

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

ADMINISTRATIVE RULES COMMITTEE

Monday, November 18, 2002
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative LeRoy G. Bernstein, Chairman, called the meeting to order at 10:00 a.m.

Members present: Representatives LeRoy G. Bernstein, Duane DeKrey, William R. Devlin, Mary Ekstrom, Bette Grande, Kim Koppelman, Jon O. Nelson, Darrell D. Nottestad, Sally M. Sandvig, Blair Thoreson, Dwight Wrangham; Senators John M. Andrist, Thomas Fischer, Layton Freborg, Jerry Klein, Bob Stenehjem

Members absent: Representative Nancy Johnson; Senators Deb Mathern, David O'Connell

Others present: See Appendix A

It was moved by Representative DeKrey, seconded by Senator Stenehjem, and carried on a voice vote that the minutes of the October 17, 2002, meeting be approved as distributed.

SUPERINTENDENT OF PUBLIC INSTRUCTION

Chairman Bernstein called on Ms. Anita Decker, Department of Public Instruction, for comments relating to November 2002 rules of the Superintendent of Public Instruction carried over for consideration from the October 17, 2002, committee meeting. Ms. Decker said concerns were expressed by representatives of school administrators with regard to the rules. She said the Department of Public Instruction has met with representatives of the Council of Educational Leaders and has developed amended rules that concerned parties agree are appropriate relating to issuance of credentials for school administrators. She distributed copies of proposed amendments to committee members. A copy of the proposed amendments is attached as Appendix B.

In response to a question from Representative Nottestad, Ms. Decker said the renewal process for teacher licensing is spelled out in statute. She said applicants must submit a report on workshops attended with their applications to the Department of Public Instruction. She said applicants receive renewed certification if sufficient workshop hours are verified. She said the department is working to align licensing and credential applications so that applications will be done at the same time. She said it will take some time to align the application process between the department and the Education Standards and Practices Board.

In response to a question from Senator Andrist, Ms. Decker said a school superintendent may also serve as a principal of a small school.

Committee counsel said the rules make reference to rules adopted by the Education Standards and Practices Board "on" August 1, 2002. He said the reference should probably be changed to indicate that the rules revisions were adopted "effective" August 1, 2002. Ms. Decker said that change would be acceptable.

Chairman Bernstein called on Mr. Larry Klundt, Council of Educational Leaders, for comments on the proposed amendments submitted by the Department of Public Instruction. Mr. Klundt said his group appreciates the Department of Public Instruction working with the Council of Educational Leaders to make necessary changes to clarify how the credential process is to function. He said the Council of Educational Leaders agrees with and supports the proposed amendments submitted by the Department of Public Instruction.

It was moved by Representative Nelson, seconded by Representative Nottestad, and carried on a roll call vote that the Administrative Rules Committee agree with the Superintendent of Public Instruction on adoption of submitted amendments to rules regarding credentials for school administrators, with the additional change of replacing the word "on" with "effective" preceding "August 1, 2002" where it appears in the rules with reference to adoption of rules revisions by the Education Standards and Practices Board. Voting in favor of the motion were Representatives Bernstein, DeKrey, Devlin, Ekstrom, Grande, Koppelman, Nelson, Nottestad, Sandvig, Thoreson, and Wrangham and Senators Andrist, Fischer, Klein, and Stenehjem. No negative votes were cast.

EDUCATION STANDARDS AND PRACTICES BOARD

Chairman Bernstein called on Ms. Janet Placek Welk, Executive Director, Education Standards and Practices Board, for a presentation of comments relating to August 2002 rules of the Education Standards and Practices Board carried over for consideration from the October 17, 2002, committee meeting.

A copy of Ms. Welk's prepared testimony is attached as Appendix C.

At the conclusion of Ms. Welk's testimony, Chairman Bernstein asked whether the committee wished to take further action regarding these rules. Further action was not suggested.

It was moved by Representative DeKrey, seconded by Representative Grande, and carried on a voice vote that the meeting be adjourned.
The meeting was adjourned at 10:30 a.m.

John Walstad
Code Revisor

ATTACH:3