

2017 HOUSE EDUCATION

HB 1098

# 2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee  
Coteau A Room, State Capitol

Bill No. 1098

1/4/2017

Job 26577

Subcommittee

Conference Committee

Committee Clerk Signature

## Explanation or reason for introduction of bill/resolution:

Relating to the school grades that require elementary or high school teacher qualifications.

## Minutes:

Attachment 1

**Chairman- Mark S. Owens:** opens hearing on HB 1098. Anyone in support of 1098?

**Rebeca Pitkin:** (see attachment 1 for testimony)

**Chairman- Mark S. Owens;** thank you, any questions.

**Rep. Pat D. Heinert:** In reference to a currently licensed educator, how is there current license going to crossover into this new great.

**Rebecca Pitkin;** for example, if you are licensed for 1-6 grade, and then this law is passed we would go back to make that retroactive so they could then teach 1-8 grade. We would not necessarily re-issue all the paper copies, but it would be retroactive. Superintendents are potentially thinking ahead of people they could have in different spots.

**Rep. Pat D. Heinert:** so in the elementary one. That is currently through 6<sup>th</sup> grade, now goes through 8<sup>th</sup> grade. And I understand why you are doing this, it makes sense to me, but I am looking at the currently licensed teacher who teaches kindergarten, and now she can teach 8<sup>th</sup> grade? Not sure she can teach 8<sup>th</sup> grade, but probably the best kindergarten teacher I have ever seen. So is there some kind of training that can carry them over or is it just the continued Ed training that will continue to make sure they do qualify for the other grades.

**Rebecca Pitkin:** so just to clarify the kindergarten has remained the same. We recognize that kindergarten is the different level. We do require that kindergarten teachers have a kindergarten endorsement, we did not make it K-8, we collected a lot of survey data and the feedback was that we should keep kindergarten intact, but to your question a first grade teacher, that would be a great jump to 8<sup>th</sup> grade. We trust that superintendents and principals will put the best people in the best slot. That is what they asked for. We are meeting with higher Ed in the spring to review all those contents so their syllabi that train out teachers will have that information.

**Chairman- Mark S. Owens:** calls on Rep. Rich S. Becker

**Rep. Rich S. Becker:** Rebecca is there any correlation to this request coming now to the fact that the school system now is k-5 and most schools are 6-8, there are no more junior high schools that were 7,8,9, so are you trying to realign more closely what people consider elementary, the middle school, and then the high school.

**Rebecca Pitkin:** That was not what drove this per-se, what drove this was the need for superintendents and principals to have more flexibility, in who they hired. That was what drove it, but it is a consideration.

**Rep. Ron Guggisberg:** you mentioned that you collected a lot of data about how teachers felt about the leaving kindergarten out, what kind of questions did you and do you have a report, and can we get access to that.

**Rebecca Pitkin:** We do, absolutely. Chairman Owens I will get that to you, can I get an e-mail to send it to. Just to give a brief overview we had a board workshop in August and we invited different stakeholders to generate ideas, and we got 7 to 8 major questions based on input that we received at the board meetings. That is how we generate our questions, certainly I will send it to you.

**Chairman- Mark S. Owens:** If you would please send it to the committee clerk, and committee intern and he will send it to all of us.

**Rep. Denton Zubke:** you mentioned that there is some wording that need change, are you going to supply us with the wording so we know what your intent is?

**Rebecca Pitkin:** yes I will. I can have it to you by tomorrow.

**Rep. Denton Zubke:** Can you explain this to me on page 2, lines 10 and 11, you have some strikeouts there and I do not understand exactly what you are trying to accomplish there.

**Rebecca Pitkin:** The strikeouts represent what was in the law, it represents what it looked like previously.

**Rep. Denton Zubke:** I understand that, but on line 10 it says "and not defined by the education standards and practices board is a Representative Corey Mock academic area".

**Rebecca Pitkin:** May I grab the bill to see the right line. On the second page on page 2 line 10 and 11, that would be if we want all of our secondary people to have a major or a major equivalency and now we are going to let them teach with a minor degree. So let's say you are a science teacher and you have a minor in a different area, you would not be allowed to teach in your minor field, and now you will be able to teach with a minor at the secondary level. And that is if you remember pre no child left behind, for those of you who are old enough to remember that.

**Rep. Brandy Pyle:** I have a teaching certificate being that my minor was in Spanish, can I teach Spanish at the high school level? Is that what you are saying?

**Rebecca Pitkin:** if the minor has been determined by content experts in the field of higher Ed, and in k-12. If they have determined that would make you qualified to have the minor, as long as you meet the group of courses you can teach the minor, which I can say yes to your question.

**Rep. Brandy Pyle:** thank you.

**Chairman- Mark S. Owens:** any additional questions or comments. I think you answered my question, but I just want to go over it because its all about expanding the ability to hire in the two different arenas, and as such you are eliminating the specific requirements for middle school which were there prior. What its saying if I am correct, grade 1-8 if you have elementary education you are good to go, if they want to hire you for it, but if you are 12;42 you are elimination the specific requirements. 1-8 if you have elementary education. But if you are high school, and don't have elementary education and you have specific major/minor combination you can teach from 5<sup>th</sup> grade up only in that major minor.

**Rebecca Pitkin:** for example, a middle school teacher or a middle school principal could choose would they rather have an elementary person teaching their math or would they rather have a content major or a math major teaching their math. So that leaves the choice to the administrator to choose the person that best meets their needs.

**Chairman- Mark S. Owens:** At no point would that math major be teaching social science in the 8<sup>th</sup> grade.

**Rebecca Pitkin:** confirms Chairman's question, he is correct with his specific example.

**Chairman- Mark S. Owens:** any further questions. Any additional support for HB 1098?

**Elroy Burkle:** He is the Executive Director of the North Dakota Small Organized Schools. They represent 141 school districts in North Dakota, prior to hearing the amendments, we go on record to support this bill, I do like what I am hearing on the amendments, because I do believe it will enhance the original language of this bill, as a former practicing superintendent who was there prior to the no child left behind, when they had more flexibility. This is going to help schools immensely. Being able to move a science teacher can go both ways, it can be an advantage or disadvantage. He asks if anyone has any questions of him.

**Chairman- Mark S. Owens:** does committee have any questions?

**Rep. Bill Oliver:** He does have a question and trying to figure out how to put it. Says that no action can be taken without seeing the amendments, but the chairman reassures that at the moment they are only listening to testimony.

**Chairman- Mark S. Owens:** we are just taking testimony right now.

**Elroy Burkle:** says her supports the bill, but he is also reiterating that he really supports the amendments. He wants to be on record, because he may not be able to show up when the committee gets together and votes on the bill amendments and bill.

**Chairman- Mark S. Owens:** any other questions? Any additional support?

**Aimee Copes:** serves as the executive director for the North Dakota council of educational leaders. The North Dakota council of Educational Leaders represents all of our educational leaders within a school district with the exception of teachers. She is talking about the superintendents, secondary and elementary principals, current tech Ed directors, our technology directors, our county superintendents, our school business officials, our REA directors, and she may be missing some but hopes they get the picture. They worked with ESPB with regard to getting feedback from their constituency with regard to this concept. Prior to no child left behind, they did not have that middle school endorsement, and they did not have some of the requirements which provided the local hiring administrator the flexibility and opportunity to get the right people into the classroom on the basis of all of the various criteria they had to deal with. They are looking to going back to that, what they learned through the last decade of no child left behind was that that particular piece of criteria was more of a handcuff than it was a help to some of our schools. So having that extra ability to put the right people into the classroom is definitely very helpful. They are looking for support on this bill and the amendments, and she asks for questions asked of her.

**Chairman- Mark S. Owens:** any opposition? None. Any neutral testimony? None.

**Chairman- Mark S. Owens:** calls up Rebecca Pitkin for a question. Have you had a conversation with higher Ed personnel about their education path, don't they currently have a path for middle school teachers, and will it still be necessary to have?

**Rebecca Pitkin:** We have, in fact her predecessor left her notes about the possibility of this change. You had referenced the middle school endorsement, that was in the previous law, and they still have that available. It will be in the rules that if a superintendent feel that they have a middle school, and they want their teachers to have a middle school endorsement its available. It is still available but it's not the law, but it will still be in the rules, and still available.

**Chairman- Mark S. Owens:** that answers that question. Second question is a fictitious story; he is a school teacher, he graduated from UND and has a middle school certification within the last 10 years. Where can he teach now that the law will change.

**Rebecca Pitkin:** Dickenson is building a new middle school, and every one of those teachers have just received their middle school endorsement, and now they are saying that it is not needed. Superintendents have said even though the middle school endorsement is no longer necessary from their teachers, they still prefer it when they are thinking of hiring teachers. It is a concern when the law changes, and people are caught in the middle, but you can saw you have additional knowledge and acknowledge that you are better off for having the unnecessary endorsement, maybe?

**Chairman- Mark S. Owens:** will they be restricted from grades 5-8.

**Rebecca Pitkin:** No, because that is an endorsement. That is on top of something else. So that is another piece that they add to either secondary or elementary. Just like an extra piece you can have.

**Chairman- Mark S. Owens:** anyone have additional questions. No other testimony.

Gavel hit at 2;23pm

# 2017 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau A Room, State Capitol

HB 1098  
1/10/2017  
Job 26768

- Subcommittee  
 Conference Committee

Committee Clerk Signature

## Explanation or reason for introduction of bill/resolution:

Relating to the school grades that require elementary or high school teacher qualifications.

## Minutes:

No attachments.

**Chairman- Mark S. Owens:** Committee work. I was allowing a constituent to talk to his government, and by doing so I allowed him to do some things he should not have done. I apologize for that. We are talking about 1098, we are completely replacing the bill. That is if we accept the amendment.

**Rep. Corey Mock:** since some of our members are new, can you explain what a hog house amendment is.

**Chairman- Mark S. Owens:** A hog house amendment is completely rewriting the bill, everything you see on the page after a bill is deleted, and it is completely changed. The whole bill is being changed if we accept the amendment. We are getting copies of the bill now; the amendment says the same thing but just in a different way. This is changing the teacher certification requirements for various grades.

**Rebecca Pitkin:** Did your committee receive the survey the other day that they requested. The reason that this bill has been re-written is for clarity. When we wrote the initial one we reverted to pre no child left behind language, because in essence that is what we are going back to. It was brought to my attention that it was not very clear for those of us that have not been in education for many years. We broke it apart into many different areas pre-K to kindergarten, in the previous law it was not broken down this way. It was suggested that for consistency and coherence that we bring that part in. We began with kindergarten and it lays out what you have to do to be a kindergarten teacher, and then the second part talks about what it means to be an elementary teacher, and then on to a secondary teacher. In the previous which I introduced last Wednesday you did not see the middle school part, and that was a question that someone had asked me about what happens to middle school majors, and in our amendments we put it back in otherwise it would have been illegal once the law was put into effect for middle school teachers with current licenses to teach. So that is why we re-wrote it with more consistency and continuity so you can see if you want to be a pre-k or kindergarten teacher you must, here all the things you must do and here is what you need

to do it. Pick one. Secondly if you want to be an elementary school teacher these are the ways you can be an elementary teacher, and then on to high school. So the reason for the amendment was for clarity and continuity, and putting some things we left out. That is the rationale behind this amendment. Nothing has changed, it's just the wording.

**Chairman- Mark S. Owens:** that is the way I read it, it just took me a couple of times to read it, because at first I was thinking why did we put middle school back in, but then I said it really does not matter because you have grades 5-8 and you are not eliminating it from the others you are merely adding it in there. To my reading it read the same as we discussed, it is clearer. Committee are there any questions?

**Vice Chairman- Cynthia Schreiber-Beck:** no questions but I will comment that this would be a lot easier when we go to the floor if we vote to approve this, because it took a little bit of understanding. I very much appreciate the amendment,

**Rep. Mary Johnson:** I just have a technical question, on section 2 that says a new section 15.1-8 which is the entirety of teacher qualifications was there another section number? Are they going to number it something else and we don't know what yet?

**Rebecca Pitkin:** That is my understanding. And I will be very honest, I received help from the office for these numbers

**Rep. Denton Zubke:** he motions to adopt amendment, and Rep. Corey Mock is the second on that motion.

**Chairman- Mark S. Owens:** Any further discussion

Rep. Dennis Johnson: If someone is carrying this bill on the floor and you are asked a question the difference between a major in middle school level and a major equivalency, what is the difference between the equivalency and the major.

**Rebecca Pitkin:** There are two ways to become a middle school major, one is by doing the coursework from the institution, the other way to get the indorsement it to pass the praxis test. It will get you an area as well of the course work.

**Chairman- Mark S. Owens:** asking the clerk to roll call vote to accept the amendment, and then followed by a do pass as amended vote. Rep. Pat D. Heinert motions to pass, and Rep. Bill Oliver seconds the motion. 14-0-0 Heinert will carry the bill.

January 11, 2017

1/11/17 DA

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1098

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15.1-18 of the North Dakota Century Code, relating to teacher requirements for prekindergarten and kindergarten; to amend and reenact subdivision a of subsection 1 of section 15.1-07-32 and section 15.1-18-02 of the North Dakota Century Code, relating to teacher requirements; and to repeal sections 15.1-18-07, 15.1-18-08, and 15.1-18-09 of the North Dakota Century Code, relating to elementary, middle, and high school teacher qualifications.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Subdivision a of subsection 1 of section 15.1-07-32 of the North Dakota Century Code is amended and reenacted as follows:

- a. Meet the ~~qualifications~~requirements of an elementary school teacher as set forth in section ~~15.1-18-073~~ of this Act; or

**SECTION 2. AMENDMENT.** Section 15.1-18-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-02. Prekindergarten and kindergarten teacher ~~qualifications~~—Exceptions requirements.**

In order to teach prekindergarten and kindergarten, an individual must be:

1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and
2.
  - a. Have a major in elementary education and a kindergarten endorsement;
  - b. Have a major equivalency in elementary education and a kindergarten endorsement;
  - c. Have a major in elementary education and an early childhood education endorsement;
  - d. Have a major equivalency in elementary education and an early childhood education endorsement;
  - e. Have a major in early childhood education; ~~or~~
  - f. Have a major equivalency in early childhood education; or
  - g. Have a minor in early childhood education.

**SECTION 3.** A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

**Grades one through twelve - Teacher requirements.**

1. An individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board may teach any grade from one through eight, provided the individual meets any requirements established in accordance with section 15.1-18-10 and has:
  - a. A major in elementary education; or
  - b. A major equivalency in elementary education.
  
2. An individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board may teach any grade from five through eight, provided the individual has:
  - a. A major in middle level education; or
  - b. A major equivalency in middle level education.
  
3. An individual who is licensed to teach at the secondary level by the education standards and practices board or approved to teach at the secondary level by the education standards and practices board may teach any area at any grade from five through twelve, provided the individual has:
  - a. A major in the area being taught;
  - b. A major equivalency in the area being taught;
  - c. A minor in the area being taught; or
  - d. A minor equivalency in the area being taught.

**SECTION 4. REPEAL.** Sections 15.1-18-07, 15.1-18-08, and 15.1-18-09 of the North Dakota Century Code are repealed."

Renumber accordingly

Date: 1/10/2017

Roll Call Vote # 1

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1098

House Education Committee

Subcommittee

Amendment LC# or Description: 17,8031.01001 Title. 02000

- Recommendation:  Adopt Amendment
- Do Pass     Do Not Pass     Without Committee Recommendation
- As Amended     Rerefer to Appropriations
- Place on Consent Calendar
- Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. Zubke Seconded By Rep. Mock

Representatives	Yes	No	Representatives	Yes	No
Chairman- Mark S. Owens	✓		Rep. Andrew Marschall	✓	
Vice Chairman- Cynthia Schreiber-Beck	✓		Rep. Bill Oliver	✓	
Rep. Rich S. Becker	✓		Rep. Brandy Pyle	✓	
Rep. Pat D. Heinert	✓		Rep. Matthew Ruby	✓	
Rep. Dennis Johnson	✓		Rep. Denton Zubke	✓	
Rep. Mary Johnson	✓		Rep. Ron Guggisberg	✓	
Rep. Donald W. Longmuir	✓		Rep. Corey Mock	✓	

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep.

If the vote is on an amendment, briefly indicate intent:

Date: 1/10/2017

Roll Call Vote # 2

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1098

House Education Committee

Subcommittee

Amendment LC# or Description: 17.8031.01001 title 02000

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Heinert Seconded By Rep. Oliver

Representatives	Yes	No	Representatives	Yes	No
Chairman- Mark S. Owens	✓		Rep. Andrew Marschall	✓	
Vice Chairman- Cynthia Schreiber-Beck	✓		Rep. Bill Oliver	✓	
Rep. Rich S. Becker	✓		Rep. Brandy Pyle	✓	
Rep. Pat D. Heinert	✓		Rep. Matthew Ruby	✓	
Rep. Dennis Johnson	✓		Rep. Denton Zubke	✓	
Rep. Mary Johnson	✓		Rep. Ron Guggisberg	✓	
Rep. Donald W. Longmuir	✓		Rep. Corey Mock	✓	

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Heinert

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1098: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1098 was placed on the Sixth order on the calendar.

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    - a. A major in the area being taught;
    - b. A major equivalency in the area being taught;
    - c. A minor in the area being taught; or
    - d. A minor equivalency in the area being taught.

**SECTION 4. REPEAL.** Sections 15.1-18-07, 15.1-18-08, and 15.1-18-09 of the North Dakota Century Code are repealed.

"

Renumber accordingly

2017 SENATE EDUCATION

HB 1098

# 2017 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Sheyenne River Room, State Capitol

HB 1098  
2/8/2017  
Job Number 28030

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Sandy Baumgardner*

## Explanation or reason for introduction of bill/resolution:

Relating to elementary, middle, and high school teacher qualifications

**Minutes:**

#1, #2, #3

**Chairman Schaible:** Meeting come to order. Clerk take the roll.

All present except Senator Davison

**Chairman Schaible:** We will open the meeting for HB 1098

**Senator Kannianen** came at this time.

**Rebecca Pitkin:** Director of the Education Standards and Practices Board. Testimony #1 in support of HB 1098.

**Senator Rust:** Does it make any difference on how the school is organized? Some schools are K-6 or K-12.

**Rebecca Pitkin:** ESPB is not about the school. It is about the licensing. In the middle school, they could have an elementary teacher teaching or a secondary teacher teaching. It would give flexibility.

**Senator Rust:** You could have an elementary teacher in the junior high teaching all the math and that person would be qualified.

**Rebecca Pitkin:** We can have different levels of licensed people in a given school as long as they are teaching what they are qualified for.

**Chairman Schaible:** Please turn on the microphone.

**Senator Rust:** An elementary teacher could teach math in that school. Now they might need a major or minor in that school to teach, is that correct?

**Rebecca Pitkin:** Yes, currently elementary is just 1-6. At the junior high level, those people would have a secondary major because secondary is 7-12. Our flexibility would ask that elementary be 1-8 and there is overlap as you would see. The secondary would be 5-12. The district level superintendent or principal could choose who would be the best individual for that position.

**Senator Rust:** Would that lower the quality of education the student may get?

**Rebecca Pitkin:** We would certainly hope not and we would promote the complete opposite. We would trust that the local administrators would choose the best person to teach their students. In our surveys from around the state, the response was to have local flexibility to choose the person they thought would be the best fit and insure quality would not be compromised.

**Chairman Schaible:** You mentioned an emergency clause.

**Rebecca Pitkin:** It would go into effect as soon as it is approved, so we could start right away. We have had calls on how contracts can be written.

**Senator Oban:** Is there something in code for the middle school?

**Rebecca Pitkin:** Currently in code, you must have a middle school piece according to the current law. The ESPA assumes you do not have to have a middle school major in order to teach 5-8. The middle school major is available thought for those who would want it. An amendment had taken out the middle school. It was brought to my attention that if that was removed out of the law, as soon as the law went into effect that group of middle school teachers would not be in compliant of the law anymore. So we put that back in, as the middle school major will still be available. Colleges have a program. We believe having a middle school endorsement is a good thing. Larger school districts may still require that. It is available. It is just not in law anymore.

**Senator Oban:** If you have an elementary education major, you can teach 1-8 under this bill. That doesn't mean that someone who doesn't have that degree cannot teach 5-8. You don't need both?

**Rebecca Pitkin:** Right, it is available, but it is not necessary.

**Senator Rust:** Are there any laws that need to be changed, so it doesn't run into a roadblock?

**Rebecca Pitkin:** We are making changes in our administrated rules. We are changing the wording of the middle school endorsement, that they may have one, and don't have to have one. The major changes are in the rules. We will make changes. Teachers may teach with their minor now also. No Child Left Behind changed that because they were supposed to be highly qualified. Those rules will be changed also in grades for 9-12. I am proposing that as soon this passes it would go into effect.

**Chairman Schaible:** Was this amendment proposed to the House?

**Rebecca Pitkin:** No, because our phone calls started coming in. I presented to the House on January 5, 2017. I called School Board Association and they wondered if I was putting out a memo. We are receiving questions this morning on who to hire and can we hire. So we thought we would just go through with this.

**Chairman Schaible:** If we have a conference committee they will ask.

**Senator Rust:** No Child Left Behind took out teachers who had taught in their minors and all of a sudden they were no longer highly qualified. Did ESSA remove those and why now?

**Rebecca Pitkin:** In the ESSA law they realized the word "highly qualified" has gone away and we are looking at "highly effective". Through surveys, our stakeholders wanted flexibility for minors.

**Chairman Schaible:** Other testimony in favor of?

**Aimee Copas:** Executive Director for the North Dakota Council of Educational Leaders Testimony #2. We are in favor of HB1098. This is exactly what we have been asking for. Highly effective teacher is more important that having lots of credits.

**Chairman Schaible:** Do you support the amendment?

**Aimee Copas:** Yes, we do and if there is a way to get this emergency clause through and bring this forward so it is here for this year's hiring cycle it would be beneficial.

**Brandt Dick:** Superintendent of Underwood School and Board Member of ND Small Organized Schools. Testimony #3. We appreciate the flexibility of being able to hire and retain staff. We would also support the emergency clause.

**Chairman Schaible:** Other testimony? Seeing none we will close the meeting.

# 2017 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Sheyenne River Room, State Capitol

HB 1098  
2/13/2017  
Job Number 28282

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Sandy Baumgartner*

## Explanation or reason for introduction of bill/resolution:

Relating to elementary, middle, and high school teacher qualifications

## Minutes:

"Click to enter attachment information."

**Chairman Schaible:** Look at HB 1098. If we want this bill, we should add an emergency clause so we can get it done.

**Senator Oban:** I move to add an emergency clause to Engrossed House Bill 1098.

**Senator Kannianen:** I second.

**Chairman Schaible:** There is a motion and second to add an emergency clause. Is there any other discussion? Clerk take roll.

Roll Taken: 5 yeas, 0 nays, and 1 absent

**Senator Oban:** I move a Do Pass on amended HB 1098.

**Senator Vedaa:** I second.

**Chairman Schaible:** We have a motion and second to amended HB 1098. Any other discussion?

**Senator Rust:** This is exactly what we had been doing prior to "No Child Left Behind". It provides a lot of flexibility. When that was taken away it forced us to add people. It cost us more dollars. I am not sure that we got all that much better instruction even though that person had a major. It is a really good bill and my hats off to them.

**Senator Oban:** A previous senator would be happy to see ESPB coming forward with a little flexibility. I agree that when we are trying to retain teachers this helps with flexibility.

**Chairman Schaible:** Any other discussion? If not, clerk take roll.

Roll Taken: 5 yeas, 0 nays, 1 absent.

**Carrier: Senator Oban**

February 13, 2017

ET

2-13-17

p. 1 of 1

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1098

Page 1, line 4, remove "and"

Page 1, line 6, after "qualifications" insert "; and to declare an emergency"

Page 2, after line 29, insert:

**"SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly



Date: 2-13-17  
 Roll Call Vote #: 2

**2017 SENATE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1098**

Senate Education Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Oban    Seconded By Vedaa

Senators	Yes	No	Senators	Yes	No
Chairman Schaible	✓		Senator Oban	✓	
Vice-Chairman Rust	✓				
Senator Davison	ab				
Senator Kannianen	✓				
Senator Vedaa	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Oban

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1098, as engrossed: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1098 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and"

Page 1, line 6, after "qualifications" insert "; and to declare an emergency"

Page 2, after line 29, insert:

**"SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure."

Re-number accordingly

2017 TESTIMONY

HB 1098

Attachment 1

HB 1098

1/4/17



Education Standards and Practices Board  
2718 Gateway Avenue, Suite 303  
Bismarck, ND 58503-0585  
(701) 328-9641 Fax (701) 328-9647  
<http://www.nd.gov/espb>

**Testimony on HB 1098**  
**House Education Committee**  
**January 4, 2017; 2:00 p.m.**  
**Education Standards and Practice Board**

---

Good afternoon Chairman Owens and members of the House Education Committee. I am Rebecca Pitkin, Director of the Education Standards and Practices Board. I am here today to testify in support of HB 1098.

House Bill 1098 was developed in consult with multiple North Dakota education stakeholders and agencies: superintendents, principals, teachers, higher education, and the Department of Public Instruction. The Education Standards and Practices governing board unanimously supports HB 1098 and its effort to increase flexibility for school districts.

The Education Standards and Practices Board is the agency which licenses K-12 teachers. The concept expressed in this bill is increased flexibility for school districts. A licensed elementary teacher would be able to teach in grades 1-8; currently an elementary teacher is licensed in grades 1-6. HB 1098 would allow a licensed high school teacher to teach their content area such as math, science, or history, in grades 5-12; currently high school teachers are licensed for grades 7-12. Increased licensure flexibility assists districts in their efforts to hire the best teachers as this is what is best for kids.

I recognize some additional wording for clarification is needed to accurately express the bill's intent. We desire to amend the bill to indicate that an elementary teacher licensed in grades 1-8 is able to teach all

content areas in any school and a secondary major can teach their content area in grades 5-12 in any school. I am respectfully asking that you not vote on this bill until such a time as the wording is amended.

Finally, the intent of this bill is to increase flexibility in teacher licensure grade configuration with the goal of enabling school districts to hire the best teachers.

This concludes my testimony. I am happy to answer any questions you may have. If you want to contact me after today, I can be reached at 701.328.9647 or at [rpitkin@nd.gov](mailto:rpitkin@nd.gov).

HB 1098  
2-08-17  
#1 p1



Education Standards and Practices Board  
2718 Gateway Avenue, Suite 303  
Bismarck, ND 58503-0585  
(701) 328-9641 Fax (701) 328-9647  
<http://www.nd.gov/espb>

**Testimony  
House Bill 1098  
Senate Education Committee  
February 8, 2017; 2:00 p.m.  
Education Standards and Practice Board**

Good morning Chairman Schaible and members of the Senate Education Committee. My name is Rebecca Pitkin and I am the Director of the Education Standards and Practices Board. I am here today to testify in support of HB 1098.

House Bill 1098 was developed in consult with multiple North Dakota education stakeholders and agencies: superintendents, principals, teachers, higher education, and the Department of Public Instruction. The Education Standards and Practices governing board unanimously supports HB 1098 and its effort to increase flexibility for local school districts.

The Education Standards and Practices Board is the agency which licenses K-12 teachers. The concept expressed in this bill is increased flexibility for school districts. A licensed elementary teacher would be able to teach in grades 1-8; currently an elementary teacher is licensed in grades 1-6. HB 1098 would allow a licensed high school teacher to teach their content area such as math, science, or history, in grades 5-12; currently high school teachers are licensed for grades 7-12. Increased licensure flexibility assists districts in their efforts to hire qualified candidates.

Furthermore, HB 1098 will enable schools to have greater flexibility in the way they configure their schools as they strive to have the very best educators for their students. It is the goal of ESPB to increase flexibility for school districts yet maintain excellence and high standards for all educators because this is what is best for the children in North Dakota

House Bill 1098 has an emergency clause. The rationale for the request for an emergency clause is in response to stakeholders who have in an increasing number, been inquiring about contract language and their ability to hire effective candidates prior to the date the law is in effect. Finally, as stated previously, the intent of this bill is to increase flexibility in teacher licensure grade configuration with the goal of enabling school districts to hire the best teachers.

This concludes my testimony. I am happy to answer any questions you may have.

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#1 p. 2

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15.1-18 of the North Dakota Century Code relating to teacher requirements for grades one through twelve; to amend and reenact section 15.1-18-02 of the North Dakota Century Code, relating to teacher requirements for prekindergarten and kindergarten; and to repeal sections 15.1-18-07, 15.1-18-08, and 15.1-18-09 of the North Dakota Century Code, relating to elementary, middle and high school teacher qualifications.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 15.1-18-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-02. Prekindergarten and kindergarten teacher qualifications—~~Exceptions requirements.~~** In order to teach prekindergarten and kindergarten, an individual must be:

1. Licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board; and
2.
  - a. Have a major in elementary education and a kindergarten endorsement;
  - b. Have a major equivalency in elementary education and a kindergarten endorsement;
  - c. Have a major in elementary education and an early childhood education endorsement;
  - d. Have a major equivalency in elementary education and an early childhood education endorsement;
  - e. Have a major in early childhood education; ~~or~~
  - f. Have a major equivalency in early childhood education; or
  - g. Have a minor in early childhood education.

**SECTION 2.** A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

**Grades one through twelve – Teacher requirements.**

1. An individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board may teach any grade from one through eight, provided the individual meets any requirements established in accordance with section 15.1-18-10 and has:
  - a. A major in elementary education; or
  - b. A major equivalency in elementary education.
2. An individual who is licensed to teach by the education standards and practices board or approved to teach by the education

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#1. P.3

standards and practices board may teach any grade from five through eight, provided the individual has:

- a. A major in middle level education; or
- b. A major equivalency in middle level education.

3. An individual who is licensed to teach at the secondary level by the education standards and practices board or approved to teach at the secondary level by the education standards and practices board may teach any area at any grade from five through twelve, provided the individual has:

- a. A major in the area being taught;
- b. A major equivalency in the area being taught;
- c. A minor in the area being taught; or
- d. A minor equivalency in the area being taught.

**SECTION 3. REPEAL.** Sections 15.1-18-07, 15.1-18-08, and 15.1-18-09 of the North Dakota Century Code are repealed.”

Renumber accordingly

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2-8-17  
H 1 P.4

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1098

Page 1, line 6, after "qualifications" insert ", and to declare an emergency"

Page 2, after line 29, insert:

**"SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly.

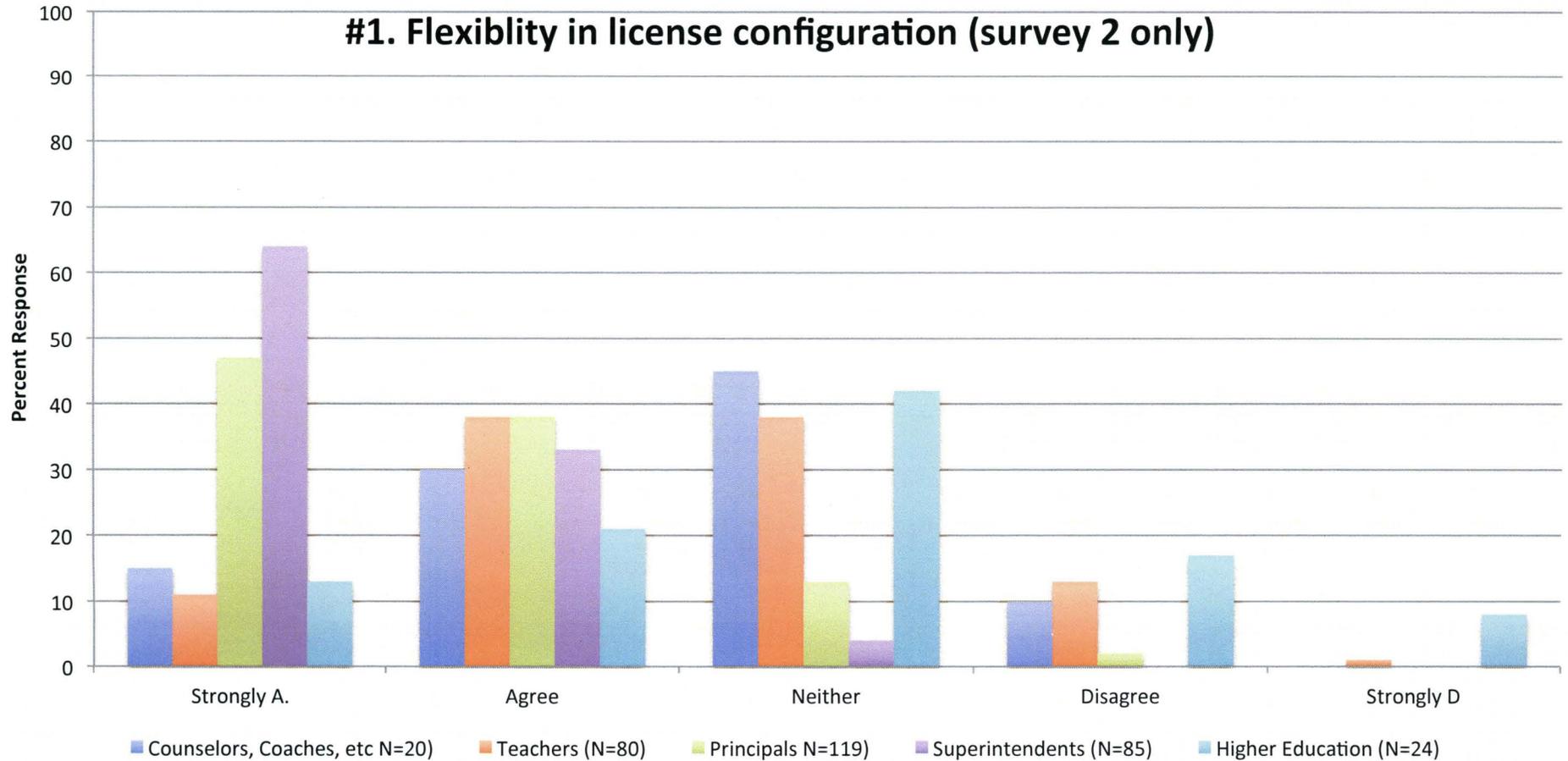
1. More flexibility in license configuration would be beneficial for my school district.

HB 1098  
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2-8-17

	Strongly A.	Agree	Neither	Disagree	Strongly D
Counselors, Coaches, etc N=20)	15%	30%	45%	10%	0%
Teachers (N=80)	11%	38%	38%	13%	1%
Principals N=119)	47%	38%	13%	2%	0%
Superintendents (N=85)	64%	33%	4%	0%	0%
Higher Education (N=24)	13%	21%	42%	17%	8%
School Board (N=2)	0%	0%	100%	0%	0%

NOTE: Please note that number of respondents varies greatly between the two surveys.

Groups with fewer than 15 responses are included on the tables, but not on the charts.



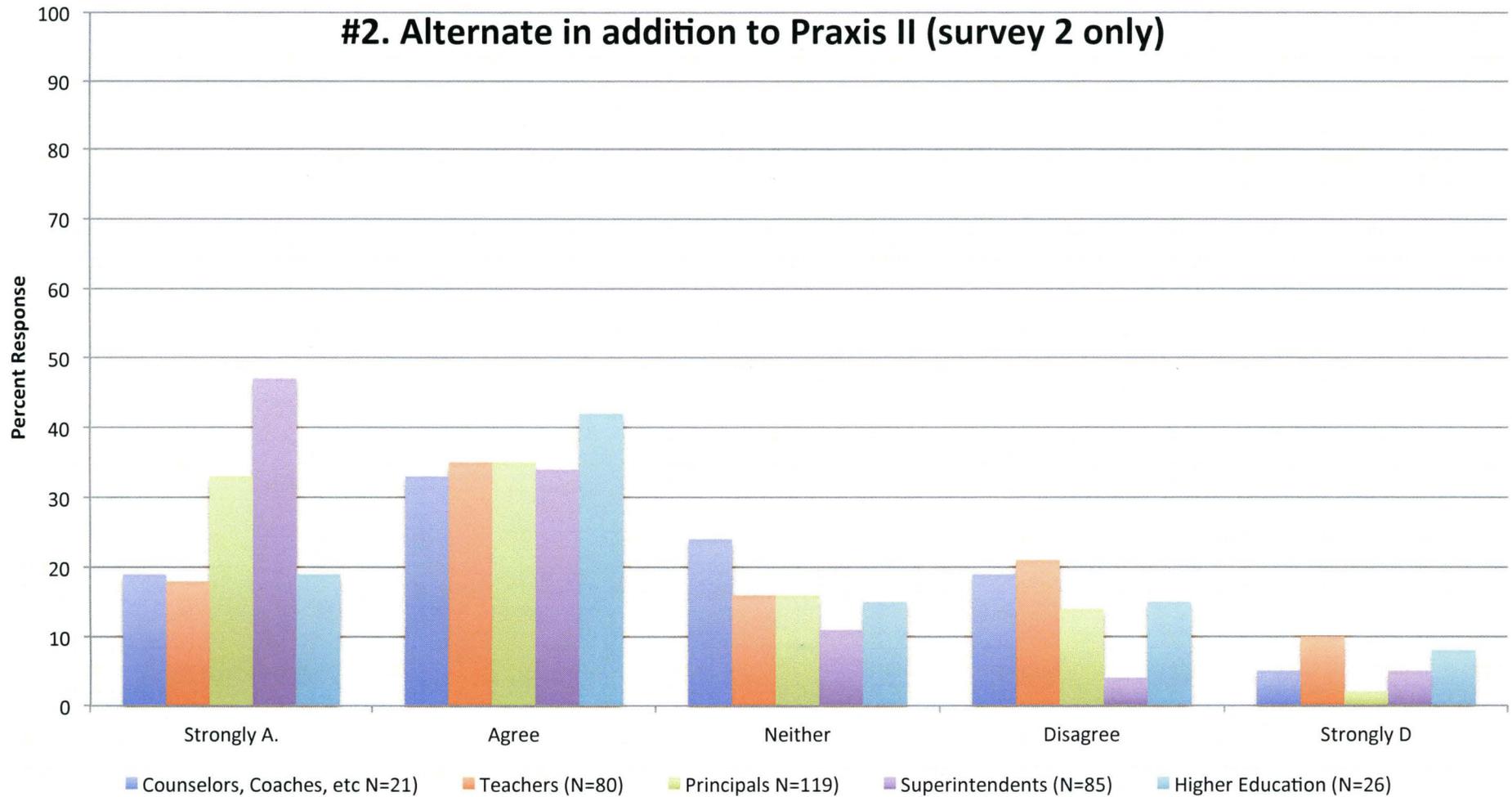
HB 1098  
#1 p.6  
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2. Provide an alternative way for teachers to qualify for a teaching license in addition to making a cut score on the Praxis II test.

	Strongly A.	Agree	Neither	Disagree	Strongly D
Counselors, Coaches, etc N=21)	19%	33%	24%	19%	5%
Teachers (N=80)	18%	35%	16%	21%	10%
Principals N=119)	33%	35%	16%	14%	2%
Superintendents (N=85)	47%	34%	11%	4%	5%
Higher Education (N=26)	19%	42%	15%	15%	8%
School Board (N=2)	0%	0%	50%	50%	0%

NOTE: Please note that number of respondents varies greatly between the two surveys.

Groups with fewer than 15 responses are included on the tables, but not on the charts.



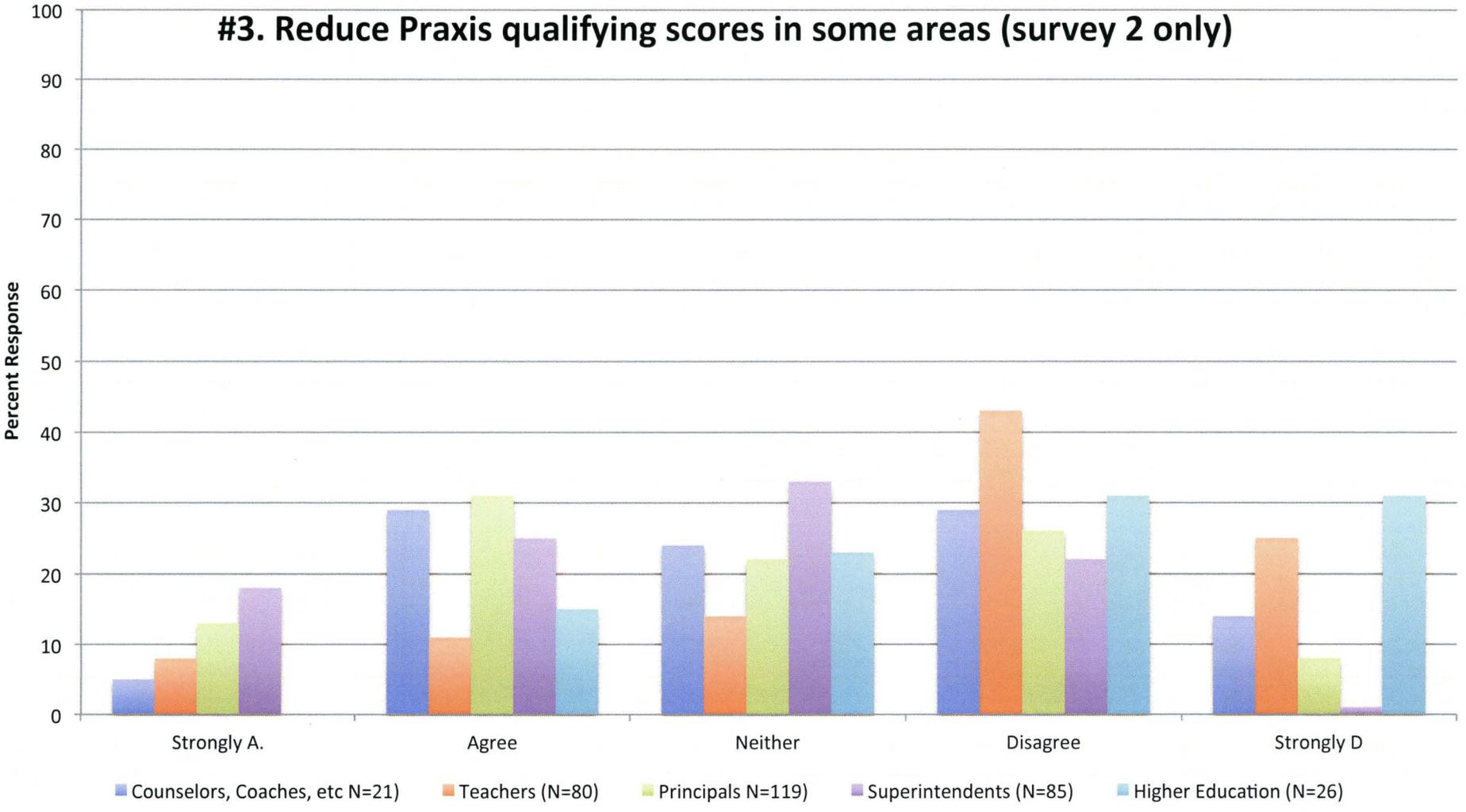
3. Reduce Praxis II qualifying scores in areas where a high number of teacher candidates do not meet the standard.

LB 1098  
#1 p.7  
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	Strongly A.	Agree	Neither	Disagree	Strongly D
Counselors, Coaches, etc (N=21)	5%	29%	24%	29%	14%
Teachers (N=80)	8%	11%	14%	43%	25%
Principals (N=119)	13%	31%	22%	26%	8%
Superintendents (N=85)	18%	25%	33%	22%	1%
Higher Education (N=26)	0%	15%	23%	31%	31%
School Board (N=2)	0%	0%	50%	50%	0%

NOTE: Please note that number of respondents varies greatly between the two surveys.

Groups with fewer than 15 responses are included on the tables, but not on the charts.



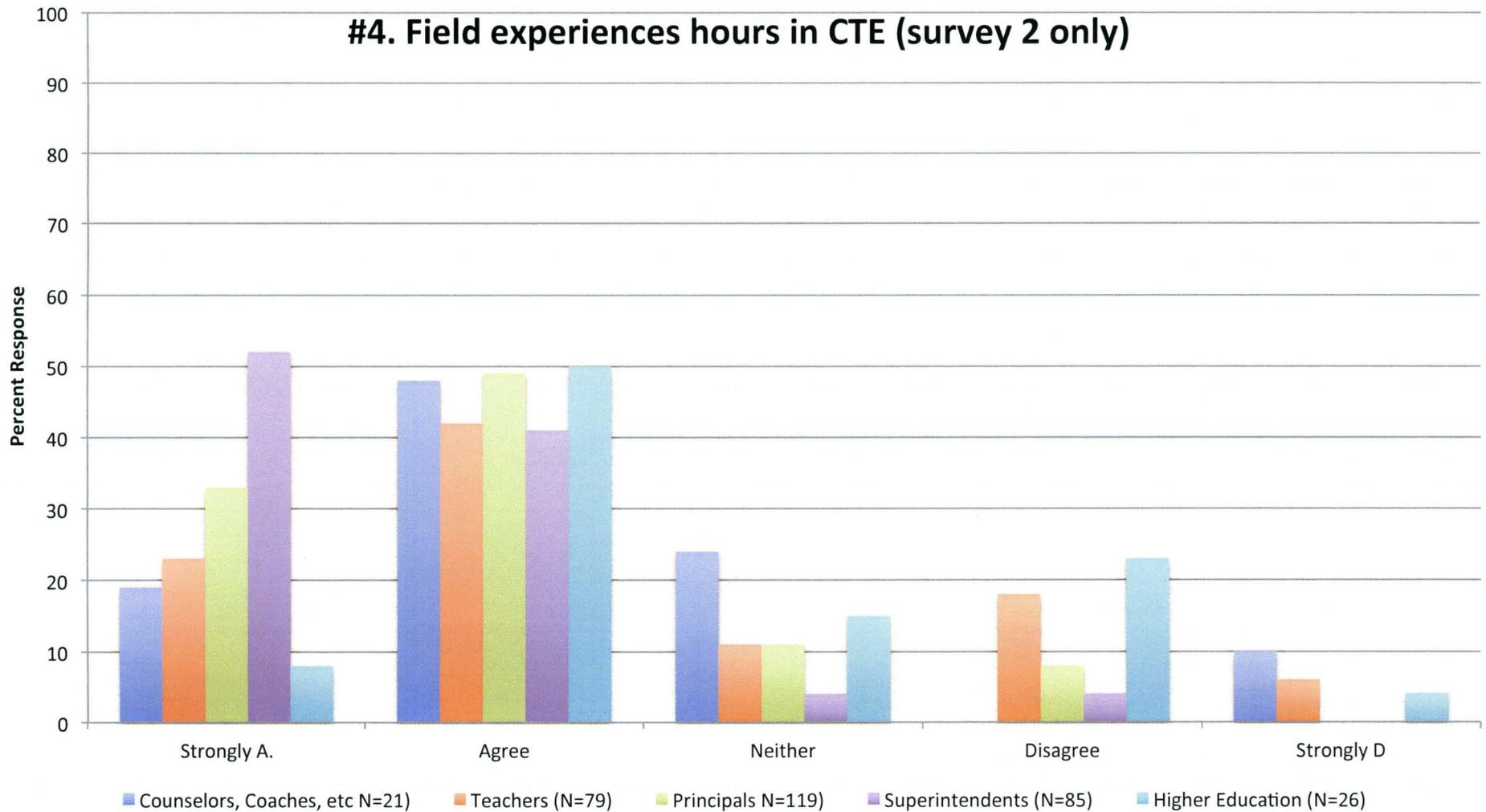
HB 1098  
#1p.8  
2-08-17

**#4. Allow field experience hours to lead to licensure in Career and Technical Education areas (FACS, Business, Health Careers, Ag.)**

	Strongly A.	Agree	Neither	Disagree	Strongly D
Counselors, Coaches, etc (N=21)	19%	48%	24%	0%	10%
Teachers (N=79)	23%	42%	11%	18%	6%
Principals (N=119)	33%	49%	11%	8%	0%
Superintendents (N=85)	52%	41%	4%	4%	0%
Higher Education (N=26)	8%	50%	15%	23%	4%
School Board (N=2)	0%	50%	0%	50%	0%

NOTE: Please note that number of respondents varies greatly between the two surveys.

Groups with fewer than 15 responses are included on the tables, but not on the charts.



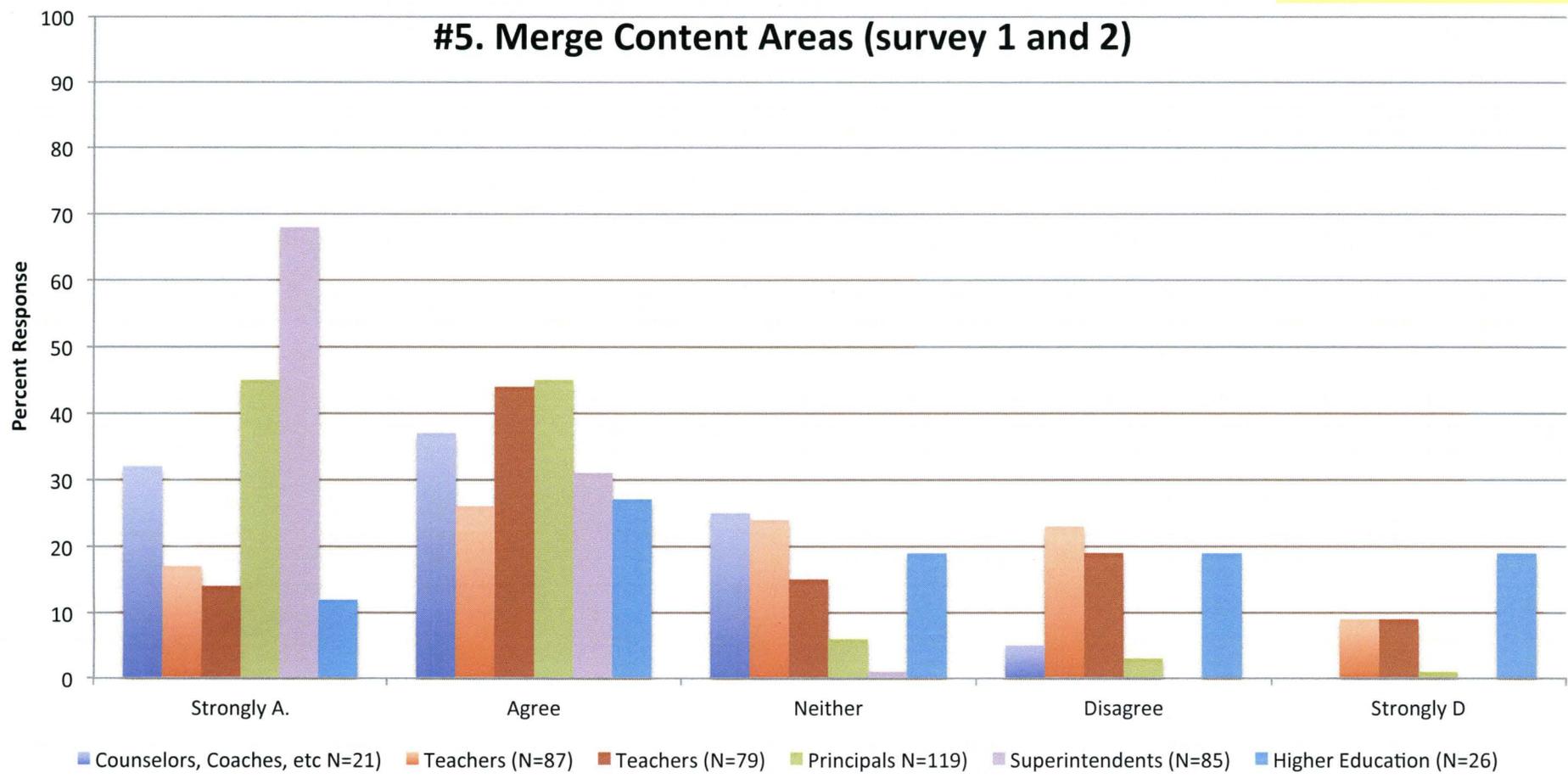
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#1 p. 9  
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**#5. Merge content areas when possible. For example, "science" rather than biology, chemistry, and physics or "social studies" rather than history, psychology, and sociology. (Survey 1 and 2)**

Survey 1	Strongly A.	Agree	Neither	Disagree	Strongly D	Survey 2	Strongly A.	Agree	Neither	Disagree	Strongly D
Counselors, etc N=12)	8%	50%	33%	8%	0%	Counselors, etc N=21)	32%	37%	25%	5%	0%
Teachers (N=87)	17%	26%	24%	23%	9%	Teachers (N=80)	14%	44%	15%	19%	9%
Principals N=10)	30%	10%	40%	20%	0%	Principals N=119)	45%	45%	6%	3%	1%
Superintendents (N=1)	100%	0%	0%	0%	0%	Superintendents (N=85)	68%	31%	1%	0%	0%
Higher Education (N=6)	17%	33%	17%	0%	33%	Higher Education (N=26)	12%	27%	19%	19%	19%
Special Ed. (N=12)	9%	42%	25%	25%	0%	School Board (N=2)	0%	50%	50%	0%	0%

NOTE: Please note that number of respondents varies greatly between the two surveys. Data from the teacher responses (N=87) to the first survey are included in the graph below.

Groups with fewer than 15 responses are included on the tables, but not on the charts.



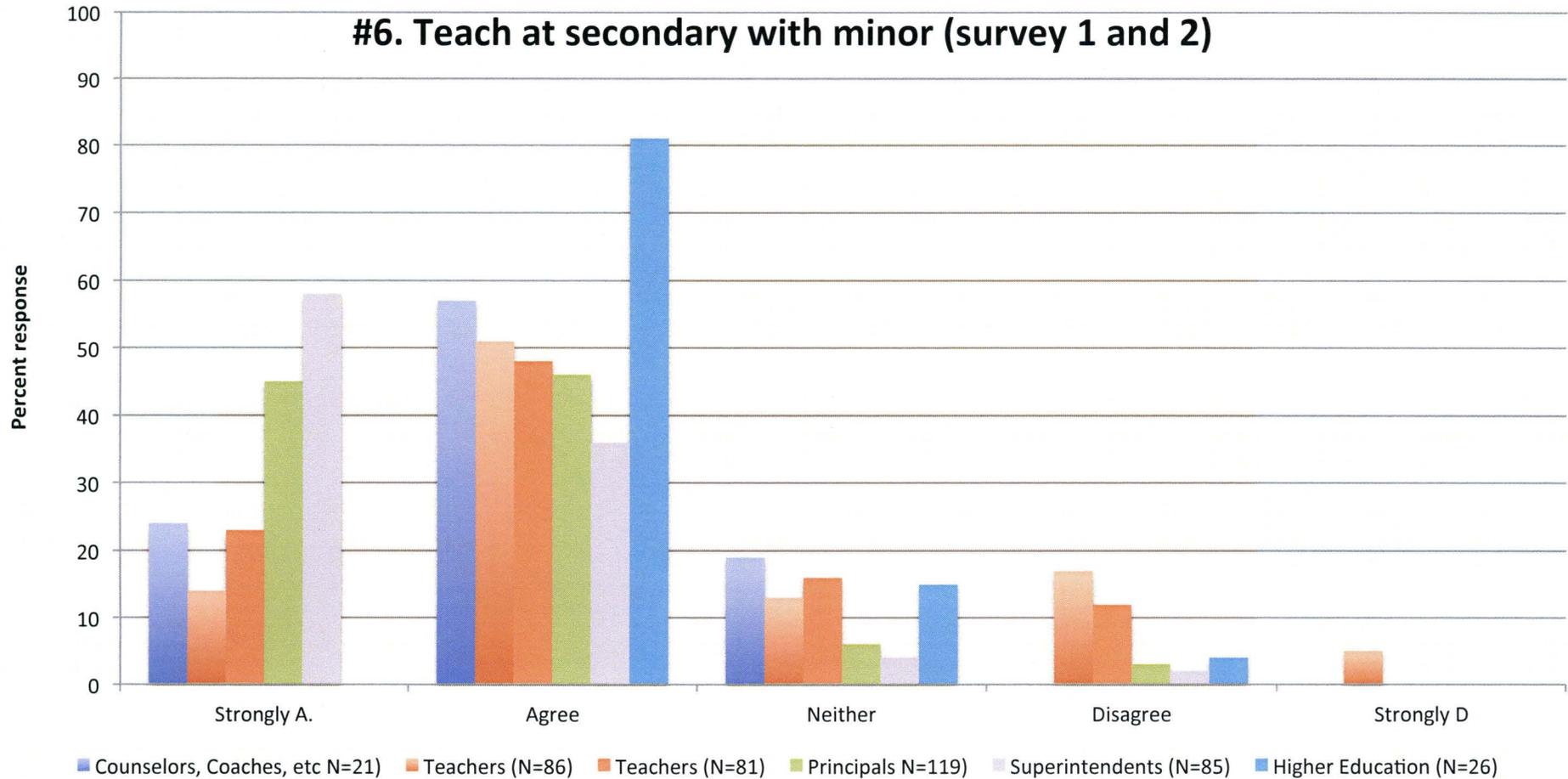
#6. Allow teaching in a content area at the secondary level with a minor in the area.

4B 1098  
#1 p.10  
2-08-17

Survey 1	Strongly A.	Agree	Neither	Disagree	Strongly D	Survey 2	Strongly A.	Agree	Neither	Disagree	Strongly D
Counselors, etc N=13)	0%	69%	23%	8%	0%	Counselors, etc N=21)	24%	57%	19%	0%	0%
Teachers (N=86)	14%	51%	13%	17%	5%	Teachers (N=81)	23%	48%	16%	12%	0%
Principals N=10)	50%	40%	0%	10%	0%	Principals N=119)	45%	46%	6%	3%	0%
Superintendents (N=1)	100%	0%	0%	0%	0%	Superintendents (N=85)	58%	36%	4%	2%	0%
Higher Education (N=6)	17%	50%	0%	33%	0%	Higher Education (N=26)	0%	81%	15%	4%	0%
Special Ed. (N=12)	17%	25%	42%	17%	0%	School Board (N=2)	0%	50%	50%	0%	0%

NOTE: Please note that number of respondents varies greatly between the two surveys. Data from the teacher responses (N=87) to the first survey are included in the graph below.

Groups with fewer than 15 responses are included on the tables, but not on the charts.



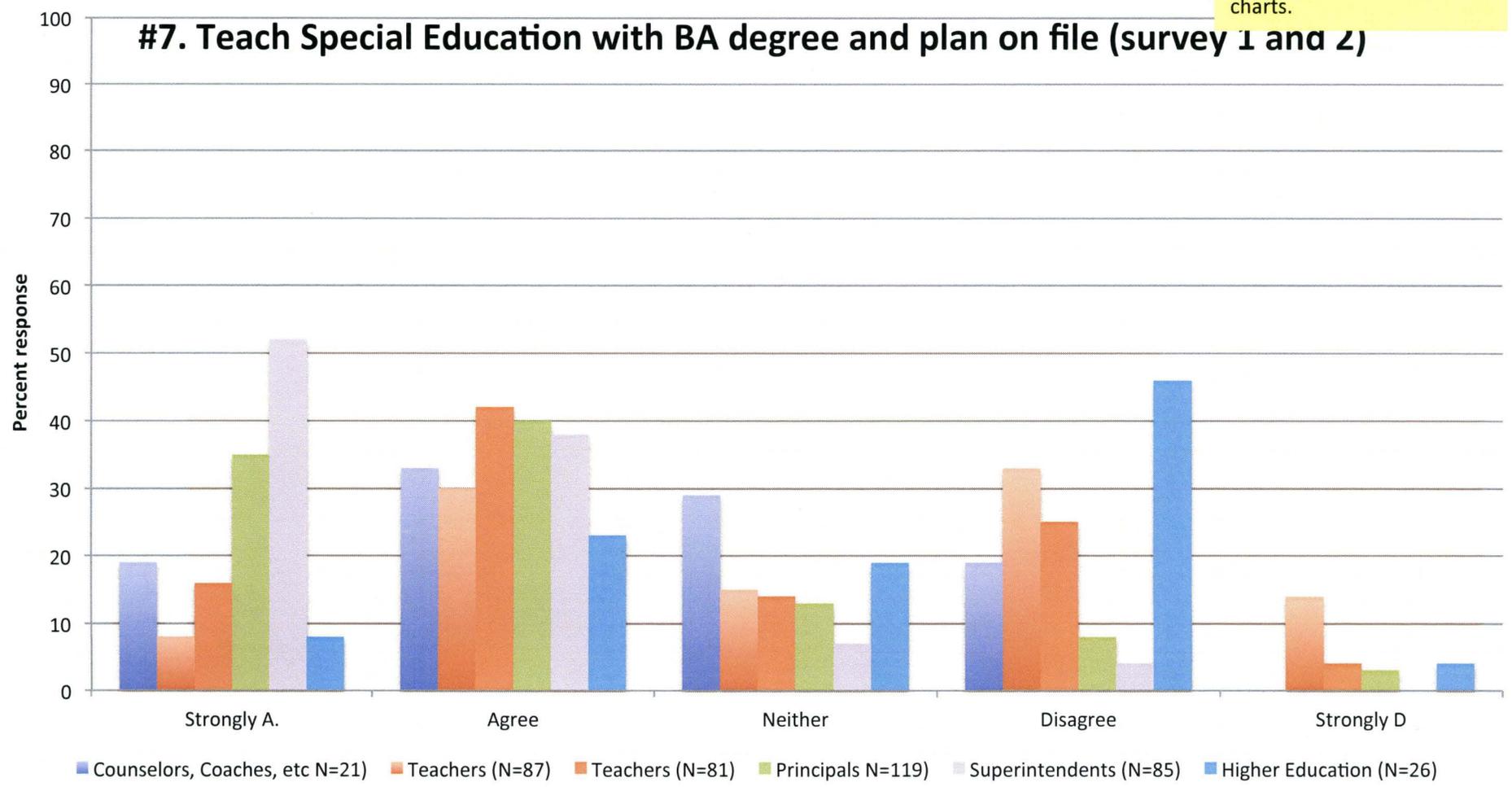
HB 1098  
#1 p11

#7. Hire a teacher to teach special education if they have a bachelor's degree in education and a plan on file.

Survey 1	Strongly A.	Agree	Neither	Disagree	Strongly D	Survey 2	Strongly A.	Agree	Neither	Disagree	Strongly D
Counselors, etc N=13)	0%	46%	31%	23%	0%	Counselors, etc N=21)	19%	33%	29%	19%	0%
Teachers (N=87)	8%	30%	15%	33%	14%	Teachers (N=81)	16%	42%	14%	25%	4%
Principals N=10)	30%	50%	10%	10%	0%	Principals N=119)	35%	40%	13%	8%	3%
Superintendents (N=1)	0%	0%	100%	0%	0%	Superintendents (N=85)	52%	38%	7%	4%	0%
Higher Education (N=6)	0%	17%	17%	50%	17%	Higher Education (N=26)	8%	23%	19%	46%	4%
Special Ed. (N=12)	17%	33%	17%	8%	25%	School Board (N=2)	0%	0%	100%	0%	0%

NOTE: Please note that 2-08-17  
NOTE: Please note that number of respondents varies greatly between the two surveys. Data from the teacher responses (N=87) to the first survey are included in the graph below.  
Groups with fewer than 15 responses are included on the tables, but not on the charts.

#7. Teach Special Education with BA degree and plan on file (survey 1 and 2)



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#1p.12

2-8-17

# 8. Allow teachers to teach kindergarten without a kindergarten endorsement.

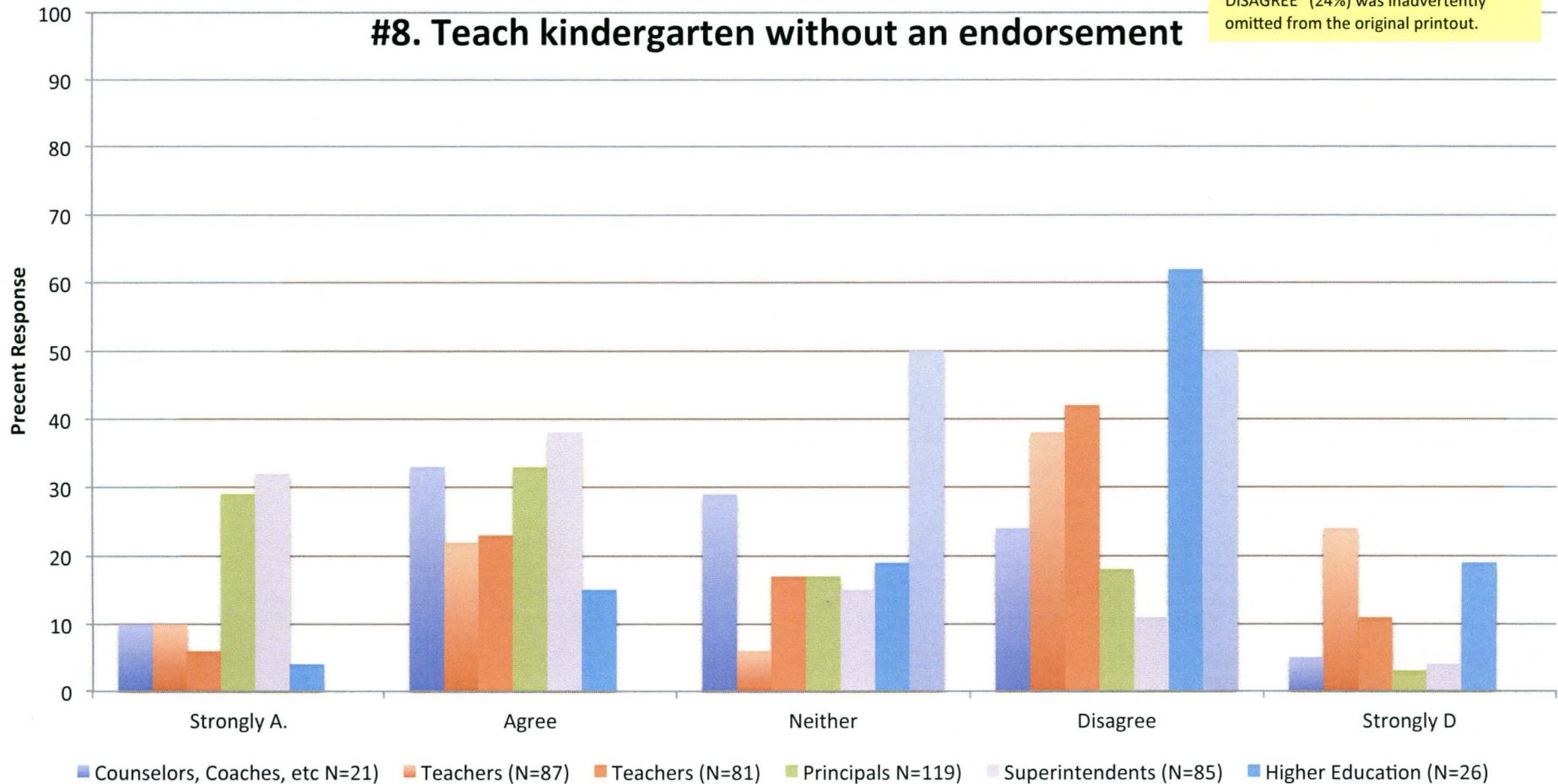
Survey 1	A. Strongly	Agree	Neither	Disagree	Strongly D	Survey 2	A. Strongly	Agree	Neither	Disagree	Strongly D
Counselors, etc N=13)	0%	31%	15%	38%	15%	Counselors, etc N=21)	10%	33%	29%	24%	5%
Teachers (N=87)	10%	22%	6%	38%	24%	Teachers (N=81)	6%	23%	17%	42%	11%
Principals N=10)	30%	30%	30%	10%	0%	Principals N=119)	29%	33%	17%	18%	3%
Superintendents (N=1)	0%	100%	0%	0%	0%	Superintendents (N=85)	32%	38%	15%	11%	4%
Higher Education (N=5)	0%	0%	20%	40%	40%	Higher Education (N=26)	4%	15%	19%	62%	19%
Special Ed. (N=12)	0%	17%	33%	33%	17%	School Board (N=2)	0%	0%	50%	50%	0%

NOTE: Please note that number of respondents varies greatly between the two surveys. Data from the teacher responses (N=87) to the first survey are included in the graph below.

Groups with fewer than 15 responses are included on the tables, but not on the charts.

\*\*Survey 1: Teacher's "STRONGLY DISAGREE" (24%) was inadvertently omitted from the original printout.

#8. Teach kindergarten without an endorsement



HB 1098  
2-08-17  
# 2 p.1



**HB 1098 – Teacher Licensure**  
**North Dakota Council of Educational Leaders – Dr. Aimee Copas**  
**2/8/2017**

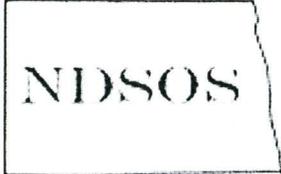
Good morning Chair Schaible and members of the Senate Education Committee. For the record, my name is Aimee Copas and I serve as the Executive Director for the North Dakota Council of Educational Leaders.

I come before you today to speak in support for HB1098 which brings back the licensure flexibility our state enjoyed prior to No Child Left Behind. Prior to that time, while still highly qualified for positions, there was much more flexibility regarding grade levels that could be taught. In those days, it made it easier to find a job as a teacher because at that time, the jobs were much less plentiful. Now, it is still just as helpful, but from another angle. We are now in a time where the teachers are much less plentiful. We need to be able to maximize the talent we are able to access at that time. Sometimes that talent resides right there within our building, sometimes it is out of state. Regardless, this flexibility being requested would most certainly proved to be an asset during this time where we attempt to secure teachers and resolve an extreme teacher shortage.

The adjustments requested in this bill have been requested by the field. The adjustments still honor all endorsements some would hold such as a middle school endorsement, but most certainly these adjustments would provide needed flexibility to serve our schools – especially our rural schools.

We ask for support as well for the emergency clause so that this can be in effect for the upcoming hiring season to assist for the upcoming school year.

We ask for a DO PASS recommendation from this committee. I'm happy to answer any questions you may have.



# North Dakota Small Organized Schools

HB 1098  
2-08-17  
# 3 p.1

Mr. ElRoy Burkle  
Executive Director  
1419 9<sup>th</sup> Ave NE  
Jamestown, 58401  
[elroy.burkle@k12.nd.us](mailto:elroy.burkle@k12.nd.us)  
701-230-1973

Mr. Larry Zavada  
President  
401 3<sup>rd</sup> Ave SW  
Wolford, ND 58385  
[larry.zavada@k12.nd.us](mailto:larry.zavada@k12.nd.us)  
701-583-2387

Mrs. Janet Brown  
Business Manager  
925 Riverview Drive  
Valley City, ND 58072  
[janet.brown@k12.nd.us](mailto:janet.brown@k12.nd.us)  
701-845-2910

February 8, 2017

Chairman Schaible and Members of the Senate Education Committee,

For the record, my name is Brandt Dick, Superintendent of Underwood School and Board Member of the North Dakota Small Organized Schools (NDSOS), representing 141 North Dakota Public School Districts. We go on record of 'Do Pass' on HB 1098.

The flexibility HB 1098 proposes for teaching licensure is exactly what small rural schools need. This would make it possibly to adjust present staff to meet the needs of our school to provide quality instruction to our students. In the present reality of tight budgets, and struggles of rural districts to recruit and retain staff, this change provides an excellent tool that will be utilized by many districts.

Thank you for your time and consideration. I stand for questions.

Respectfully,

Brandt J. Dick  
Superintendent/AD  
Underwood School District  
Phone: 701-442-3201  
Fax: 701-442-3704  
[brandt.dick@underwoodschool.org](mailto:brandt.dick@underwoodschool.org)

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### Board of Directors

#### Region 1

Mr. Tim Holte, Supt. Stanley  
Ms. Leslie Bieber, Alexander

#### Region 2

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Mr. Steven Heim, Anamoose & Drake

#### Region 3

Mr. Frank Schill, Supt. Edmore  
Mr. Dean Ralston, Supt. Drayton

#### Region 4

Mr. John Pretzer, Supt. Scranton  
Mr. Jim Gross, Supt. Selfridge

#### Region 5

Mrs. Lori Carlson, Bd. Member Barnes Co. North  
Mr. Brandt Dick, Supt. Underwood

#### Region 6

Mr. Mitch Carlson, Supt. LaMoure  
Mr. Tom Retting, Supt. Enderlin

The mission of NDSOS is to provide leadership for the small/rural schools in North Dakota and to support legislation favorable to their philosophy while opposing legislation that is harmful.