

**1999 HOUSE EDUCATION**

**HB 1188**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1188

House Education Committee

Conference Committee

Hearing Date 1-13-99

Tape Number	Side A	Side B	Meter #
#1	x		17.3 to 29.1
Committee Clerk Signature <i>Joan Diers</i>			

Minutes:

CHAIRMAN KELSCH: Open the hearing on HB 1188. Fiscal note attached.

JANET PLACEK: see written testimony attached.

REP DROVDAL: Is there a difference between certification and licensed definitions .

PLACEK: No

REP DROVDAL: Is there a reason to insert Education Practices and Standards twice.

PLACEK: That is a typing error.

REP THORESON : Has to do with testing of a student by a licensed teacher employed by the school district or the state approved private school. A student couldn't go to the division of independent study to take a test.

PLACEK: They could, the teacher needs to be certified or licensed.

REP THORESON: But they're not licensed in the district the student goes to school.

PLACEK: No, I shouldn't speak to that, because I'm not real clear on that.

REP THORESON: But if they go to the Division of Independent Study, they are not taking it in the district that the parent or student resides?

PLACEK: What we are amending is just the word licensed or certified. We are not changing the intent of the current law.

REP THORESON: Right, but what I' saying is that the current law is not correct.

REP LUNDGREN: In most professions, certified means that you have your qualifications proven, licensed means you have permission to practice those things for which you have proven your qualifications. Are skipping the certification process and going right to licensing.

PLACEK: What we are doing is in the process of that license, we have standards.

REP DROVDAL: On page 14 lines 28 and 29, we are changing the language from the Department of Public Instruction to the Education Standards and Practices Board, shifting the responsibility, are you doing that now.

PLACEK: Yes

REP BRUSEGAARD: You've made a distinction between teacher certification and licensing is this a step towards a second tier of licensing.

PLACEK: That could happen, especially with reciprocity with other states.

ARNIE ZENT: State Board of Vocational and Technical Education Board see testimony attached.

REP DROVDAL: Would you explain effect of this amendment.

ZENT: The process the instructors take in the trade tech and health division of teacher certification, the boards job is to make sure instructors have obtained them.

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House Education Committee

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REP DROVDAL: If this is passed in the original form what would the effect be>

ZENT: Would exclude us from reviewing the technical expertise required.

CHAIRMAN KELSCH: Any further questions. Seeing none. Thank you for your testimony.

Anyone else that wishes to appear in support of HB 1188? Anyone who wishes to appear in opposition HB 1188? CLOSE THE HEARING ON HB 1188.



1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1188-1-20

House Education Committee

Conference Committee

Hearing Date 1-20-99

Tape Number	Side A	Side B	Meter #
#1		x	21.6 to 38.0
Committee Clerk Signature <i>Joan Diers</i>			

Minutes:

Chairman R. Kelsch : Open the hearing on HB 1188. Those present Chairman R. Kelsch , Vice-Chair Drovdal , Rep Brandenburg , Rep Brusegaard , Rep. Haas , Rep. Johnson , Rep. Nelson , Rep. Nottestad , Rep. L. Thoreson , Rep. Grumbo , Rep. Hanson , Rep. Lundgren ,Rep Mueller , Rep. Nowatzki , Rep. Solberg . Testimony from Janet Placek from the Education Standards and Practices Board. Have an amendment that was proposed by Arnie Zent. see attached.

Rep Brusegaard : Moved to accept the amendment proposed by Arnie Zent.

Rep. Haas : second.

Chairman R. Kelsch : Discussion.

Rep Brandenburg : What does this amendment do?

Rep. Brusegaard : Amendments remove overstrikes from language, that would have exempted the board . It doesn't bother the Education Standards and Practices Board.

Chairman R. Kelsch : Any further discussion on the amendment?

Rep. Haas : Note of clarification, vocational teachers first have to be certified by the state board of vocational education. Following that their vocational certificate is sent to the Professional Standards and Practices Board to be given a teachers certificate. I think it is appropriate to leave it in.

Chairman R. Kelsch : Any further discussion?

Rep. Hanson : Are you supporting the amendment?

Rep. Haas : Yes, I am.

Rep. Nowatzki : Are we discussing the amendment pertaining to the state board of vocational education.

Chairman R. Kelsch : That is the only amendment we have. Call for a voice vote. Motion carried.  
What are the wishes of the committee?

Rep. Haas : I have one concern about the bill, having to go back through the century code and change every place from a teaching certificate to a profession teaching license, doubt it is worth the effort or cost.

Rep. Mueller : Why are we doing this anyway. Will this be a two-step thing, I am unclear about that?

Rep. Hanson : This doesn't take place all at one time. As they change the century code they make the changes.

Vice-Chair Drovdal : We passed a resolution to continue studying chapter 15, if this bill doesn't pass most likely in the interim these changes will be made anyway.

Chairman R. Kelsch : Yes, this is in the last half of chapter 15

Rep. Hanson : The interim study of chapter 15.

Rep Brusegaard : This will more than changing the language, it is a step to establish a two tier teachers in the state. Move DO NOT PASS.

REP. NELSON : SECOND

Chairman R. Kelsch : Discussion

Rep. Mueller : What were our testifiers wanting to accomplish?

Rep Brusegaard : Trying to make a distinction between a certified teacher and a license teacher. A licensed teacher is one who teaches but is not considered an expert and a certified teacher who is an expert. The board wanted it because of a national movement. A two tier teacher system is going to end up costing school boards money.

Rep Brandenburg : I think that this is dealing with national level. Would be able to move from state to state with a national level. National teaching certificate.

Rep. Lundgren : I think it is a matter of reciprocity. Licensing is the first step, it used to be called certification, but now more appropriately. When they go on to get a masters degree, it is a designation of a higher education.

Vice-Chair Drovdal : In reviewing the testimony of Ms Placek, has something to do with Governors proposal to reward teachers that have gone on to get the national board certificate.

Rep. Nowatzki : In reviewing the testimony is to bring the terminology in sync with what is being done with national boards. Adding the Educational Standards and Practices board and bringing

them to the table to meet with other educational boards. An effort to work further education further in the state. (wholelistic).

Rep. Nottestad: North Dakota has have multiple levels of certification. Any would not cost the board any more or less money. I look at this as an upgrade.

Rep Brusegaard : I with draw the motion.

Rep. Nelson : The second is withdrawn.

Chairman R. Kelsch : The DO NOT PASS MOTION has been withdrawn.

Rep. Mueller : Are we going to exclude some of the teachers?

Rep. Haas : The license is the minimum requirement.

Vice-Chair Drovdal : Move a DO PASS AS AMENDED On HB 1188.

Rep Brandenburg : Second.

Chairman R. Kelsch : Discussion.

Rep. Hanson : Another change it does change the term of office of the board members to start in July instead of January.

Chairman R. Kelsch : Any further discussion. The clerk will call the roll on a DO PASS AS AMENDED on HB 1188. Motion passed 13 YES 2 NO 0 ABSENT. Floor assignment Rep Thoreson.

**FISCAL NOTE**

Return original and 10 copies)

Bill/Resolution No.: HB 1188 Amendment to: \_\_\_\_\_

Requested by Legislative Council Date of Request: 1-4-99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

**Narrative:**

This bill will have no fiscal impact on state general or special funds, counties, cities or school districts.

2. State fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Funds	General Fund	Special Funds	General Fund	Special Funds
Revenues:	0	0	0	0	0	0
Expenditures:	0	0	0	0	0	0

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: n/a
- b. For the 1999-2001 biennium: n/a
- c. For the 2001-03 biennium: n/a

4. County, City, and School District fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
0	0	0	0	0	0	0	0	0

If additional space is needed, attach a supplemental sheet.

Signed *Janet L. Placek*

Typed Name Janet L. Placek

Department Education Standards and Practices Board

Date Prepared: 01/04/99

Phone Number 328-1659

Proposed Amendments to House Bill No. 1188

Page 10, line 8, after "1973" insert "1999", and remove the overstrike over "~~, nor does this section affect vocational education~~"

Page 10, line 9, remove the overstrike over "~~certificate qualifications as provided in chapter 15-20.1~~", and remove "1999"

Renumber accordingly

VR

1/22/99

HOUSE

AMENDMENTS TO HOUSE BILL NO. 1188 EDU 1-26-99

Page 10, line 8, after "1973" insert "1999" and remove the overstrike over "~~nor does this section affect vocational education~~"

Page 10, line 9, remove the overstrike over "~~certificate qualifications as provided in chapter 15-20.4~~" and remove "1999"

Renumber accordingly

Date: 1-20-99  
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1188

House Education Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass as amended

Motion Made By Drovdal Seconded By Brandenburg

Representatives	Yes	No	Representatives	Yes	No
Rep. ReaAnn Kelsch-Chairperson	✓		Rep. Dorvan Solberg	✓	
Rep. David Drovdal-Vice Chair	✓				
Rep. Michael D. Brandenburg	✓				
Rep. Thomas T. Brusegaard		✓			
Rep. C. B. Haas	✓				
Rep. Dennis E. Johnson	✓				
Rep. Jon O. Nelson		✓			
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				
Rep. Howard Grumbo	✓				
Rep. Lyle Hanson	✓				
Rep. Deb Lundgren	✓				
Rep. Phillip Mueller	✓				
Rep. Robert E. Nowatzki	✓				

Total (Yes) 13 No 2

Absent 0

Floor Assignment Rep Thoreson

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



**REPORT OF STANDING COMMITTEE**

**HB 1188: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1188 was placed on the Sixth order on the calendar.

Page 10, line 8, after "1973" insert "1999" and remove the overstrike over "~~nor does this section affect vocational education~~"

Page 10, line 9, remove the overstrike over "~~certificate qualifications as provided in chapter 15-20.1~~" and remove "1999"

Renumber accordingly

**1999 SENATE EDUCATION**

**HB 1188**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1188

Senate Education Committee

Conference Committee

Hearing Date March 1, 1999

Tape Number	Side A	Side B	Meter #
1	x		0-750
Committee Clerk Signature <i>Jenda Christman</i>			

Minutes:

SENATOR FREBORG opened the hearing on HB1188. All senators present.

Testimony in Favor: Janet Placek, Executive Director of Education Standards and Practices Board. Written testimony attached. Would request one amendment on page 2, line 30 and 31.

Delete Education Standards and Practices Board, typo in the bill.

Close the hearing on HB1188.

SENATOR REDLIN : I move to adopt recommended amendment.

SENATOR FLAKOLL : 2nd

Vote: 7 Yes 0 No

SENATOR WANZEK : I move a DO PASS as amended.

SENATOR REDLIN : 2nd

Vote: 7 Yes 0 No CARRIER: SENATOR WANZEK

Date: 3/11/99  
Roll Call Vote #: \_\_\_\_\_

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1188

Senate EDUCATION Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Moves to adopt ESPB's proposed amendment

Motion Made By Redlin Seconded By Flakoll

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin	✓				

Total (Yes) 7 No 0

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

Date: 3/1/99  
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1188

Senate EDUCATION Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Move a Do Pass as amended

Motion Made By Wanzek Seconded By Redlin

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin	✓				

Total (Yes) 7 No 0

Absent \_\_\_\_\_

Floor Assignment Wanzek

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

REPORT OF STANDING COMMITTEE (410)  
March 1, 1999 2:58 p.m.

Module No: SR-36-3803  
Carrier: Wanzek  
Insert LC: 98052.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

HB 1188, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1188 was placed on the Sixth order on the calendar.

Page 2, line 30, remove "the education"

Page 2, line 31, remove "standards and practices board, "

Renumber accordingly

**1999 TESTIMONY**

**HB 1188**

TESTIMONY OF JANET L. PLACEK  
ON  
HOUSE BILL 1188

Mr. Chairman, members of the committee, I am Janet L. Placek, Executive Director of the Education Standards and Practices Board and wish to comment on House Bill 1188.

House Bill 1188 accomplishes three things: Sections 1,3,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26 changes the language of "certified" to "licensed". Teacher licensure as defined by educational agencies throughout the United States is the process by which teachers receive state permission to teach. States typically have minimum requirements (as North Dakota does) such as completion of certain coursework and experience as a student teacher. This change will provide the Education Standards and Practices Board the ability to be in sync with other states language as well as the language needed for the national board certification.

Teacher certification on the other hand is a process through which teachers become recognized by the state as expert teachers, implying that a teacher has mastered the complex art of teaching.



This is distinguished from a "licensed" teacher, one who practices teaching but is not considered an expert.

Section 2 of the bill changes the language to more accurately reflect what is already being accomplished through the Department of Public Instruction's accreditation procedures.

Section 4 adds the Education Standards and Practices Board to the joint meeting of the board of higher education, state board for vocational and technical education and state board of public school education. As part of the duties of the Education Standards and Practices Board under NDCC 15-38-18, the legislature gave the authority "to develop and revise, consistent with state law, professional codes or standards relating to ethics, conduct and professional performance and practices and to provide recommendations for in-service education of persons engaged in the profession of teaching in public schools." The addition of the Education Standards and Practices Board to this joint meeting would help facilitate this duty.

Thank you for the consideration given this testimony.

TESTIMONY OF JANET L. PLACEK  
ON  
ENGROSSED HOUSE BILL 1188

M. Chairman, members of the committee, I am Janet L. Placek, Executive Director of the Education Standards and Practices Board and wish to comment on House Bill 1188.

House Bill 1188 accomplishes four things: Sections 1,3,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26 changes the language of "certified" to "licensed". Teacher licensure as defined by educational agencies throughout the United States is the process by which teachers receive state permission to teach. States typically have minimum requirements (as North Dakota does) such as completion of certain coursework and experience as a student teacher. This change will provide the Education Standards and Practices Board the ability to be in sync with other states language, reciprocity with other states as well as the language needed for the national board certification.

Teacher certification on the other hand is a process through which teachers become recognized by the state as expert teachers, implying that a teacher has mastered the complex art of teaching.

This is distinguished from a "licensed" teacher, one who practices teaching but is not considered an expert. An example of a certified teacher is one that has gone through the rigorous process of national board certification.

Section 2 of the bill changes the language to more accurately reflect what is already being accomplished through the Department of Public Instruction's accreditation procedures.

Section 4 adds the Education Standards and Practices Board to the joint meeting of the board of higher education, state board for vocational and technical education and state board of public school education. As part of the duties of the Education Standards and Practices Board under NDCC 15-38-18, the legislature gave the authority "to develop and revise, consistent with state law, professional codes or standards relating to ethics, conduct and professional performance and practices and to provide recommendations for in-service education of persons engaged in the profession of teaching in public schools." The addition of the Education Standards and Practices Board to this joint meeting would help facilitate this duty.

I would request one amendment to Page 2, line 30 and 31, after "state board for vocational and technical education, delete "the

education standards and practices board.” This was a typo in the development of the bill draft and not caught on the House side.

Section 28, page 15 of the bill provides the members of the Education Standards and Practices Board begin their term of service on July 1 of the year of appointment by the Governor. This is the process they have been using and feel it more accurately reflects better business practices since the new member would have a couple of months to work with the board prior to school beginning.

Thank you for the consideration given this testimony. I would be available for any questions at this time. For further information, I can be reached at 328-1659 or [jplacek@state.nd.us](mailto:jplacek@state.nd.us).