ideas from all in attendance.

Association of Non-Public Schools – Nothing new. Looking forward to using summer to contact administrators to see what ESPB has done that has helped them or what can be done to help them.

Association of School Administrators – End of year meetings in each region have been held. Much conversation on upcoming school year. On June 15th and 16th the 2022 Personalized Learning Institute will be held at Northern Cass and a legislative strand has been added.

School Boards Association – Nothing to report.

NDUnited – Nothing to report.

DPI – Laurie Matzke reported at summit about programs offered by DPI. Superintendent Baesler and Dr. Pitkin have been meeting about Grow Your Own programs and how that is being supported. K-12 Coordination Council met this week – they are working to assess how to support teachers in their mental health as well as student behavior and health. Working to get an identification of who is doing what to support both teachers and students and their mental health to determine overlaps and gaps.

The meeting was adjourned at 8:52am.


Chair


Secretary/Executive Director