

MINUTES – Board Meeting
Thursday, November 10, 2022
Teams Meeting

The Education Standards and Practices Board (ESPB) meeting was called to order at 8:02am by Chair Brenda Tufte. Board members present by video conference were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Patti Stedman, Sory Steiner, Brenda Tufte, and Superintendent Kirsten Baesler. Joshua Standing Elk joined the meeting at 8:50am.

Board member Siri Coleman was absent.

Also present were ESPB Executive Director Rebecca Pitkin, Mari Riehl, and Amy Bigelow from ESPB, Allyson Hicks from Office of the Attorney General, Amy Flicek from NDUnited, Erin Jacobson and Marijke Leibel from Teacher Support System, Jen Wallender from Western Governors University, and other online guests.

Additions/Changes to the Agenda – Additions to the agenda include cases for Sheila Ticao and Erika Scheitlin, a request from Kent Packer for a 30-year life license, and additional information regarding the Keith Leintz case. The draft bill draft approval agenda item will be removed. Patti Stedman made a motion to accept the additions and changes to the agenda. Motion seconded by Andrea Fox. All voted in favor, none opposed. Motion carried.

Motion to Ratify October Licensure List – Cory Steiner made motion to ratify the October 2022 licensure list. Motion seconded by Sonya Hansana. All voted in favor, none opposed. Motion carried.

CASES

Dugan-Dibble, Raquel – The Board reviewed a Request for Inquiry that was received from Rolette Public School for breach of contract at the October 2022 meeting. At that time, the Board voted to table the case and ask for a copy of Ms. Dugan-Dibble's contract. A copy of the school's negotiated agreement was also obtained. The negotiated agreement provided no option for liquidated damages to be paid and therefore no option to get out of the contract. Board members pointed out that this case is unique as there is no option for a fine to be paid. Options the Board has include dismissal of the case, dismissal with conditions which could include fees, courses, ect. This would not be reported to the NASDTEC Clearinghouse. Other options include a letter of reprimand, probation, suspension, or revocation. These types of disciplinary actions include a settlement agreement and are reported to the Clearinghouse. Patti Stedman asked what would happen if Ms. Dugan-Dibble does not agree to settlement agreement. Board attorney Allyson Hicks indicated that if Ms. Dugan-Dibble does not sign the settlement agreement, then it would move forward to an administrative hearing.

Sonya Hansana made a motion to suspend Ms. Dugan-Dibble's license and impose a \$200 fine. Motion seconded by Patti Stedman.

Andrea Fox expressed concern that this district has not provided options to their teachers to break their contract without something such as payment of liquidated damages. Kathy Lentz agreed and stated she would feel more comfortable with a letter of reprimand. Sonya Hansana spoke from the school board perspective and how it leaves the district in a tough place with an unfilled position and a classroom without a

teacher. She also stated that teachers know what they're signing when they do sign a contract. Cory Steiner agreed that every contract should have an out-clause, but this one didn't, and it's not the Board's place to say a contract is wrong - a teacher does need to be aware of what they're signing. Both Cory and Brenda Tufte agreed that this needs to end up in the Clearinghouse. Board members who voted in favor of the motion were Sonya Hansana and Patti Stedman. Board members who opposed were Andrea Fox, Amber Fridley, Ben Johnson, Kathy Lentz, Cory Steiner, and Brenda Tufte. Motion failed.

Kathy Lentz made a motion to issue Ms. Dugan-Dibble a letter of reprimand. Motion seconded by Patti Stedman. Board members who voted yes were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Borowicz, Kiley – Ms. Borowicz's file was reviewed by the Board due to self-disclosed background offenses on her application for licensure. Patti Stedman made a motion to approve Ms. Borowicz's application for licensure. Motion seconded by Cory Steiner. Board members who voted yes were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Callenius, Jadyn – Ms. Callenius' file was reviewed due to possibly teaching without a valid license. She had a teaching permit that expired 8/19/22 and her license was not issued until 9/12/22. Jady did state in her response that her administrator was aware her license had not been issued and he was monitoring her during this time. Patti Stedman made motion to dismiss the case. Motion seconded by Andrea Fox. Cory Steiner reminded the Board there is a process for teachers to be licensed and it's not feasible for an administrator to be in the classroom with a teacher all the time. After further discussion, Patti and Andrea rescinded their motion and second.

Board members continued discussion, as there are options for licensure and administrators are aware of these options, including a 40-day provisional license. Andrea Fox made a motion to fine Ms. Callenius \$100 and send a letter to her administrator about the importance of having a license and the option of a 40-day provisional. Motion seconded by Cory Steiner. Board members who voted yes were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Cox, Jacqueline – Before discussion began, attorney Allyson Hicks asked if anyone needed to recuse themselves, asking if Patti Stedman had a conflict of interest, as she's a school board member at West Fargo, the district where this situation occurred. Patti Stedman did state that she believes she can vote impartially, as she did not have any knowledge of the situation until she read the information presented to the Board. She states she can be impartial.

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Andrea Fox also disclosed that this did happen at her school, but she had no prior knowledge of the event or situation. She states she can be impartial.

Patti and Andrea both would like Board to vote as the neutral reviewer.

Ben Johnson made a motion to allow Patti Stedman to participate in this case, as she stated she did not have prior knowledge of situation or events. Patti does not have any personal, pecuniary interest. Motion seconded by Amber Fridley. Board members who voted yes were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Ben Johnson made motion to allow Andrea Fox to participate in this case, as she stated she did not have prior knowledge of situation or events. Andrea does not have any personal or pecuniary interest. Motion seconded by Amber Fridley. Board members who voted yes were Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Ms. Cox's file was reviewed by the Board due to a Request for Inquiry that was received from West Fargo Public Schools. Ben Johnson expressed great concern with the details of the case, with individuals in the district including principal, assistant superintendent, and human resources doing their due diligence in investigating. Things like this aren't taken lightly.

Cory Steiner made a motion to revoke Ms. Cox's license. Motion seconded by Ben Johnson. Attorney Allyson Hicks asked for clarifications on sections of administrative rule that disciplinary action should fall under. After discussion, Board members agreed this would fall under section 67-1-03-01-02(3).

Board members asked if a revocation meant that license would be taken away forever. Under administrative rule, a person may reapply after two years. If Ms. Cox does apply, the board needs to be clear on what she needs to do to obtain license again, which could include courses like the NASDTEC ethics course. Brenda Tufte asked Cory Steiner if he wanted to include provision about what she could do to get her license back in two years if she wanted to reapply. Cory stated he doesn't see the need to revoke forever. Ben Johnson agreed and said he could see requirements that may include human resources, ethics, or other courses required to reapply at that time. Board members who voted yes were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Eakins, Destiny – Ms. Eakins' file was reviewed due to possibly teaching without a valid license. Patti Stedman made a motion to fine Ms. Eakins \$100 including a letter about importance of having licensed teacher in classroom, and to send a Request for Inquiry to Ms. Eakins' administrator. Motion seconded by Kathy Lentz. Board members

who voted yes were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Smith, Christopher – Mr. Smith's file was reviewed by the Board due to self-disclosed background offenses on his application for license renewal. Ben Johnson made a motion to dismiss the case and require Mr. Smith to self-report any future offenses. Motion seconded by Andrea Fox. Board members who voted in favor were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Ketterl, Melissa – Ms. Ketterl's case was reviewed after a Request for Inquiry was received from Manvel Public School due to breach of contract.

Patti Stedman made a motion to issue a letter of reprimand to Ms. Ketterl with no fine. Motion seconded by Kathy Lentz. Both Patti and Kathy stated they struggle with these types of cases that don't give the teacher an option to get out of their contract. Board members who voted in favor were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Carlson, Callie – Ms. Carlson's file was reviewed after she was asked about a prior background offense and then it was disclosed. In South Dakota, this charge has a felony status, however in North Dakota this would typically be a misdemeanor charge. Attorney Allyson Hicks reminded the Board that they need to take the case as it is, with the status of the charge in the state where it occurred. Ms. Carlson received a suspended imposition of sentence.

Andrea Fox stated that she doesn't feel the charge or actions make Ms. Carlson a danger to children, but is concerned that she didn't originally disclose the offense. Patti Stedman asked if with the suspended imposition of sentence, if it's still considered an offense. Allyson said the charge does still show as a conviction, as the person had to plead guilty to get the deferred imposition.

The Board further discussed clarifying the question on the application for licensure to include a statement that if a charge was ever deferred, dismissed, expunged, ect., it should still be disclosed.

Cory Steiner made motion to dismiss the case with a letter to Ms. Carlson about the importance of disclosing and to disclose any future incidences. Motion seconded by Andrea Fox. Board members stated mistakes are sometimes the best teaching methods, and it's important to recognize that. They pointed out that Ms. Carlson currently coaches, so it makes sense to allow for a license. She did complete all stipulations set forth by the court. Board members who voted in favor were Andrea Fox,

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Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Leintz, Keith – Mr. Leintz's file was reviewed after he self-disclosed a background offense on his application for licensure and it was found that other past offenses not previously been disclosed. Patti Stedman made a motion to dismiss Mr. Leintz's case, with a letter reminding him to report any future incidences. Motion seconded by Sonya Hansana. Board members stated that this was consistent with the last case, that when asked he did provide further information. Board members who voted yes were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Schmidt, Kelsie – At the October 2022 meeting, the Board motioned to accept the order with modifications to the findings, specifically removing the language in paragraph 21, and to then reconsider Ms. Schmidt's case based on the information the Board has. A draft of proposed modifications of findings has been provided to the Board for review and attorney Allyson Hicks has requested the Board review the proposed document and make a motion. Brenda reminded board that they are not considering case today, just reviewing the draft of modifications to findings.

Cory Steiner made a motion to accept the order as written. Motion seconded by Sonya Hansana. Cory said after review of the document, everything seems to be in place. Board members who voted yes were Andrea Fox, Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Andrea Fox left the meeting at 9:43am.

Ticao, Sheila – Ms. Ticao's file was reviewed due to possibly teaching without a valid license. She states in her response that licensed teachers were with her, in a combined classroom setting, while they waited for her license. Kathy Lentz made a motion to dismiss the case and to send letter to Ms. Ticao's administrator reminding them about 40-day provisional option. Motion seconded by Amber Fridley. During discussion, Kathy Lentz said she felt like the co-teaching was appropriate, to give the teacher the opportunity to become familiar with her classroom and students while she waited for her license to be issued. Board members who voted in favor were Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

Scheitlin, Erika – Ms. Scheitlin's file was reviewed due to teaching without a valid license. Cory Steiner made a motion to fine Ms. Scheitlin \$100 including a letter about importance of having licensed teacher in classroom, and to send a Request for Inquiry to Ms. Scheitlin's administrator.

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Motion seconded by Patti Stedman. Board members who voted yes were Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, Cory Steiner, and Brenda Tufte. None opposed. Motion carried.

The regular ESPB meeting was recessed at 9:56am and the Administrative Subcommittee meeting was called to order by Administrative Subcommittee Chair Ben Johnson.

Administrative Cases – Reviewed by the Administrative Subcommittee of the Education Standards and Practices Board. Administrative Subcommittee members present were Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, and Patti Stedman. Cory Steiner was present for discussion, but left the meeting at 10:05am before the vote occurred.

Klaudt, Scott – Mr. Klaudt's file was reviewed due to a Request for Inquiry that was received from New Salem-Almost School District after he was charged with a class C felony in North Dakota. Mr. Klaudt has since resigned from his position at New Salem-Almost and moved to South Dakota. The Request for Inquiry was received this summer, but letters to Mr. Klaudt requesting response were returned as undeliverable. The case has now been pled down to a misdemeanor.

Allyson reviewed options under NDCC 15.1-13-25 (immoral, intemperate, or cruel) or conduct unbecoming a teacher. Kathy Lentz said she would lean toward second option. If Mr. Klaudt's license is revoked, it will go into Clearinghouse and could have an impact on his South Dakota license.

Sonya Hansana made a motion to suspend Mr. Klaudt's license until end of the school year, June 30, 2023. Motion seconded by Patti Stedman. Administrative Subcommittee members who voted yes were Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, and Patti Stedman. None opposed. Motion carried.

The Administrative Subcommittee meeting ended at 10:09am and the regular ESPB meeting resumed after a 10 minute break.

October Minutes, September and October License and Financial Reports –

The September 2022 financial report showed \$103,430.32 in total income received, \$94,522.53 in total expenses, with a net income of \$8,907.79. The September 2022 licensure report documented 1137 items issued. This number includes background checks, endorsements, late fees, and application fees.

The October 2022 financial report showed \$91,502.49 in total income received, \$87,820.08 in total expenses, with a net income of \$3,682.41. The October 2022 licensure report documented 1044 items issued. This number includes background checks, endorsements, late fees, and application fees.

Additional help has been hired for the office and only part of the budget set aside for

that has been used. We have a consultant funded by DPI to manage apprenticeship program. Four months into the fiscal year and we are ahead in income compared to expenses. There are currently increased programming costs with online system and anticipated expenses for desk modification for three work areas.

Kathy Lentz moved to accept the September minutes and September and October license and financial reports. Motion seconded by Joshus Standing Elk. All voted in favor, none opposed. Motion carried.

License Request from Kent Packer – Mr. Packer has submitted a request to the Board to consider granting him a life license without the need for additional credits. When he renewed in 2021, he did not apply for the life license though he had the years and number of credits needed. He was issued a 5-year renewal at that time. Patti Stedman made motion to grant his request, since he met re-education requirement at the time he renewed but didn't apply for the life license. Motion seconded by Ben Johnson. Board members who voted yes were Amber Fridley, Sonya Hansana, Ben Johnson, Kathy Lentz, Joshua Standing Elk, Patti Stedman, and Brenda Tufte. None opposed. Motion carried.

Following the vote, Ben Johnson stated that philosophically, he doesn't feel like individuals should stop learning and have the need for re-education credits, but this is the rule that's in place with the life license.

Disability Waiver – Kayla Martz has submitted a request for a disability waiver for the Core writing test. Patti Stedman made motion to grant Ms. Martz's request. Motion seconded by Sonya Hansana. All voted in favor, none opposed. Motion carried.

License Request from Randy Nesseth – Mr. Nesseth has submitted a request to be allowed additional time to complete his re-education credit due to extraordinary circumstances. This is allowed under administrative rule. Sonya Hansana motioned to allow Becky to work with this individual and give an opportunity for additional time to complete his re-education credits. Motion seconded by Kathy Lentz. All voted in favor, none opposed. Motion carried.

Director's Report – This month the office celebrates four years of the "Little Free Pantry" outside of the office. Mari works with local middle and high school sports teams to help keep the pantry stocked. Accreditation visits continue and UND just finished their site visit November 6-8. The self-study has been received from Sitting Bull College and their team will be meeting soon.

License Presentation – Becky presented licensure numbers from the past three years. Trends show that the number of licenses being issued is going up again this year. The number of interim substitute licenses issued continues to increase.

Teacher Support System – Erin Jacobson and Marijke Leibel from Teacher Support System gave an update. This is the third-year offering Connect to Thrive course for beginning teachers. It's been revised this year as needs of first-year teachers are changing. Teacher Support System is working to connect with current research about health and wellness to support educators. First-year teachers are also given the opportunity to attend Genius Hours, that offer over 22 sessions on different education topics. Genius Hour sessions are facilitated by individuals in North Dakota and partners with Learning Forward. Erin and Marijke highlighted November events and invited Board members to join if they felt led to do so.

ED Evaluation – Two Executive Director evaluations are conducted each year – the formative evaluation in November and the summative evaluation in March. Board Chair Brenda Tufte will be sending request for formative evaluation to Board members this week and it will be due by November 30th, so it can be presented at the December meeting.

Board Member Reports

NDACTE – NDACTE has not met since the last meeting, but they continue to be in their workgroups and are now focused on two initiatives: 1. Exploring options to the Praxis Core exam; and 2. The student teaching permit allowance. Workgroups will bring recommendations forward to their November 18th meeting.

Association of Non-Public Schools – Not present.


Association of School Administrators – Nothing to report.

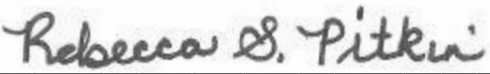
School Boards Association – Convention was held. Conversations about breach of contract and hopes that there can be better information regarding this in the future.

NDUnited – Not present.

DPI – Not present.

The meeting was adjourned at 10:59am.


Chair


Secretary/Executive Director