

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2452

2001 SENATE EDUCATION

SB 2452

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2452

Senate Education Committee

Conference Committee

Hearing Date 02-06-01

Tape Number	Side A	Side B	Meter #
1		x	0 - 27.6
1 (02-19-01)	x		20.7 - 35.2
Committee Clerk Signature <i>Andrew Johnson</i>			

Minutes: VICE CHAIRMAN FLAKOLL called the hearing on SB 2452.

**Testimony in support of SB 2452:**

SENATOR FREBORG, District 8, spoke in support of the bill. He stated the bill simply says the board shall approve an individual to teach if the individual is licensed to teach in Minnesota, Montana, Nebraska, South Dakota, or Wyoming and if no complaint is pending against the individual. The motivation behind the bill is to be a part of the process in alleviating the teacher shortage in ND especially in critical areas. SENATOR KELSH asked if the requirements of the other states are the same as ours. SENATOR FREBORG stated he feels the standard of the other states are adequate. SENATOR O'CONNELL asked how salaries compared to ND. SENATOR FREBORG stated there is only one state that is lower. He would hope they would not be coming to ND just for the money. SENATOR KELSH wondered if passing this bill would allow some questionable or poor quality teachers who left ND to come back to the state. He wondered if there would be poor quality teachers replacing good quality teachers who left the profession

because of salary or some other reason. Would ND be receiving the poorer quality teacher who perhaps could not get a job in their own state. Discussion on state requirements etc. SENATOR FREBORG stressed this is not reciprocity.

**Testimony in opposition to SB 2452:**

JANET WELK, Ex. Dir. Education Standards and Practices Board, spoke in opposition to the bill. (see attached testimony). She feels the naming of certain states opens ND up to a lawsuit. SENATOR FREBORG asked if teachers from ND have much trouble going to work in other states. She answered they have to pick up any course requirements to meet local/state standards. More discussion on criteria needed to qualify to teach in ND or in any of the other states named.

**Having no further testimony, the hearing on SB 2452 was closed.**

02-19-01, Page 1, Side A, 20.7 - 35.2

SENATOR FREBORG stated this bill allows teachers in neighboring states to teach in North Dakota without reciprocity. SENATOR O'CONNELL feels we should not name specific states in the bill. He feels this opens to a lawsuit. There is a concern that the other states have less standards than North Dakota. SENATOR FREBORG stated the standards of neighboring states could be the same or higher than North Dakota's, but just don't match our standards. The fiscal note states there could be a programming cost of \$10 - 15 thousand. SENATOR COOK stated this bill addresses the North Dakota students who graduate from neighboring state colleges the chance to come to North Dakota to teach.

**SENATOR KELSH moved a DO NOT PASS. Seconded by SENATOR O'CONNELL.**

**Roll Call Vote: 4 YES, 3 NO, 0 Absent. Motion Carried.**

**Carrier: SENATOR KELSH**

# FISCAL NOTE

Requested by Legislative Council

01/30/2001

Bill/Resolution No.: SB 2452

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

There would be a programming cost for the Education Standards and Practices Board in the approximate amount of \$10,000 to \$15,000.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Janel Welk	Agency:	ESPB
Phone Number:	328-1659	Date Prepared:	02/02/2001



REPORT OF STANDING COMMITTEE (410)  
February 19, 2001 11:47 a.m.

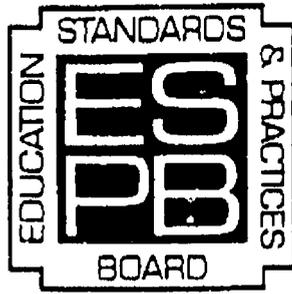
Module No: SR-30-3852  
Carrier: Kelsh  
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**REPORT OF STANDING COMMITTEE**

**SB 2452: Education Committee (Sen. Freborg, Chairman)** recommends **DO NOT PASS**  
(4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2452 was placed on the  
Eleventh order on the calendar.

2001 TESTIMONY

SB 2452



## Education Standards and Practices Board

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[www.state.nd.us/esp](http://www.state.nd.us/esp)

*"Assuring highly qualified professional educators for North Dakota students"*

### TESTIMONY ON SB 2452

BY

JANET WELK

Good morning, Mr. Chairman and Members of the Senate Education Committee. For the record, I am Janet Welk, Executive Director of the Education Standards and Practices Board and wish to testify in opposition of SB 2452.

North Dakota in 1875, prior to becoming a State, as part of the Dakota Territories required certification of the educators in their classrooms based on their qualifications, moral character, learning, and ability. At that time, no one was able to teach unless they had a certificate. This has been the process in North Dakota and all other states since that time. In 1999, Education Week reported that people believe having qualified teachers is a critical factor in the success of schools and students, the people/parents want information about a school's teachers, such as average number of years of experience, certification/licensure status and whether they are trained to teach what they are teaching. Safety and teacher qualifications clearly rate very high with the public. North Dakota has always been able to provide this information to its' citizens.

During the last decade, a Milken Foundation study found the following three pieces necessary for student achievement: teachers teaching subjects with a major or minor, preferably a master's degree, classroom practices and continual professional development.

The National Center for Education Statistics provided a report in December 2000

*"Monitoring School Quality: An Indicators Report."* This report found four items regarding educators necessary for quality education. They are the academic skills of the teachers, teachers assigned in their major/minor areas, number of years experience and the professional development. Like any other profession, the continual education of our educators is critical to the success of our students. Study after study has proven this.

In 1999, a bill was passed by the Fifty-sixth Legislative Assembly providing the Education Standards and Practices Board the authority to issue a license to an individual who holds a valid regular license or certificate from another state, provided: a) the certification is based upon a minimum of a bachelor's degree with a major that meets the issuing state's requirements in elementary education, middle level education, or a content area taught in public high schools; b) the certification requires the completion of a professional education sequence from a state-approved teacher education program, including supervised student teaching; c) the individual submits to a background check, d) the background check reveals nothing for which a ND applicant would be denied licensure; and e) the individual must submit a plan ~~to~~ to meet ND requirements within a four year period of time. In May, 2000, the Education Standards and Practices Board signed the NASDTEC Interstate Contract signing with all other states, attaching the above NDCC 15-36-11.2 law. This contract and law provides any educator from "any" state the ability to receive a North Dakota license upon application. It provides them with a total of four years to meet all North Dakota standards. The above law has provided 191 out of state applicants to receive ND licensure in 1999-2000 and an additional 134 out of state applicants since July 1, 2000. I complete all of the out of state reviews and have not turned down an applicant with a degree in teacher education. North Dakota has a system of education to be proud of. We do have higher standards in some areas

than other states. And in some areas, we have some growing to do. For example, our elementary education degree requires three areas of science. I could count on one hand the number of applications that have met that requirement from out of state. Does this standard affect the education of our ND students? Yes, it does. If your teacher does not have a good background in math and science, they will not be able to provide the needed math and science background for our students. The quality of our students' education is directly affected by the quality of our teacher's education. The beauty of the existing law is that it provides an avenue for immediate licensure in North Dakota plus also provides an avenue for professional development on the part of the educator which in the long run provides a better quality education for our North Dakota students. In the ever changing world of education, we need to continue to update our skills and training. Our economic growth in North Dakota depends upon the education of our students and our students' education is dependent upon the quality of their teachers.

When one state is chosen to become reciprocal with another state's license, that state must research each of the teacher education program standards for each content area. If this bill passes, it would mean that the Education Standards and Practices Board would have to research each of the listed states' standards. These standards are revised and changed every three to five years so the process would never end. The State of California attempted to complete this process, spent in excess of \$2 million dollars in a one-year time span and found their information was outdated upon completion of the research. The law that is in place today, by far, provides for a better quality education for North Dakota students without a major expenditure and major costs to our citizens.

The North Dakota Attorney General's office contacted our office with the following concerns:

1. North Dakota would have people in their classrooms without valid licenses;

2. There would be no way to regulate the profession with regard to disciplinary action;
3. If there is a complaint pending, what is the recourse for the citizens of North Dakota;
4. What if the individual has had prior discipline, revocation, criminal activity, etc.  
there is no regulation.
5. There is a constitutional issue with regard to naming certain states, i.e. what if  
someone from Iowa would want to teach in North Dakota under this bill.

Last but not least, the individuals under this bill would not qualify under the TFFR system since they have to be licensed by the ESPB to be part of the retirement system.

The Education Standards and Practices Board asks for a Do Not Pass on this bill to protect the safety of our children in North Dakota and also to protect the education these children will receive. We presently have a system that allows for the licensure of any qualified applicant from out of state with the provision of four years to meet North Dakota standards. Our students deserve the best we can provide for them. Let us spend our North Dakota dollars to better the education for our children. Thank you for the opportunity to testify and I would be happy to address any questions at this time.