

MINUTES – Board Meeting
Thursday, November 14, 2024
Teams

The Education Standards and Practices Board (ESPB) meeting was called to order at 8:02am by Board Vice Chair Evan Kritzberger. Board members present by video conference were Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, and Patti Stedman. Cory Steiner joined at 8:06am.

Board member absent were Jenny Bladow and Superintendent Kirsten Baesler.

Also present were ESPB Executive Director Rebecca Pitkin, Mari Riehl, and Amy Bigelow from ESPB, Joe Kolosky from DPI, Ellie Shockley from NDSU, Allyson Hicks and Mark Openshaw from Office of Attorney General, and other online guests.

Introductions were held.

Motion to Include Additional Agenda Items – Additions to the agenda include cases for Lindsay Hendricks, a request from Sherlock Hirning for the board to amend his settlement agreement, a disability waiver request from Samuel Repdos, review of a signed settlement agreement, Executive Director request regarding Barry Striegel, and a request from an applicant for an extension. Patti Stedman made a motion to approve the agenda as amended. Seconded by Sheila Schlafmann. Board members who voted in favor were 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 October Licensure List – Evan Kritzberger made a motion to ratify the October licensure list. Motion seconded by Siri Coleman. Board members who voted in favor were Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

CASES

Kinneberg, Julie – Ms. Kinneberg's file was reviewed due to previous background offenses disclosed on her application for licensure.

Patti Stedman made a motion to grant the interim substitute license to Ms. Kinneberg. Seconded by Dustin Hager. Patti said there seems to be a lot going on, but appears that Ms. Kinneberg has completed treatment and paid the court required fines.

Evan Kritzberger said some of the offenses seem very recent and he doesn't know if he feels he has enough information. Siri Coleman agreed and asked if the requirement to self-report could be added. Patti amended her motion to add a requirement to self-report any subsequent offenses. Dustin agreed to the amendment.

Cory Steiner said this case reminds him of a past case the board reviewed. In that case, the board asked for letters of support from community members. He pointed out that some of Ms. Kinneberg's charges were quite recent. Evan added that he feels letters of support would be helpful before making a decision.

Board members voted on the current motion, to issue the interim substitute license. Dustin Hager and Sheila Schlafmann voted in favor of the current motion, with no stipulations. Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Patti Stedman, and Cory Steiner voted no. Motion failed, as board discussion indicated they would feel more comfortable making a decision with additional information.

Attorney Mark Openshaw added that Ms. Kinneberg is still on probation for her most recent charge.

Evan Kritzberger made a motion to request three letters of support for Ms. Kinneberg. Seconded by Siri Coleman. Both expressed that having documentation of support will help the board make an informed decision. Board members who voted in favor were Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Grover, Joseph – Self-disclosed background offense. Attorney Mark Openshaw reminded the board of NDCC 15.1-13-26(c). Mr. Grover pled guilty to MN statute 609.345 1 in 1997. Allyson Hicks did some research on that statute from 1997, which at that time did include age stipulations. Mark gave examples of current ND Century Code that relates to this case.

Patti Stedman said she feels she will need the citations of those codes again. She also pointed out that Mr. Grover states in his letter that he served in the military with 24 years of service. She does not feel the board has the necessary information needed to make a decision. Siri Coleman asked if the statute that Mr. Grover pled guilty to in MN included the “position of authority” statement because of the ages of the individuals involved. Allyson said to get a more complete view of the events of the case, having other documents would be helpful. She isn’t sure of Minnesota retention policies and if this information would be on file. Patti pointed out the documents submitted don’t include the level of seriousness of the offense. Cory Steiner agreed that additional information is necessary.

Siri Coleman made a motion to request the entire court docket for this case – the complaint and any other charging documents or affidavits of probable cause or arrest. Seconded by Patti Stedman. 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.

Radcliffe, Jayden – Before discussion on this case began, Siri Coleman disclosed that she knows this individual, as he used to work in her district. She does not have a personal or financial relationship and feels she can be unbiased. Evan Kritzberger made a motion to allow Siri to participate in this case. Seconded by Angela Nagel. Board members who voted in favor of allowing Siri Coleman to participate in this case were Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila

Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Sarah Lerud also disclosed that she also knows Mr. Radcliffe, as he was a para in her district. She does not have a personal relationship to Mr. Radcliffe and feels she can be unbiased. Evan Kritzberger made a motion to allow Sarah Lerud to participate in this case. Seconded by Amber Fridley. Board members who voted yes were Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Mr. Radcliffe's file is being reviewed due to self-disclosed offenses on his application for licensure. Board members asked if they could request documentation of treatment, as was stipulated by the court. Attorney Allyson Hicks recommended that the board ask him to submit results of evaluation from treatment provider, which would require that he sign a consent/waiver with each of his providers in order for the board to receive. If received, this will need to be discussed in executive session and is highly protected.

Cory Steiner made a motion to request Mr. Radcliffe complete a waiver to have information sent to the board about his current progress in treatment. Seconded by Sheila Schlafmann. Cory said it appears there is a pattern, and while he appreciates where Mr. Radcliffe is in his recovery journey, he feels more information is needed. 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.

Hendricks, Lindsay – Ms. Hendricks's file was reviewed after she self-disclosed an offense on her application for an interim substitute license. Evan Kritzberger made a motion to grant a license to Ms. Hendricks with the stipulation that she self-report any future violations. Seconded by Patti Stedman. Evan said Ms. Hendricks has been forthcoming and she's taken care of all requirements set forth by the court. He believes she's looking for a new beginning. 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.

The regular meeting was recessed at 8:55am.

Administrative Subcommittee – Called to order at 8:55am 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.

Lukens, Robert – At the October meeting Mr. Lukens's file was reviewed after a Request for Inquiry was received. The administrative subcommittee passed a motion to table the case and request additional information related to the part of the RFI that

alleged a potential violation of mandated reporting requirements. Additional information has been received.

Cory Steiner and Patti Stedman pointed out that in the new documents it shows an investigation was completed by the Department of Health and Human Services and it was determined that the school was not involved, with no abuse or neglect found.

Dustin Hager made a motion to dismiss. Seconded by Patti Stedman. Dustin said after reading through the information a few times, the Request for Inquiry filing appears to show people upset with the school board. If that's the case those individuals need to address that in an election, not by filing complaints with ESPB. Administrative subcommittee members who voted to dismiss the case were Amber Fridley, Dustin Hager, Sarah Lerud, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Hirning, Sherlock – At the August 2024 meeting the administrative subcommittee voted to issue Mr. Hirning a settlement agreement requiring him to complete the Dept of Health and Human Services mandatory reporter training and to issue a letter of reprimand. Mr. Hirning has provided documentation that he's completed mandated reporter training. He's retained an attorney and submitted a counteroffer for the board to reconsider and dismiss his case.

Administrative subcommittee members expressed that they may want to see all documents related to the original case before going forward with a decision. Dustin Hager made a motion to table until December and revisit all documentation from the case. Seconded by Sarah Lerud. Dustin feels it's too hard to recall all the details of the Request for Inquiry and would be good to review all the facts. Administrative subcommittee members who voted yes were Amber Fridley, Dustin Hager, Sarah Lerud, Sheila Schlafmann, and Patti Stedman. Cory Steiner voted no. Motion carried.

Administrative subcommittee was adjourned at 9:10am and the regular meeting resumed at 9:10am.

Allyson Hicks provided an update on the Rhawnie Marcellais case. Ms. Marcellais has been convicted of child abuse in Indian country and was sentenced yesterday to 50 months in federal prison. Since Ms. Marcellais did not respond to any requests for service, the case was moved to litigation. It's gone to an administrative law judge because she submitted a brief response but it was not enough information, so cannot go to default judgement. A pre-hearing conference has been scheduled. Since she's now in federal custody, a request must be made to US marshals for her to appear virtually for the pre-hearing conference. A bill has been drafted to update statute to include federal cases going forward and there is a bill carrier.

Mark Openshaw provided an overview of the Supreme Court opinion in Fargo

Education Association v. Fargo Public School District. They have determined that a school psychologist is not considered a “teacher” and falls outside of the district negotiated agreement.

Settlement Agreement – Lucas Senske – Becky sent a settlement agreement to Ms. Senske for teaching without a license. He has signed and returned. Patti Stedman made a motion to approve the signed settlement agreement. Seconded by Amber Fridley. Board members who voted yes were Siri Coleman, Amber Fridley, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

License Report – Tabled until next month. Mari had another commitment.

ND RISE – Last month there were 20 individuals registered for ND RISE without mentors, but down to 6 as of today. Those should be finalized by the end of this month. New mentor training self-study option was launched in October. ND RISE had 71 new mentors complete the training, with positive feedback.

Erin Jacobson highlighted the recommendation from the Teacher Retention and Recruitment Task Force that recommends graduated mentoring through ND RISE for teachers in their first three years of teaching.

Board Education – Becky attended the Professional Practices Institute in Kentucky on October 15th, which focused on missteps and restorative practices. Districts know that good policy protects teachers, and local level diligence is necessary.

Director’s Report – Becky recently filled out a NASDTEC survey for Vermont, asking if a life license is provided for retired teachers. Most states moved away from this in the 90’s, as they realized re-education for educators is so important.

ESPB is in year 6 of filling the Little Free Pantry outside the office. This is very much needed in our community and Mari works with middle school athletic teams at Bismarck Public Schools to help with food drives.

All educator preparation programs (EPPs) have provided their reading reports except for one, and they have been put on probation. The requirement for this report is statutorily mandated. A survey has been sent to administrators that have individuals working in their district who hold a teaching authorization. Updated administrative rules have been drafted for the authorization.

Becky has uploaded a document with legislative trends across the country. She feels ND has many of these things in place already.

ED Evaluation – Cory Steiner reviewed Becky’s evaluation, noting that all feedback was very strong.

Patti Stedman shared that she's thankful to have a director that's visible across the state and country. Patti Stedman made a motion to approve the ED evaluation as satisfactory. 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.

Cory thanked Becky on behalf of the board, thanked her for being a leader for ESPB.

The meeting recessed at 9:52am and resumed at 10:00am.

Teacher Shortage Reporting – Joe Kolosky from DPI and Ellie Shockley from NDUS presented information on teacher shortages. This information is used to complete federal reports annually. For this year, the methodology was updated and that was reviewed. DPI is working to continuously improve the reporting and getting more accurate data.

Joe would like to come back next month and show what they've done over the month. Also in December, Becky and Mari will have data of occupational shortage areas as determined by alternate access licenses, out-of-field endorsements, ect.

Policy – Becky has drafted policy that if the board reviews a file due to a self-disclosed background offense and the board votes to issue a license, the individual would automatically receive a letter stating that they need to self-report any subsequent offenses that occur between renewals.

Siri Coleman made a motion to approve the policy as written. Seconded by Patti Stedman. Board members who voted in favor were Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Administrative Rules – Becky met with Jenny Bladow from UND and Dave Steckler, an administrator from Mandan, to draft updated administrative rules related to the teaching authorization. Based on their recommendations, updates would be made to administrative code 67.1-02-01-06(d) to include the name and role of an onsite collaborating teacher and (e) include a detailed plan of support to include release time for the teacher to observe another classroom. These amendments are based on feedback that's been received from teaching authorization holders, their administrators, and EPPs.

Evan Kritzberger made a motion to approve the administrative rule amendments as recommended. Seconded by Angela Nagel. Board members who voted in favor were Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

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

The October 2024 financial report showed \$77,577.75 in total income received, \$80,577.60 in total expenses, with a net income of minus \$2,999.85. The October 2024 licensure report documented 981 items issued. This number includes background checks, endorsements, late fees, and application fees.

Disability Waiver Request –

- **Marites Dona** – Ms. Dona has requested a waiver of Core Academic Skills, Praxis II Elementary Education, and PLT tests. Letters of support from her district, as well as other required information, have been provided. Motion by Evan Kritzberger to grant the request for a waiver. Seconded by Sarah Lerud. 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.
- **Samuel Repdos** – Mr. Repdos has submitted a request for waiver of Core Academic Skills tests in reading, writing, and math. He has submitted documentation of test attempts and letters of support. Siri Coleman made motion to approve the request from Mr. Repdos. Seconded by Evan Kritzberger. 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.
- **Stetson Baker** – Mr. Baker has requested waiver of Praxis II General Science test. Documentation of test attempts and letters of recommendation have been received. Angela Nagel made a motion to approve. Seconded by Amber Fridley. Board members who voted in favor were Siri Coleman, Amber Fridley, Dustin Hager, Evan Kritzberger, Sarah Lerud, Angela Nagel, Sheila Schlafmann, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Applicant Requests –

- **Nicole Hafner** – Ms. Hafner has requested an extension to allow her additional time to complete the requirements of her reciprocal plan. Her current license expires in February 2025 and she's requested an extension until April 2025. Sarah Lerud made a motion to grant Ms. Hafner's request. Seconded by Evan Kritzberger. 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.
- **Waiver of Late Fee** – Karina Tambiga has requested waiver of her late fee. Ms. Tambiga documented hardship that prevented her from renewing her license

before it expired. The board does have the option to waive the late fee if proof of medical or other hardship is documented. Evan Kritzberger made a motion to approve Ms. Tambiga's request for wavier of her late fee. Seconded by Dustin Hager. 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.

Executive Director Request – Barry Striegel – Becky has brought a request to the board regarding Mr. Striegel's license that lapsed. He's paid the late fee and she would like board direction about if an additional settlement agreement with a fine should be issued, as outlined in policy that was drafted earlier in 2024. It was determined Mr. Striegel's license was lapsed for one day short of a month, so a settlement agreement was not required.

Board Member Reports

NDACTE – Not present.

Association of Non-Public Schools – Nothing to report.

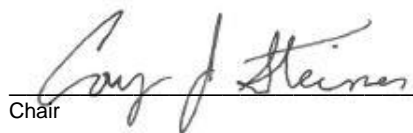
Association of School Administrators – Preparing for session. Cory Steiner believes Measure 4 not passing eased some administrator's minds.

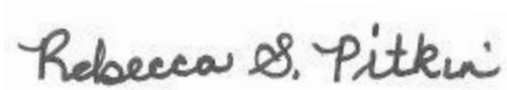
School Boards Association – Convention was just held. Cory commented that he thought the convention was very well done.

NDUnited – Preparing for legislative session.

DPI – Also preparing for legislative session. Have some professional development sessions coming up. ND scholarship from last session goes into effect this year.

Meeting adjourned at 10:52am.


Chair


Secretary/Executive Director