

## **MINUTES – Board Meeting**

**Thursday, May 13, 2021**

Teams Meeting

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 Kathy Lentz, Carly Retterath, Jessica Rush, Joshua Standing Elk, Patti Stedman, Kraig Steinhoff, Bob Toso, Brenda Tufte, and Superintendent Kristen Baesler.

Board members Andrea Fox and Ben Johnson were absent.

Also present were ESPB Executive Director Rebecca Pitkin, Assistant Director Mari Riehl, and Amy Bigelow from ESPB, Tracy Becker from CTE as tech support, Allyson Hicks from Attorney General's Office, Erin Jacobson, Amy Flicek, Alexandria Houston, Jennifer Wallender, Deborah Harris, Holly Johnson, Katherine Terras, and Carol Johnson.

Joshua Standing Elk left the meeting at 8:27am. Jessica Rush left at 9:28am, Superintendent Baesler left at 10:03am. Bob Toso left at 10:16am.

**Additions/Changes to the Agenda** – Items to be added to the agenda include a disability waiver request for Morgan Heidrich and a case discussion item regarding Chrystopher Bitz. Patti Stedman made a motion to approve the agenda with added items. Motion seconded by Brenda Tufte. All voted in favor, none opposed. Motion carried.

**Motion to Ratify April Licensure List** – Kathy Lentz motioned to accept the April licensure list. Motion seconded by Bob Toso. All voted in favor, none opposed. Motion carried.

### **CASES**

**Greig, Bruce** – Mr. Greig's file was reviewed by the Board for teaching without a license. Patti Stedman moved to send Mr. Greig a warning letter from ESPB and stressing the importance of having a valid license. Motion seconded by Brenda Tufte. Board members who voted in favor were Kathy Lentz, Carly Retterath, Jessica Rush, Patti Stedman, Kraig Steinhoff, Bob Toso, and Brenda Tufte. Joshua Standing Elk abstained from voting, as he missed the discussion on the case. None opposed. Motion carried.

**Houston, Alexandria** – A Request for Inquiry has been filed by United #7 School District for breach of contract. Bob Toso made a motion to dismiss the case. Seconded by Kathy Lentz. Board members who voted yes were Kathy Lentz, Carly Retterath, Jessica Rush, Joshua Standing Elk, Patti Stedman, Kraig Steinhoff, Bob Toso, and Brenda Tufte. None opposed. Motion carried.

**Thorpe, Piper** – Before discussion on the case, Carly Retterath disclosed that she personally know Ms. Thorpe, but does feel she can vote impartially. No Board members expressed concern with Carly voting.

ESPB administrative rules state that after a license has been revoked, a person can apply for license reinstatement after one year. Attorney Allyson Hicks reminded the

Board that if Ms. Thorpe's application is denied and the Board enters into a settlement agreement with Ms. Thorpe, steps for possible reinstatement must be provided to her.

Kraig Steinhoff made motion to deny request for licensure. Motion seconded by Bob Toso. Kraig stated that his motion is based on the revocation Ms. Thorpe's license in 2016. Allyson stated she needed more information on denial, based on information submitted by Ms. Thorpe. Carly Retterath stated that based on the materials submitted, it seems Ms. Thorpe has made great strides in personal growth, but doesn't address the reason her license was revoked in 2016. The Board discussed the possibility of a 2-year license with an ethics course to be completed within the time period. Brenda Tufte agreed that the Board should do something to give her a pathway back to licensure. Board members who voted yes were Carly Retterath, Jessica Rush, Patti Stedman, Kraig Steinhoff, Bob Toso, and Brenda Tufte. Kathy Lentz voted no. Motion to deny license carried.

**Bitz, Christopher** – Carly Retterath disclosed that she works in the same district as Mr. Bitz and is the direct supervisor of the social worker who reported the incident. Bob Toso also disclosed that he is familiar with Mr. Bitz. Both felt they could vote impartially. No Board members had concern with Carly or Bob voting on this case.

Attorney Allyson Hicks pointed out that Board has had many cases recently that the pending charges would fall under NDCC 15.1-13-26, which if convicted would result in mandatory license revocation. This case does not fall under that same part of Century Code.

Mr. Bitz works as a dean of students on a teaching contract and has been placed on Administrative Leave. Brenda Tufte made a motion to table the case until the next ESPB meeting, pending receipt of more information on the criminal case. Motion seconded by Bob Toso. Motion carried.

The regular ESPB meeting was recessed at 8:49am.

Carly Retterath, acting Administrative Subcommittee Chair, called the meeting of the Administrative Subcommittee to order at 8:49am.

**ADMINISTRATIVE CASES** – Reviewed by the Administrative Subcommittee of the Education Standards and Practices Board. Administrative Subcommittee members present were Kathy Lentz, Carly Retterath, Patti Stedman, Kraig Steinhoff, and Bob Toso.

**Young Bird, Amber** – Ms. Young Bird's file was reviewed after a Request for Inquiry was received. Kathy Lentz made a motion to dismiss the case. Motion seconded by Kraig Steinhoff. Administrative Subcommittee members who voted yes were Kathy Lentz, Carly Retterath, Patti Stedman, Kraig Steinhoff, and Bob Toso. None opposed. Motion carried.

**Sagert, Shane** – Mr. Sagert's file was reviewed after a Request for Inquiry was received. Bob Toso motioned to dismiss the case. Motion seconded by Patti Stedman. Administrative Subcommittee members who voted in favor were Kathy Lentz, Carly Retterath, Patti Stedman, Kraig Steinhoff, and Bob Toso. None opposed. Motion carried.

**Thomas, Tara** – Ms. Thomas's file was reviewed by the Administrative Subcommittee after a Request for Inquiry was received. Bob Toso motioned to dismiss. Seconded by Kathy Lentz. Administrative Subcommittee members who voted yes were Kathy Lentz, Carly Retterath, Patti Stedman, Kraig Steinhoff, and Bob Toso. None opposed. Motion carried.

The Administrative Subcommittee adjourned, and the regular ESPB meeting resumed at 8:54am.

**School Psychologists** – An issue was raised during legislative session about school psychology and scope of practice. ESPB licenses school psychologists and have no description of scope of practice, what they can do in schools, ect. Medicare (CMS) does not reimburse schools for school psychology services because ESPB does not have a scope of practice. Scope of practice is set by legislature in Century Code, not in administrative rules. The legislature is looking to pull school psychology licensure from ESPB and put it under the psychology board. Allyson Hicks has been in discussion with psychology board attorney. She also has an inquiry out to CMS to see if establishing a scope of practice under ESPB will be enough to have them reimbursed and is currently waiting to hear back.

**License Update** – Mari Riehl from ESPB shared about conversations with stakeholders and different license types. This will lead to administrative rules discussion later in the meeting.

- **CTE testing into new content areas** – Brenda Tufte asked if someone from VCSU could come and talk to the Board about what is included in Transition to Teaching. Board members also asked Becky to find out what other states are doing in similar scenarios
- **OSEL Kindergarten** – Often times, individuals apply for licensure in North Dakota with a license from another state that includes kindergarten as part of their elementary education license. To have this automatically issued in ND, we need to see that they have a kindergarten endorsement from that state and at this time they aren't automatically issued a kindergarten endorsement if it's included with elementary ed (K-6 or K-8). Should ESPB change our practices to issue a K-8 license rather than a 1-8 license in elementary education to a person who comes with an OSEL that includes kindergarten?
- **Frontline Substitute Training** – Becky and Mari had the opportunity to meet with Frontline, which is a service that helps assign substitute teachers and

account for teacher absences. Currently, 57% of teachers in ND use this system to document absences. Frontline now offers training for people to become a more effective substitute teacher. The training includes 12 course modules and takes approximately 20 hours to complete. Would this be allowed as an option for someone to obtain a substitute teaching license in North Dakota? Missouri requires a high school diploma plus Frontline training to allow someone to qualify for a substitute teaching license.

**Administrative Rules** – Becky has presented a chart of administrative rules that will be updated for the Board.

Board will consider CTE testing into new content areas, kindergarten licenses, and Frontline training at a future meeting.

Kraig Steinhoff made a motion to accept the administrative rules changes as reported. Motion seconded by Kathy Lentz. All voted in favor, none opposed. Motion carried.

**April Minutes, PAAC Minutes, Special Meeting Minutes, License, and Financial Reports** – The April 2021 financial report showed \$64,021.53 in total income received, \$57,122.14 in total expenses, with a net income of \$6899.39. The April 2021 licensure report documented 751 items issued. This number includes background checks, endorsements, late fees, and application fees.

PAAC last met April 8<sup>th</sup>. Approved master's from Mayville State University. This will be one degree with three track options offered online. An updated report was received from NHSC, who is making excellent progress. Physical Education, Health, and Special Education standards reviews will be held this summer with stakeholder groups.

Patti Stedman moved to accept the April minutes, PAAC minutes, special meeting minutes, license, and financial reports. Seconded by Bob Toso. All voted in favor, none opposed. Motion carried.

**Teacher Support System (TSS)** – Teacher Support System was able to come out of session with same amount of funding as last biennium, allowing them to continue the programming they have been able to offer. Trainings will remain online, so TSS can continue to enroll more people as funds are not being spent on travel and costs associated with in-person trainings. End of year program surveys have been sent to administrators, mentors, and first-year teachers. This year demographic questions were added. This will help to provide additional information on how and where support can be provided.

**2020-2021 Budget** – Budget committee meeting will be held after the regular meeting today. Great fluctuation from month to month, as we are license fee based. This will be presented to Board at the June meeting.

**NASDTEC Prevention and Correction Course** – NASDTEC will allow Board to take

the course at no cost, after updates are completed. Some states have made course mandatory for Board members.

**Director's Report** – National Board has been funded at same amount as last year, plus dollars to support those in the process of National Board certification. Senate Bill 2332 is the bill that included American Board. Special education was added as an available American Board content area in North Dakota and also will require completers to pass the elementary test. American Board will need to become state accredited. This process will begin on August 1. American Board program completers must still participate in TSS mentoring, American Board clinical experience, youth mental health, and complete coursework in diverse learners, multicultural, and Native American studies. House Bill 1188 included reading competency requirements for K-12 and higher education to teach instruction of reading. The bill previously included a directive of a certain number semester hours, which has since been removed. ESPB is working with ETS to adopt a test to measure reading competency for American Board completers. They could also take the course.

Interstate Compact meeting will be June 24<sup>th</sup> via Zoom. Staff evaluations have been completed. ESPB is working with ITD to update our website.

**Disability Waiver Requests** – Since there is not a quorum of Board members, these will be presented and voted on at the June meeting.

- **Heidrich, Morgan** – Kathy made motion to approve disability waiver. Seconded by Kraig. After the motion was made, it was realized there was not a quorum of Board members, so could not vote.
- **Larson, Maureen** – Since there is not a quorum of Board members, this will be presented and voted on at the June meeting.
- **Starr, Amanda** – Since there is not a quorum of Board members, this will be presented and voted on at the June meeting.

**Meeting Dates** – Meeting dates for the next year have been presented to the Board. Most meetings scheduled the second Thursday of each month, as done in the past.

### **Board Member Reports**

#### **NDACTE –**

- Higher Ed is planning for compliance with HB 1388 and the implementation of the reading standards and training over the next year. Institutions are in support of the standards and appreciate the flexibility in credit hours. We are discussing one challenge with fitting the requirements into music education and physical education that, in some institutions do not require the reading standards and how we can fit those in without going beyond a 4-year degree.

- Institutions of higher ed are adjusting to some spring 2021 standards changes.
- NDACTE voted to accept an SAT composite of 1100 as another pathway to satisfying the Praxis Core requirement.

### Proposal for Adding the SAT to Accepted Basic Skills Exams

Requirement	Exam	Minimum Score*
“Evidence-Based Reading and Writing”	Reading	543
“Math”	Math	532
“Essay – Writing dimension”	Writing	5

\*Based on CAEP for 3.2

**Composite** of 1,100

- NDACTE held its state conference in April.

**Association of Non-Public Schools** – Not present. Have not heard if a new representative to ESPB has been appointed.

**Association of School Administrators** – Schools are working to get administrators and teachers hired. This will be Kraig Steinhoff’s last meeting and he thanked ESPB.

**School Boards Association** – Bob Toso shared that as of June 30<sup>th</sup>, he is resigning from Jamestown School Board. School Boards Association has asked him to stay on their Board until October, and if needed, he is willing to continue to serve on ESPB until that time. Working on legislation and schools are working on negotiations.

**NDUnited** – Not present.

**DPI** – Once session is over, things become very busy at DPI. All new laws go into effect August 1 and require administrative rules changes. Becky has agreed to help with some of the rules that effect licensure and teacher preparation. Federal government has given short deadlines for state education agencies to come up with plans for ESSER funding. Must have a plan written and submitted by June 7<sup>th</sup>. Funding must be spent by December 2024.

The meeting was adjourned at adjourned at 10:19am.

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Chair

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Secretary/Executive Director