

MINUTES – Board Meeting
Thursday, October 12, 2023
Bismarck Career Academy

The Education Standards and Practices Board (ESPB) meeting was called to order at 8:00am by Board Chair Cory Steiner. Board members present were Jenny Bladow, Siri Coleman, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, Cory Steiner, and Superintendent Kirsten Baesler. Amber Fridley joined by video conference.

Also present were ESPB Executive Director Rebecca Pitkin, Assistant Director Mari Riehl, and Amy Bigelow from ESPB, Allyson Hicks and Mark Openshaw from Office of Attorney General, Erin Jacobson and Marijke Leibel from Teacher Support System, Joe Kolosky from DPI, Amy Flicek from NDUnited, Anna Kennedy and other online guests.

Introductions were held.

Additions/Changes to the Agenda – Additions to the agenda include cases for Jenna Haagenson and Jessie Valerio, an Administrative Subcommittee case for Seth Engelstad, and discussion on the comments for the Administrative Rules hearing on the emergency rules. Board education will be removed from agenda. Sonya Hansana made a motion to accept the agenda as amended. Seconded by Evan Kritzberger. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Motion to Ratify September Licensure List – Siri Coleman made a motion to ratify the September 2023 licensure list. Seconded by Deb Follman. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

CASES

Tepper, Neal – Mr. Tepper has submitted an application for a re-entry license and self-disclosed background offenses on his application. He is looking to work at Standing Rock school. Attorney Allyson Hicks pointed out that most of the charges are theft and all information is included with documents provided to the Board.

Jenny Bladow made a motion to approve Mr. Tepper's application for renewal. Motion seconded by Kathy Lentz. Evan Kritzberger asked if similar to what the Board has done in the past if a requirement for Mr. Tepper to self-disclose any new offenses should be included? Jenny and Kathy agreed to adding the requirement for Mr. Tepper to self-report any new offenses. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Beck, Sydney – Ms. Beck's file is being reviewed by the Board after she self-disclosed prior background offenses on her application for an interim substitute license. Patti Stedman made a motion to approve Ms. Beck's application with the requirement that she self-report any new offenses. Motion seconded by Angela Nagel. Patti stated she believes Ms. Beck has taken responsibility and satisfied everything associated with the charges and is taking steps to make better choices. Board members who voted yes

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were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Brandt, Evan – Mr. Brandt's application is being reviewed due to a self-disclosed background offense on his application for renewal. Patti Stedman asked when a theft case rises beyond the misdemeanor level. Attorney Allyson Hicks said it's typically when the amount is beyond \$500. Becky reminded the Board there are options of the NASDTEC Ethics course or ETS does have an ethics course also. The course offered through ETS does not automatically require the reflection paper.

Patti Stedman made a motion to issue Mr. Brandt's license and request that he complete ETS ethics course with a self-reflection paper required to come back to the Board. Patti stated she would like to see that he takes appropriate steps before license is renewed. His renewal is conditional upon course completion. Motion seconded by Angela Nagel. Since his license expires today (10/12/23) the Board agreed that license could be extended for one week and then renewed after documentation of successful course completion is received. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Gillis, Shannon – Ms. Gillis's file is being reviewed due to self-disclosed background offenses on her application for a re-entry license. Kathy Lentz made a motion issue Ms. Gillis's license with requirement to self-report any new offenses. Motion seconded by Siri Coleman. Kathy and Siri both stated that Ms. Gillis's charges are more than five years old. Allyson reminded the Board that if offenses are more than five years old there would need to be reason to show the offenses effect the person's ability to teach. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Haagenson, Jenna – Before discussion began on this case Deb Follman disclosed that Ms. Haagenson is a parent at her school. Attorney Allyson Hicks recommended that the Board go through the conflict analysis to determine if this is a close personal relationship.

Deb stated she knows Ms. Haagenson's husband's family very well. She interacts with Ms. Haagenson about every other week, but not in depth. Allyson asked if Deb feels she can be unbiased – Deb does feel she could be unbiased in the consideration of the case. Deb can now decide if she feels if she can vote or defer to the neutral Board to decide. If she defers to the Board to determine and someone would make an ethics commission complaint, she would be covered by Safe Harbor laws. Deb will defer to remainder of the neutral Board to determine if she can participate in the case. Allyson reminded the Board they should consider an appearance of bias to a reasonable

person, including the type of relationship, how direct relationship is, and if there is any pecuniary or personal relationship.

Sonya Hansana made a motion to allow Deb Follman to participate in this case. Motion seconded by Jenny Bladow. Sonya believes Deb has expressed that she knows Ms. Haagenson but not in a close personal way. Board members who voted to allow Deb Follman to participate in the case were Jenny Bladow, Siri Coleman, Amber Fridley, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Ms. Haagenson disclosed a 2022 offense on her application for renewal. During processing other offenses were found when a search of her name on NDCourts was conducted. These offenses were not previously disclosed on her application for licensure. Allyson said there is a common misconception that after a certain amount of time offenses no longer need to be disclosed. It's the Board's job to decide if they believe she purposefully omitted the information on previous applications.

Evan Kritzberger made a motion to approve Ms. Haagenson's application for renewal with a contingency that she self-report any further offenses. Seconded by Kathy Lentz. Evan believes it was a misunderstanding that she did not disclose her past offenses and not an intentional omission. Kathy agreed. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Schmaltz, Jay – Mr. Schmaltz's file was reviewed by the Board after a Request for Inquiry was filed by Linton School District for theft from the school. A copy of the Request for Inquiry with request for a response was sent to Mr. Schmaltz, with a signed certified mail return receipt, and no response was received. Since no response was received, the Board can then decide if lack of response is admission of guilt. Attorney Allyson Hicks reminded the Board this was an active criminal case until very recently. Mr. Schmaltz just pled guilty to charges in district court. It's likely he may have been advised not to respond to the Request for Inquiry.

The Board has options of taking disciplinary action against license that could include conditional dismissal, revocation, suspension, education/ethics courses, or other things. The Board needs to determine if they want to allow Mr. Schmaltz to possibly continue to be in a classroom or does the Board think that's not an option.

Sonya Hansana said as far as Mr. Schmaltz being a teacher, he may still be a good teacher, but ethically he makes poor decisions and shouldn't be allowed to handle money. If he would continue to be employed as a teacher, the handling of money would be a school district decision. Evan Kritzberger believes Mr. Schmaltz should be given an additional chance to respond before action is taken, now that his case has been

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resolved through the court system. Allyson said he can be given additional time to respond and plead his case, if that's what the Board wants. If there is question of delivering the request for response to Mr. Schmaltz, the papers can be served by a sheriff.

Evan asked Allyson to clarify what a conditional dismissal is – this is when the Board believes the offense is not egregious enough to take action. Allyson also reminded the Board of the Klautt case from last month, who stole \$900 from a district, where this person stole a larger amount. The Board voted to suspend Klautt's license and has now moved to litigation since he did not sign his settlement agreement.

Evan Kritzberger made a motion to suspend Mr. Schmaltz's license. Motion seconded by Siri Coleman. Evan feels based on the documents Mr. Schmaltz was presented with information and had chances to rectify situation and did not take those steps. He has since pled guilty to a criminal charge of theft and not responded to the Request for Inquiry. Siri said to be consistent with the Klautt case a suspension seems appropriate. Mr. Schmaltz's license expires April 13, 2024. If/when he reapplies it would have to be reported and would be revisited by the Board. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Valerio, Jessie – Reviewed due to the possibility that he was teaching without a valid license. In his letter of response Mr. Valerio stated he was not working as a teacher prior to being licensed but instead was working to set up the gym, gather equipment, and working as a paraprofessional. Kathy Lentz moved to dismiss. Motion seconded by Jenny Bladow. Kathy stated that based on the information included in Mr. Valerio's letter she believes the case should be dismissed, though she would have liked to see an administrative support letter submitted. Board members who voted yes were Jenny Bladow, Siri Coleman, Amber Fridley, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Regular meeting recessed at 9:01am.

Administrative Subcommittee – Called to order at 9:01am by Cory Steiner. Reviewed by Administrative Subcommittee of the Education Standards and Practices Board. Administrative Subcommittee members present were Deb Follman, Amber Fridley, Sonya Hansana, Kathy Lentz, Patti Stedman, and Cory Steiner.

Engelstad, Seth – Mr. Engelstad's file was reviewed by the Administrative Subcommittee after a Request for Inquiry was received stating that he was in violation of Administrative Rule 67.1-03-01-03(7). This Request for Inquiry is related to the Chris Larson RFI that was reviewed and dismissed in May 2022. Kathy Lentz stated she felt

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this Request for Inquiry seemed incomplete. She said it is an administrator's job to protect the students and would like to hear from administrator on the Board what they think. Cory Steiner said when the Larson case was reviewed there was not anything in the complaint that seemed valid. There was a resignation and if the teacher disagreed with the request for resignation, there is a legal way to fight that. Cory feels this case has been reviewed and there is no new information.

Kathy Lentz made a motion to dismiss the case. Motion seconded by Deb Follman. Kathy feels like it's an administrator's job to protect students and look out for the best interest of the district and that's what Mr. Engelstad did. Deb agreed. Patti Stedman added that if the person filing the Request for Inquiry believed he should not have been asked to resign he should have gone through the appropriate steps. Board members also noted that the RFI cities administrative code that says evaluations and recommendations for colleagues should be presented fairly, accurately, and professionally. The occurrences that led to the resignation happened in October 2021 and evaluations are not due until December of the school year. The educator was never formally evaluated due to the small amount of time he was employed in the district. Administrative Subcommittee members who voted in favor were Deb Follman, Amber Fridley, Sonya Hansana, Kathy Lentz, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

The Administrative Subcommittee meeting was adjourned at 9:07am and the regular meeting was resumed at 9:07am.

Competency Based Education – Higher Ed is exploring options for competency-based learning. Dr. Cory Steiner, Jim Uppgren from DPI, and Lisa Johnson from NDUS spoke to the group. They quickly learned this will be a huge undertaking. Information was presented about Dakota Nursing Program. This program brings colleges together to collaborate on a program. NDUS is looking to see if there is something where universities could work together to have a collaborative degree in education – such as elementary education. Each university would “own” an area of expertise and students would complete those courses and possibly have some be competency based.

Higher Ed has also developed a proposal for variance and alternative evidence for basic skills testing. They will continue to follow these students and see how these alternatives are working. Becky also learned recently that a few states are eliminating the need for some tests and are instead using work samples, as is required for accreditation.

Amber Fridley left the meeting at 9:21am.

Teacher Support System – Erin Jacobson and Marijke Leibel from Teacher Support System presented. TSS supports beginning teachers through mentoring, veteran teachers through leadership opportunities, and all teachers through coaches academy. This is the second year of being able to mentor 1st and 2nd year teachers in ND. It's

being received well, but is certainly not perfect.

TSS has been using KickUp for about 4 years now. This year they've moved all mentoring documents to KickUp and are also now using an online process for stipend requests. This will also provide more in-depth data. Avanti is another online platform that's being used by beginning and mentor teachers. The subscription is being used to replace the beginning and mentor teacher PD.

Erin and Marijke presented data on districts that have been participating in TSS mentoring program over the 13 years of the program, as well as results of their recruitment and retention studies that have been completed.

Apprenticeships – Updates of things that have been happening since August when Laurie Matzke from DPI last reported to the Board.

- As part of SB 2032 in 2023 DPI received \$3 million over two years to provide grants to universities to help paraprofessionals become teachers. Information was sent to schools on September 8, 2023, and since then they've received 90 applications. A little over \$1 million in funding has been requested to date. Common questions – can someone use this funding to earn a masters? No, funding is only for paraprofessionals to get bachelors degree. If they have a bachelors in another area, they could go back to get another bachelors or coursework in teaching. To qualify a person must be a paraprofessional at least half-time. After approval, the funding goes to universities for program payment.
- Registered Teacher Apprenticeship Program (RAP)– Approved in December 2022. Federal funding awarded in June 2023.
- Registered Principal Apprenticeships – In July 2023, the US Department of Labor approved ND's Principal Apprenticeship program. North Dakota is the first state to have a registered Principal Apprenticeship Program. At this time there are three school districts participating and 10 apprentices enrolled.
- Data on Potential Impact:
 - Educator Preparation Programs participating:
 - ESSER – 3
 - State – 10
 - RAP – 10
 - Projected new teachers:
 - ESSER – 200
 - State – 250
 - RAP – 250
 - Projected new principals – 10

Anna Kennedy, a completer of one of ND's first para to teacher programs spoke to the Board. She started as a substitute. There was one student who made her want to work full time. The teacher she was working with brought the program to her attention. She finished the program in 2 ½ years and it cost her nothing, thanks to the grant from DPI.

She was able to work as a paraprofessional and do her student teaching at the same time, which allowed her to complete the program. She was able to apply real-life situations to things that she was learning in class and also apply things she was learning to her classroom to her coursework. Through Minot State University students where in a cohort group. Anna said she could see the benefits of being a paraprofessional previously, as she knew what she was getting in to, where other first year teachers don't necessarily see that as they haven't been in a classroom full-time.

Director's Report – Becky asked Board members to save the date for the Board retreat June 5-6, 2024. Amy Bigelow reported the FBI audit on September 12th went well and it was noted in our account that we do not need to have another audit in 3 years. Updates to NDTeach that will allow individuals to upload transcripts and other documents will be live in production soon. We hope this will streamline things and we are aware this will change our workflow. ESPB Assistant Director Mari Riehl will be working with districts and presenting to some HR departments about licensure. Attempting to help them know more about licensure in relation to the hiring processes. Becky will be attending Professional Practices and NASDTEC Board meeting next week. There was a viewing in Bismarck of the movie The Truth About Reading sponsored by Bismarck Public Schools on September 28th. After the viewing Becky participated in a panel discussion.

House Bill 1381 states that reading instruction no longer needs to be provided for K-12 and only needs to be provided for elementary education, early childhood, and special education. A group of individuals from EPPs are looking at reading competencies and making sure this training is uniform across universities.

Administrative Rules – A hearing on the emergency rules was held on October 3rd. Nobody in attendance. Received some feedback from administrators which has been provided to the Board. Comment period is open until October 14, 2023. As of yesterday, 16 teaching authorizations have been issued.

Evan Kritzberger made a motion to approve the comments received regarding the adoption of administrative rules in relation to Pre-Service Teacher Authorizations and that a special meeting would be called if additional comments are received. Motion seconded by Deb Follman. Board members who voted yes were Jenny Bladow, Siri Coleman, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

September Meeting Minutes and Financial Reports – The September 2023 financial report showed \$96,129.10 in total income received, \$103,264.38 in total expenses, with a net income of minus \$7,135.28.

The September 2023 licensure report documented 1338 items issued. This number includes background checks, endorsements, late fees, and application fees.

Deb Follman moved to accept the September meeting minutes and financial reports. Seconded by Jenny Bladow. Board members who voted yes were Jenny Bladow, Siri Coleman, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Siri Coleman made a motion to approve the September licensure report. Seconded by Evan Kritzberger. Board members who voted yes were Jenny Bladow, Siri Coleman, Deb Follman, Sonya Hansana, Evan Kritzberger, Kathy Lentz, Angela Nagel, Patti Stedman, and Cory Steiner. None opposed. Motion carried.

Disability Waivers – The Board has received a request for a disability waiver from Riley Peterson. Cory Steiner and Evan Kritzberger disclosed that they know Mr. Peterson. Evan is from the same community as Mr. Peterson. He does feel he can be impartial, as he has no personal relationship with Mr. Peterson. Cory also feels he can be impartial and does not have a close personal or pecuniary relationship with Mr. Peterson.

Deb Follman made a motion to allow Cory and Evan to participate in discussion and voting. Motion seconded by Siri Coleman. Board members who voted yes were Jenny Bladow, Siri Coleman, Deb Follman, Sonya Hansana, Kathy Lentz, Angela Nagel, and Patti Stedman. None opposed. Motion carried.

Kathy Lentz made a motion to grant Riley Peterson's request for a disability waiver of Praxis II PLT: Grades 7-12. Motion seconded by Angela Nagel. Board members who voted yes were Jenny Bladow, Siri Coleman, Deb Follman, Sonya Hansana, Kathy Lentz, Angela Nagel, and Patti Stedman. None opposed. Motion carried.

Licensure Report – Board members were provided a report showing the number of licenses that have been issued in September historically. The number of licenses being issued keeps increasing.

Meeting was recessed at 11:39am and reconvened at 12:28pm.

Board Discussion – Main goal for today is to brainstorm ideas on three major topics: 30-year life licenses, apprenticeships for pre-service teaching, and reciprocal licenses.

- **30-year life licenses** – There was a bill in 2023 to reduce the number of years required for the life license from 30 years to 20 years. The Board held a special meeting and voted to have Becky testify in opposition to the bill. Eliminating 10 years' worth of renewals (typically 2 5-year licenses) would also eliminate applicants self-disclosing any new background offenses and the ethical questions. Becky would like the board to be proactive instead of reactive. She approached the drafters of the bill to get feedback and hasn't received any response. A letter was received last month from an individual who believes a life license should be issued without need for additional credits. Sonya Hansana pointed out cases the Board has reviewed and said a person can make choices

that aren't the best at any time, regardless of their age. Evan Kritzberger said the renewal serves two purposes – to verify that there are no new offenses, but also to ensure that teachers are staying current and keeping up with their re-education credits. Cory Steiner stated he doesn't believe that teachers can have it both ways and say they want to be respected, but also say they don't need to continue with learning. Board members said there are so many options to earn credits now and it's no longer required that teachers be on-site and sit in a classroom for 15 hours to earn a credit. Siri Coleman agreed and said that us showing that we're thankful for teachers and their time and showing respect for the profession doesn't mean lowering the standards. Cory believes removing the credit requirement will lower the standard. Superintendent Baesler agrees with everything being said and wonders if there is information that can be collected from other licensing boards with similar pay, similar education requirements to see what they do, such as nursing, social workers, insurance agents, dental hygienists, ect, to see if they give lifetime licenses. This would allow a decision to be made and supported based on data. Sonya doesn't believe education is any different from any other profession that requires professionals to stay current.

- **Apprenticeships and Pre-Service Teaching** – There have been some questions about what student teaching will look like in an apprenticeship. Language was added to NDCC 67.1-02-01-01 regarding the Pre-Service Teacher Authorization. State law currently requires a minimum of 10 weeks of student teaching. Becky believes this will need to be addressed as apprenticeships continue to move forward. Jenny Bladow reminded other Board members that apprenticeships won't be for everyone, and student teaching won't go away.
- **Reciprocal Licenses** – This relates to a letter the Board received from Trudy Wolf from Zeeland. We have many applicants from other states and from outside the US who do not have a license from another state in the US and received an out-of-state reciprocal license. One applicant has taught outside the US for approximately 18 years and did not have student teaching, which is required in ND law. ESPB staff identified that in the past year and a half there have been approximately 284 reciprocal licenses issued, with 55 more in the queue. In that time, we have come across 2 people who have an education degree and for some reason did not have student teaching. Kathy Lentz asked if there is a way to verify an applicant's successful teaching experience. She said if it could be verified, she could see the Board looking at possible options. Board members felt this could be something to look at down the road.

Board Member Reports

NDACTE – Jenny has already shared about competency-based education and higher education looking at streamlining reading competency training across universities. Nothing additional to report.

Association of Non-Public Schools – Nothing to report.

Association of School Administrators – Administrators are preparing for special

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session that is coming up. Cory Steiner is asking everyone to pay attention to the school choice issues that may be discussed.

School Boards Association – State convention coming up at the end of the month.

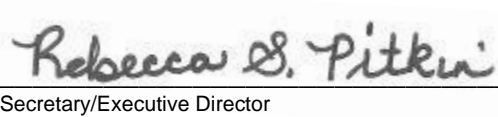
NDUnited – Nothing to report.

DPI – Laurie Matzke from DPI provided an updated on the Grow Your Own programs earlier in the meeting.

The meeting was adjourned at 1:35pm.



Chair



Secretary/Executive Director