

Introduced by

Representatives Schreiber-Beck, D. Johnson

Senator Oban

1 A BILL for an Act to create and enact a new section to chapter 15.1-32 of the North Dakota
2 Century Code, relating to services provided by special education technicians; and to amend and
3 reenact section 15.1-02-16 of the North Dakota Century Code, relating to a certificate of
4 completion for special education technicians.

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

6 **SECTION 1. AMENDMENT.** Section 15.1-02-16 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-02-16. Superintendent of public instruction - Issuance of credentials to teachers**
9 **and administrators.**

10 The superintendent of public instruction may adopt rules governing the issuance of:

- 11 1. Credentials for teachers of driver's education;
- 12 2. Credentials for teachers of early childhood special education;
- 13 3. Credentials for elementary school principals;
- 14 4. Credentials for teachers of students who are emotionally disturbed;
- 15 5. Credentials for teachers of students who are gifted and talented;
- 16 6. Credentials for secondary school principals;
- 17 7. Credentials for library media;
- 18 8. Credentials for teachers of title I;
- 19 9. Credentials for teachers of students who have intellectual disabilities;
- 20 10. Credentials for teachers of students who are physically disabled;
- 21 11. Credentials for coordinators of programs for students with limited English proficiency;
- 22 12. Credentials for school counselors;
- 23 13. Credentials for special education directors;
- 24 14. Credentials for special education strategists;

- 1 15. Credentials for teachers of students who have specific learning disabilities;
- 2 16. Credentials for superintendents;
- 3 17. Credentials for teachers of students who have vision impairments;
- 4 18. Credentials for teachers of students who are deaf or hard of hearing;
- 5 19. Credentials for teachers of computer and cyber science; and
- 6 20. ~~Certificate~~Certificates of completion for special education technicians; and
- 7 21. Certificates of completion for paraprofessionals.

8 **SECTION 2.** A new section to chapter 15.1-32 of the North Dakota Century Code is created
9 and enacted as follows:

10 **Special education technicians - Services.**

- 11 1. For purposes of this section:
 - 12 a. "Special education technician" means an individual who holds a certificate of
13 completion for a special education technician and provides services under this
14 section to individuals receiving special education services in an educational
15 setting.
 - 16 b. "Supervising special education teacher" means an individual who holds a valid
17 teaching license issued by the board and has a minimum of one year full-time
18 experience providing special education services from the date of licensure.
- 19 2. A special education technician may provide services only under the direct supervision
20 of a supervising special education teacher.
- 21 3. A special education technician may:
 - 22 a. Conduct academic and behavioral screenings pursuant to protocols developed
23 by the supervising special education teacher;
 - 24 b. Perform documented tasks developed by the supervising special education
25 teacher;
 - 26 c. Document student progress toward meeting identified goals and objectives;
 - 27 d. Report the information documented under subdivision c to the supervising special
28 education teacher;
 - 29 e. Assist the supervising special education teacher with regulatory paperwork as
30 directed;
 - 31 f. Prepare educational materials;

- 1 g. Assist the supervising special education teacher with scheduling;
- 2 h. Maintain the educational space and equipment; and
- 3 i. Complete other duties as assigned by the supervising special education teacher.
- 4 4. A special education technician may not:
- 5 a. Make independent decisions regarding changes to a student's individualized
- 6 education program;
- 7 b. Conduct evaluations consisting of:
- 8 (1) Standardized or nonstandardized diagnostic tests; or
- 9 (2) Formal or informal assessments;
- 10 c. Interpret test results;
- 11 d. Take referrals;
- 12 e. Dismiss student caseloads;
- 13 f. Participate in conferences or other multidisciplinary team meetings without the
- 14 presence of the supervising special education teacher;
- 15 g. Disclose confidential information orally or in writing unless authorized by the
- 16 supervising special education teacher;
- 17 h. Provide counseling to students or family members of students regarding special
- 18 education disability classifications; or
- 19 i. Sign formal and regulatory documentation as a supervising special education
- 20 teacher.