

MINUTES – Board Meeting
Thursday, November 14, 2019
Fort Union Room, State Capitol

The Education Standards and Practices Board (ESPB) was called to order at 7:30am by Chair Carly Retterath. Board members present were Mike McNeff, Brenda Tufte, Kathy Lentz, Carly Retterath, and Bob Toso. Dinah Goldenberg joined by phone. Superintendent Baesler joined at 10:25am.

Also present were ESPB Executive Director Rebecca Pitkin, Amy Bigelow from ESPB, Allyson Hicks from Attorney General's Office and Gisele Thorson from NDUnited.

Introductions were held.

Additions/Changes to the Agenda – Board cases will be added to the agenda for Kelsie Schmidt and Danielle Peterson additional cases. The Executive Director Evaluation will also be added. Brenda Tufte moved to accept the agenda as amended. Seconded by Mike McNeff. All voted in favor, none opposed. Motion carried.

CASES

O'Shea, Trevor – Mr. O'Shea's file was reviewed by the Board due to a Request for Inquiry that was received. Dinah Goldenberg made a motion to dismiss the case. Motion seconded by Kathy Lentz. Board members who voted yes were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, and Brenda Tufte. None opposed. Motion carried.

Schuster, Tani Jo – Ms. Schuster's file was reviewed by the Board due to self-disclosed background offenses. Dinah Goldenberg made a motion to grant Ms. Schuster's license for one year, and require her to self-disclose any subsequent offenses within that time period. Motion seconded by Mike McNeff. None voted yes. Board members who voted no were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. Motion failed.

Bob Toso then made a motion to deny Ms. Schuster's application for a license at this time and to have her reapply in August 2020, as long as she's had no new offenses. Motion seconded by Mike McNeff. Board members who voted in favor were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. Motion carried.

Red Bear, Matthew – Mr. Red Bear was a Board case in April 2019 because of background offenses he self-disclosed on his application for an Interim Substitute license. At that time, the Board denied his license and indicated that he could reapply after October 15, 2019. The Board stated they would consider his application if he had no subsequent background offenses. Mr. Red Bear has reapplied and has had no new offenses. Bob Toso made a motion to grant Mr. Red Bear's Interim Substitute License. Motion seconded by Brenda Tufte. Board members who voted in favor were Dinah

November 2019

Page 2

Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. Motion carried.

Schmidt, Kelsie – In February 2019, the Board voted to initiate a Request for Inquiry against Ms. Schmidt's license, because of offenses she'd been charged with that appeared in the news. At the April 2019 meeting, the Board voted to continue the ESPB case until her court case had been resolved.

The court case has now been dismissed. Attorney Allyson Hicks stated that disciplinary action would need to be taken based on the Request for Inquiry and the actions associated with it. Mike McNeff made a motion to seek a response to the Request for Inquiry from Ms. Schmidt regarding the Code of Ethics violation (NDAC 67.1-03-01-02(3)) and to do an open records request from Beulah School District for her personnel file and their investigation of the case. Motion seconded by Bob Toso. Board members who voted yes were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. None opposed. Motion carried.

Peterson, Danielle – At the August 2019 meeting, Ms. Peterson was offered a conditional dismissal as long as she completed an ethics course, at her own expense, within 60 days. Ms. Peterson has submitted documentation showing completion of the ethics course. Kathy Lentz made a motion to dismiss Ms. Peterson's case. Motion seconded by Bob Toso. Board members who voted yes were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. None opposed. Motion carried.

Board Education – Allyson has received information from Risk Management at OMB that the Board must ratify all licenses issued in the previous month. At future meetings, a list of all licenses issued in the previous month will be provided to Board members so they can ratify.

Allyson also visited with the Board about the meaning of revocation and how it relates to licensure. Revocation means the Board is taking someone's license away, though not necessarily permanently. Other boards have a definition in their administrative rules of revocation and when/if a person may reapply. Some rules state that a person whose license has been revoked may reapply after a certain amount of time, such as a number of years. ESPB does not have this in administrative rule. Allyson recommended that ESPB address this in rules, since a rules re-write is in progress.

Dinah Goldenberg made a motion to have Becky proceed with creating language regarding revocation in administrative rules. Motion seconded by Bob Toso. Board members who voted in favor were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. None opposed. Motion carried.

October Minutes, September and October License, and Financial Report – The

November 2019

Page 3

September 2019 financial report showed \$79,770.90 in total income received, \$70,377.35 in total expenses, with a net income of \$9,393.55. The September 2019 licensure report showed 1050 total licenses issued.

The October 2019 financial report showed \$67,393.47 in total income received, \$73,818.67 in total expenses, with a net income of minus \$6,425.20. The October 2019 licensure report showed 913 total licenses issued.

Brenda Tufte moved to approve the October minutes, and September and October license and financial reports. Motion seconded by Mike McNeff. All voted in favor, none opposed. Motion carried.

Executive Director Evaluation – Each November, a formative assessment of the Executive Director’s performance is evaluated. Board Chair Carly Retterath compiled the results and provided to the Board. Dinah Goldenberg made motion to accept the Executive Director Evaluation as written. Motion seconded by Kathy Lentz. All voted in favor, none opposed. Motion carried.

Out-of-Field Endorsements – Dinah Goldenberg asked if we allow a teacher to teach out of field for 3 years, is it a better scenario to have students have that teacher for 3 years in a row, or for the teacher to be changed every year?

Mike McNeff would like to see that a teacher be allowed to teach out-of-field for up to 2 years in a specific content area – the 1st year to gain experience, and the 2nd year to complete the Praxis to continue in that content area. Brenda Tufte agreed.

Mike McNeff made a motion to allow for up to 2 years for the out of field endorsement. The second year would need to be requested in writing for the school administrator. In order for the teacher to continue teaching the content area past the 2nd year, they would need to successfully complete the necessary Praxis testing. Motion seconded by Dinah Goldenberg. Board members who voted in favor were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. None opposed. Motion carried.

Administrative Rules – Becky reviewed packet provided to the Board outlining proposed administrative rules changes.

- School Psychology Intern License – Adam Christ, the President-Elect of the North Dakota Association of School Psychologists has approached the Board about the possibility of a School Psychology Intern license. This would be issued for 1 year at a time and would require the minimum of a master’s degree in school psychology. Becky will continue to work with Mr. Christ to get input on specific requirements and bring back to the Board for further review.

- Code of Ethics – Mike McNeff made a motion to approve adding definition of grooming to Educator Code of Ethics, as proposed by Becky. Seconded by Bob Toso. Board members who voted in favor were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. None opposed. Motion carried.

Kathy Lentz made a motion to accept the proposed administrative rules changes, as presented. Brenda Tufte seconded the motion. Board members who voted yes were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. None opposed. Motion carried.

Applicants – One of the pending administrative rules changes includes an option that would allow an individual to be issued a license, with Board approval, if they are unable to meet all requirements of Praxis testing due to a documented disability. Kathy Lentz made a motion to approve the issuing of Courtney Ransom’s application to fall under the disability waiver, pending approval of administrative rules. Motion seconded by Bob Toso. Board members who voted yes were Dinah Goldenberg, Kathy Lentz, Mike McNeff, Carly Retterath, Bob Toso, and Brenda Tufte. None opposed. Motion carried.

Director’s Report – Office staff have recently attended board training led by the Attorney General’s office. Some staff members have also attended a presentation by Dr. Stuart Ablon, author of “The School Discipline Fix: Changing Behavior Using the Collaborative Problem-Solving Approach”. Information presented aligns with ND’s requirement for mental health competency training. Becky has provided a list of free and currently available resources relating to educator ethics. At the Professional Practices Institute, ethics and boundary violations continued to be a heavily discussed topic. ESPB will be attending a national conference in April regarding alternate pathways to licensure. Alternate licensure is another topic trending nationally, with states looking at options to recruit and retain educators.

Licensure Report – Becky had the Board look at the licensure report for the past 4 years to see numbers and comparisons.

Substitute Teachers – An administrator has asked for the Board to consider allowing individuals who are paraprofessionals to sub. At this time, the Board is not looking to change the policy on substitute teachers.

Board Member Reports

NDACTE –

- NDACTE was nominated for the Roaming Bison Award in this year’s ND Governor’s Awards for Excellence in Public Service. Al Olson shared Governor Burgum’s nomination letter.

November 2019

Page 5

- NAFSCE, Cheryl Hunter (UND) and Brenda Tuffe (U. Mary) will be joining Jim Uppgren (ND DPI) to attend a "Deeper Learning' conference in Virginia in November
- Stacy Duffield from NDSU is working with a Fargo area legislator and beginning conversations about ways to address the teacher shortage without lowering standards.
- An NDACTE sub-committee is looking at possible alternatives to the Praxis exam.
- Vince O'Neill, Accreditation Director from the Council for the Accreditation of Educator Preparation (CAEP), will join the NDACTE meeting in November.

Association of Non-Public Schools – Not present.

Association of School Administrators – Conference was held in October.

School Boards Association – Conference was held in October. Bob Toso reported that he's been reappointed to the Board.

NDUnited – Not present.

DPI – Governor's office has received applications for the school board representative and teacher representative positions on the Board. DPI is working to learn more and explore more options in student-centered and personalized learning. There is opportunity for states to work on family engagement – ND has submitted an application to be a part of that group. Additional information won't be available until just before Thanksgiving. K12 Learning Council has been appointed by Governor.

The meeting was adjourned at 11:00am.

Chair

Secretary/Executive Director