

**1999 HOUSE EDUCATION**

**HB 1485**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1485

House Education Committee

Conference Committee

Hearing Date 2-1-99

| Tape Number                                 | Side A | Side B | Meter #     |
|---|--------|--------|-------------|
| Tape # 1                                    | x      |        | 24.9 to end |
| Tape #1                                     |        | x      | 0.1 to 38.7 |
| Committee Clerk Signature <i>Joan Diers</i> |        |        |             |

Minutes:

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 .

Chairman R. Kelsch : We will open the hearing on HB 1485 and ask the clerk to read the title.

Rep Brandenburg :sponsor of bill, District 26. This bill deals with teacher certificate.This bill would allow a person holding a master's degree or doctoral degree to teach at the high school level those courses that are in the same academic area as the degree.

Rep. Nottestad : If you had a masters degree in psychology, you would able eligible to teach math in high school.

Rep Brusegaard : I don't think that applies.

Vice-Chair Drovdal : Teachers certified to teach in college have classes over the Internet, would allow students in high school to get credit for the course?

Rep Brandenburg : This bill would go in that direction.

Rep. Lundgren : Under current law, can a person holding a masters or doctoral degree come into the classroom as long as certified teacher is present?

Rep Brandenburg : There are provisions for that to happen.

Chairman R. Kelsch : That is correct.

Rep Brusegaard : cosponsor of bill, District 19. There is a problem with the amount of teachers available to fill positions. This is a common sense approach to that problem.

Vice-Chair Drovdal : If this bill passes, is it still true that a certified teacher has to remain in the room?

Rep Brusegaard : You could certify the person with the degree.

Rep. L. Thoreson : This person have knowledge of the content, are there other factors involved?

Rep Brusegaard : Just knowing the material no one the communication thereof.

Rep. L. Thoreson : Standard and Practices board would become obsolete?

Rep Brusegaard : No

Rep. Nottestad : If someone has a masters or doctoral degree, failed students teaching, are they eligible to teach?

Rep Brusegaard : Yes.

Rep. Hanson : In current law ten to fifteen per cent of staff can be non-certified, under this bill could all the staff be non-certified.

Rep Brusegaard : Yes, they could.

Rep Wald: District 37, am in support of HB 1485. I introduced legislation like this in the past.

Tom Frei:(see written attached).

Rep. L. Thoreson : Where do we get the notion of that line between elementary and high school students where teaching has to be more sensitive.

Frei: Lower grades are focused on when a child can grasp methods. In high school it becomes less important.

Rep. Mueller : In the schools that you are involved with, are all the teachers certified?

Frei: All teachers are certified.

Rep. Mueller : How do teachers feel about this concept?

Frei They would not have a problem with this.

Rep. Nelson : Are you aware of what the surrounding states have in similar legislation?

Frei: I don't know.

Rep. Haas : You said it makes sense to allow teachers who have proven themselves by the highest standards, to teach in our schools. Are you assuming that every one who has a masters or doctoral degree, have proven themselves?

Frei: I would trust the principal and school board to make decisions in regard to those.

Rep. Nottestad : If someone was going to get a masters degree and decided to forgo student teaching or failed it, this person would be able to teach and is this the type of person we are looking for to teach.

Frei: That could happen.

Rep. L. Thoreson : The qualified person has a grasp of the content, is that all there is to teaching?

Frei: Yes there is more then having the knowledge.

Mark Johnson: (see written attached)

End of tape #1 side A

Begin tape #1 side B

Rep. Nottestad : Of college teachers, I have heard the comment, I have this great teacher, now if he only knew how to teach.

Johnson: In the Master program, you are required to be a teaching assistance for two courses and then as an instructor of record under a mentoring program. Some people have the knowledge but do not have the skills to be able to impart that knowledge.

Rep. Nottestad : If our system of accreditation is so out of date, how do you account for our students testing so high?

Johnson: We do a good job of teaching basic skills, but in the area of higher order the students are unprepared.

Rep. Nottestad : What you are saying is that the people coming into the classroom could solve that problem?

Johnson: There is no guarantee, but this bill would open up opportunities.

Rep. Nottestad :Have you observed student teacher from beginning to end, at the high school level?

Johnson: At the high school level, no.

Rep. Nelson : Do you have the ability to go into South Dakota, Minnesota and teach high school?

Johnson: South Dakota you can substitute for twenty days at the high school level if you have a bachelors degree. That twenty days is total in that district.

Rep. Mueller : Do you think this bill would discourage teacher from becoming certified?

Johnson: I don't foresee that.

Rep. Mueller : Comment, with this legislation in place the young people would have to make a decision to become a teacher or go on to degrees.

Johnson: I don't see that it would encourage or discourage someone to take a particular path.

Rep. L. Thoreson : You have a prep school background?

Johnson: That is in a private school based on the Internet.

Rep. L. Thoreson : Do you have any studies, as to idea person with a masters or doctors makes a good teacher.

Johnson: The DPI has a study, says a masters degree is preferably to bachelors.

Rep. L. Thoreson : They have maters but have a background in education.

Johnson: The study didn't break it down.

Rep. Hanson : How would this affect the North Central Accreditation?

Johnson: I don't foresee it as a problem. States do have emergency certification laws.

Rep. Hanson : This is not an emergency.

Johnson: Correct

Janer Placek: Executive Director of Education Standards and Practices Board. appearing in opposition. (see written attached).

Rep. Lundgren : How long would it take and what is the process for a masters degree to get a teaching certificate?

Placek: The school is to write a letter to the Board, takes about two months plus the eight credits each year to maintain the certificate.

Rep. Haas : Eight credits each year, is there a time limit to qualify for a regular certificate?

Placek: Could go on indefinitely, picking up eight hours each year.

Rep. Nelson : Our students rank near the top, much of that reason is sociological. If a local board had an opening, and had an undesirable candidate would be bypassed for a provisional certificate?

Placek: Yes, we are at the top of the list, many states do not have a major minor law. The second question, administrators do the background check and so we don't know if someone is passed over.

Rep. Nelson : Just so you understand, the person who is overlooked is the person who holds the teaching certificate.

Placek: I don't know if that has ever happened.

Rep. Nowatzki : High school students who live to colleges while in high school and take freshmen English and take English from professors who may not teach in high school. That professor cannot go into high school and teach, is that a conflict.

Placek: You are speaking to the dual credit program.

Vice-Chair Drovdal : With a teacher shortage, this bill is offering some flexibility. Isn't that what we want.

Placek: In Chapter 67.1-02-04 of the administrative rule, we have the ability to administer and emergency certificate.

Vice-Chair Drovdal : How many are issued in the past five years?

Placek: In the last year, the number is nine. In the previous years two or three per year.

Rep. Hanson : Can you teach in vocational school without a teaching degree?.

Placek: Depends in which area.

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House Education Committee

Bill/Resolution Number Hb 1485

Hearing Date 2-1-99

Helen Busche: with the NDEA (see written attached). speak in opposition of HB 1485.

Erin Mowers: Teacher from Fargo. spoke in opposition of HB 1485.

Chairman R. Kelsch : Anyone else wishing to appear for HB 1485? We will close the hearing on  
HB 1485.



1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1485-2-9-99

House Education Committee

Conference Committee

Hearing Date 2-9-99

| Tape Number                                 | Side A | Side B | Meter #  |
|---|--------|--------|----------|
| 2   | x      |        | 3.9--6.6 |
|   |        |        |          |
|   |        |        |          |
| Committee Clerk Signature <i>Joan Diers</i> |        |        |          |

Minutes: Chairman R. Kelsch : Let's take up HB 1485. What does the committee wish?

Rep. Haas made a motion of DO NOT PASS and Rep. Mueller seconded the motion.

There was no discussion.

ROLL CALL VOTE: 12 YES and 3 NO with 0 ABSENT. Passed. Rep. Lundgren will carry the bill.

**FISCAL NOTE**

(Return original and 10 copies)

Bill/Resolution No.: \_\_\_\_\_ HB 1485 \_\_\_\_\_ Amendment to: \_\_\_\_\_

Requested by Legislative Council \_\_\_\_\_ Date of Request: 1-20-99

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 for state general or special funds, counties, cities, and 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

Date Prepared: 1/20/99

Department Education Standards & Practices Board

Phone Number \_\_\_\_\_

Date: 2-9-99  
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1485

House Education Committee

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

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

Action Taken Do Not Pass

Motion Made By Haas Seconded By Mueller

| 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) 12 No 3

Absent 0

Floor Assignment Sundgren

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

REPORT OF STANDING COMMITTEE (410)  
February 9, 1999 2:27 p.m.

Module No: HR-26-2362  
Carrier: Lundgren  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1485: Education Committee (Rep. R. Kelsch, Chairman) recommends DO NOT PASS**  
(12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1485 was placed on the  
Eleventh order on the calendar.

**1999 TESTIMONY**

**HB 1485**



*Representing the Diocese of Fargo  
and the Diocese of Bismarck*

Christopher T. Dodson  
Executive Director and  
General Counsel

**To:** House Education Committee  
**From:** Thomas Frei, Diocese of Fargo  
Assistant Superintendent of Schools  
**Subject:** HB1485  
**Date:** February 1, 1999

My name is Tom Frei. I wish to speak on behalf of the North Dakota Catholic Conference in support of HB 1485. If passed, this bill would allow those who hold graduate degrees to teach high school classes in their field of their graduate discipline. We hold that this bill would benefit all high schools in North Dakota.

Teaching performs a valuable service to society. We say this because it is naturally oriented toward the good of the human person. Since education befits human dignity, we also proclaim it as a natural right belonging to all. Because of its importance, the teaching profession deserves to be safeguarded so that those who take it up as a profession are qualified and worthy to render valuable service.

It is in this respect that certification requirements, which we support, make good sense. They are especially valuable in the elementary grades where teaching must be sensitive to the developmental aspects of learning on the part of the child. In the high school years, where learning is more naturally attuned to higher level content and motivation, this bill would be a valuable complement to the current requirements for high school teaching. It would allow those who have attained the highest academic accomplishments in various disciplines the opportunity to share that knowledge with those who would readily benefit.

There is no guarantee for any method of teaching preparation. It is not a surprise that the current method of certification produces both good and bad teachers. It makes eminent sense, however, to allow those who have proven themselves by

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House Education Committee

HB1485

February 1, 1999

the highest academic standards to teach in our schools. At the very least, those who have undertaken the effort and expense to pursue an academic discipline on the graduate level are likely to be passionate about their field. Wouldn't we want this demonstration of commitment in a candidate for a teaching position? What parent would overlook the opportunity to have their son or daughter learn from those whom the rest of the world readily recognizes as being eminently qualified?

This bill is a simple plea of common sense for the benefit of our students and our schools. We urge you to support HB 1485 for the common good of our children.

Testimony of *Mark L. Johnson*, MA, ABD  
Given before the House Education Committee in regards to HB 1485  
February 1, 1999

Madame Chairwoman, Mister Vice-Chairman, Members of the Committee:

My name is Mark Johnson, and I am an independent educational consultant, prep school instructor, and occasional part-time college lecturer from Oakes, ND. I have testified before this committee previously, and I very much appreciate the opportunity to speak to you again.

The bill before you today, HB 1485, rectifies a very strange oddity in the educational certification and licensure laws in the state of North Dakota. In a nutshell, the Standards and Practices Board requires that all teachers in North Dakota possess a degree in education, and that high school teachers additionally possess at least a minor in the academic field in which they teach. Although the requirements for a minor vary from teacher's college to teacher's college, and even from field to field, the average for a minor in most universities and colleges is 15-21 hours. Even those that possess composite majors, such as those in the Social Science Education or Science Education-type degrees, rarely have to take more than 36 undergraduate credit hours in the academic fields in which they are going to teach.

Compare that requirement with the minimum requirements for graduate degrees. Most Masters programs require between 36 and 42 credits, including thesis hours (if required), and I should remind you that those courses are graduate-level courses; thus, the knowledge covered in undergraduate courses in that same discipline is already assumed to be known by the student. For Doctoral programs, the minimum course requirements are usually 48-54 graduate-level credit hours, plus 12-18 dissertation credits. The doctoral dissertation, and I can speak from personal experience, since I am right in the middle of writing one, is a major piece of scholarly work, and is usually the first book-length monograph written by the student. In every academic department at the university level, the earned Ph.D. is the standard requirement necessary to reach even entry-level tenure-track positions. The Masters degree is generally held by temporary or part-time instructors at the university or college level, and is, in almost all cases, the minimum standard required to teach in two-year colleges such as community or junior colleges. However, in either case, the graduate degree ensures that the candidate is extremely well-versed in that particular academic discipline. Junior colleges, four-year colleges, and universities hire new faculty members constantly from the ranks of these newly minted graduate degree holders, even though those with graduate degrees in English or Physics or History never have to take a course in Education. Of all the fellow graduate students and teaching colleagues that I have known in my years in academia, probably less than 5% took courses in Education, and yet all of them were considered competent by their employing institutions to serve as professors, instructors, lecturers, or graduate teaching assistants.

And yet, in the state of North Dakota, none of those people could be legally allowed to teach, or even substitute, in either a public or private high school. Instead, the state prefers to license only those who possess courses in Methods & Materials or Educational Psychology, even if their understanding of the academic field is minimalist at best. What we are left with, then, is a bizarre system that allows a Ph.D. in Physics to teach courses at the highest levels at NDSU, but doesn't allow him or her to teach high school level Science at Fargo North. I know college teachers right here in North Dakota who exist, barely, on hodge-podge arrangements of one course here, two courses there, another course over here every other year. You heard last week from Rep. Boucher, who told you that the state faces a major shortage of qualified high school teachers in the very near future. Well, I am here to tell you today that in higher education, the opposite situation exists. Placement rates in English have been at or below 40% since the early 1980s; History and Political Science placement rates have not gone above 75% since 1982. There is a huge well of intellectual talent in our country and our state going untapped because of market conditions in higher education, combined with out-dated certification and licensure rules at the secondary level. With high schools facing increasing shortages of teachers, the state, and its students, could benefit by allowing those with real expertise in academic fields to share that knowledge with the state's high school students.

You will probably hear opponents of this bill argue that only Education courses can teach proper methods and pedagogy to prospective teachers. If that contention is indeed true, then 95% of the college professors in this country are unqualified according to the standards of those opponents. Teaching is an art, and it is a craft: it is not a science, despite what many in the teacher's colleges, the Standards and Practices Board, or DPI might think.

I strongly urge the committee to give a "do pass" recommendation to HB 1485. It is legislation that is long overdue, not only for those that long to share their knowledge with students, but for the students themselves who are too often left with teachers that have only a bare-bones understanding of the academic field which they are supposed to be teaching. Madame Chairwoman, Mister Vice-Chairman, Members of the Committee, I thank you for the opportunity to testify in favor of HB 1485, and I would be pleased to answer any questions or concerns that you might have.





Education Standards and Practices Board  
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Testimony of  
Janet L. Placek  
On  
House Bill 1485

M. Chairman, members of the committee, I am Janet L. Placek, Executive Director of the Education Standards and Practices Board. I am here to testify in opposition of HB 1485.

The Education Standards and Practices Board provides certificates to those people who have completed a four year baccalaureate degree in a specific content area from an approved teacher education program, has a 2.50 grade point average, has completed ten weeks of student teaching, has been recommended by the institution of higher education for the certificate and has also completed the background criminal history investigation.

Through this process of a four-year degree and student teaching, the teacher has demonstrated their skills in the content area, pedagogical content knowledge, understanding strategies for managing student behavior, understanding curriculum, student learning theories, and other educational aims and values. These are the minimum standards with which a teacher can receive a certificate.

The Education Standards and Practices Board has in place the opportunity to provide interim/emergency certificates under Administrative Rule Chapter 67.1-02-04 to those people who do not have the pedagogical background. Criteria to receive this certificate includes a shortage area of teachers in the local area or in the content area, request by the local school district and commitment by the instructor to pursue professional education courses for additional years of contracted time.

Allan A. Glatthorn in a research piece done on teacher effectiveness has concluded that the best analysis of teachers' effectiveness is shown in seven types of knowledge:

1. Content knowledge (knowing math);
2. Pedagogical Content knowledge (knowing how to make math understandable and interesting to children);
3. General pedagogical knowledge (knowing strategies for managing student behavior);
4. Curriculum knowledge (knowing the content of the district and state curricula);
5. Knowledge of learners and their characteristics;
6. Knowledge of educational contexts (knowing how schools and classrooms work);

7. Knowledge of educational aims, values, and their philosophical and historical grounds.

Much of the effective teaching research conducted during the 1970s and the 1980s was undertaken within a "process-product" approach (i.e., those overt teaching processes that increase student achievement). The focus was to identify and describe observable teacher variables related to student achievement such as student engagement time, student-teacher interactions, grouping arrangements, content coverage, etc.

More recent research has focused on the internal processes involved in student learning (e.g., the teaching of thinking) and how those processes are mediated by students and teachers.

Rather than merely "covering the curriculum," teachers are expected to find ways to support and connect with the needs of all learners. This new mission requires substantially more knowledge and skill of teachers and more student-center approaches to organizing schools.

The teachers in our classroom in North Dakota K-12 schools have been prepared through the educational process to understand and teach our children using these educational theories and research.

Teachers graduating from our institutions of higher education have completed courses in educational foundations, educational psychology, child development, teaching and learning theory, educational diagnosis and assessment, inclusive education, educational technology, classroom and behavioral management and human relations specific to teaching.

*Quality Counts '99* published by Education Week on January 7, 1999 shows that North Dakota students are at the top of the list in many areas. Yes, we can do better but we should not take from our students that which is working and our K-12 prepared teachers are what is working in North Dakota.

Instructors in our institutions of higher education with masters degrees and doctorates have proven themselves in the content area but have had no instruction on pedagogy and student learning theories and styles. Older students in our colleges understand their own learning styles and can adapt to various instructional models but our students in K-12 schools are in a very formative process and need to be "walked" through the processes of learning which our teachers that have taken pedagogy classes can do.

We have learned through research people learn at different rates, using different styles and methods. Don't take from our

children this vital process which they need during their developmental years.

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

**HB1485**  
**House Education Committee**  
**Helen Busche, NDEA**  
**February 1, 1999**

Madam Chair and members of the House Education Committee. My name is Helen Busche on staff with the NDEA. I am here to speak in opposition to HB1485.

Teaching at the secondary education level is not only about teaching content. No one here disputes that faculty at higher education institutions do not know their content and can deliver information to college students. Many of these faculty members are teaching at this level because they are thoroughly embedded in their subject matter.

However, at the high school level, there exists a different environment. This age group is experiencing a variety of physical, emotional, and social changes in their lives in addition to attempting to achieve academic knowledge.

Teacher preparation courses provide pre-service educators with a variety of avenues for coordinating, implementing, and evaluating analytical approaches to teaching and learning. In addition, these candidates are provided with psychology courses to better understand behavior and changes occurring in the lives of this specific age group of students. Teachers need to be creative enough to provide instruction in a variety of ways to meet the individual needs of all students. Individual learning must be incorporated into the teaching process for the student(s) with special needs. To be effective, teachers must be able to select from their repertoire of instructional strategies those which are best suited to the pupils in their care. This is essential in today's society where there are so many events having averse effects on student learning. Never before has the need been so great!

We do recognize there are individuals who can offer valuable information to students based on their experiences, knowledge and talent. They certainly should be invited into classrooms to share that expertise, and we encourage our educators to provide those opportunities within their classes.

Our state has set high, rigorous standards and provides quality programs in preparing teachers to work in our school systems. That is why our teachers are so in demand and our programs are looked upon with envy from other states. Let us not lower our standards now!

Teaching is an important profession! It is extremely critical we place the highest quality and best prepared professionals in our classrooms! We owe all our children the chance to grow and learn—to the best of their ability. We must teach all the children! That is our responsibility.

Please vote do not pass on HB1485. Thank you.

