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2003 HOUSE EDUCATION

HB 1489

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2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1489  
House Education Committee

Conference Committee

Hearing Date January 29, 2003

| Tape Number                                     | Side A | Side B | Meter # |
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| Committee Clerk Signature <i>Hinda Fiechmer</i> |        |        |         |

Minutes: **Chairman Kelsch** opened hearing on HB 1489

**Janet Placek Welk, Executive Director of the Education Standards and Practices Board,**

**See Attached Testimony (800-1100)**

**Rep. Mueller** We are talking equivalency, could you give us a sense of what that means?

**Welk:** Equivalent to, in the federal definition under highly qualified, they identify certain things that they would consider a person to be highly qualified. Those were a major, a test, course work equivalent to a major, an advanced certification, or national board certification. And so what we are doing is turning a couple of their words around and terming it major equivalency. Because it will either be a test and a minor, a minor and portfolio, course work equivalent to a major through the university system as identified on a transcript.

**Rep. Sitte:** If NCLB, do we really want to have this knee jerk reaction to every year we could change how are teachers are certified?

**Welk:** The reason the board is looking at 2008 for the effective date is to use the major equivalency is because many people believe federal law will be changed. We have been meeting

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with our congressional team, our administrators at the educational leaders conference to please wait and take as much time as you need. On the other hand we also have teachers who are saying tell me what I need to do, I want to get started. Because what we are addressing now is federal law, we don't know if it will be changed. So the law that has been drafted gives us that opportunity to begin the process, five years to transition and then require the teachers to meet the requirements.

**Rep. Hunskor** On of the concerns in the field is that the teachers who are teaching in their minor field. I know they can go back to school, to become qualified. Just tell me what other options do they have to meet the standards?

**Welk:** It would be effective 2008, after rereading the federal guidelines that is the last possible year that ND could use to respond. In answer to your 1st q, A teacher that is teaching in their minor today, would be able to do 1) additional course work and turn that minor into a major, 2) test completion. The testing company that we are using is presently testing teachers in 33 other states.; 3) The Governor's office has received a teacher quality grant of 2M each year for the next 3 years to help us with our response to NCLB. That will be a portfolio. We have hired a person, housed out of Devils Lake Public School system, she will work for the ESPB, funded by the quality teacher grant. She is coordinating efforts to develop that portfolio. She is in the process of accepting nominations from local administrators of those teachers who that are not highly qualified and those teachers who are highly qualified. they will come together and identify what the profession wants within their portfolio. This is a system of the profession for the profession.

**Chairman Kelsch** They will make sure that is not one extreme or the other, correct. They will not make it so easy or so difficult to accomplish this.

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**Welk:** That is correct. One thing we do know about the portfolio and that is using the example from other states. It will not be paper based it will be electronic based. We have approx. 2500 to 3000 teacher that have to go through this process. We do know that we are going to make this as user friendly as possible.

**Rep. Sitte 1)** Does this apply to all teachers in private schools as well

**Welk:** Yes, teachers in private schools too.

**Rep. Sitte 2)** Private school teachers will they be able to get some of this 2M.

**(1641) Welk:** Yes, but only teachers in the identified core academic area

**Rep. Sitte 3)** Isn't this a slap on the face of the universities who granted the degree, and say you are qualified to teach, and then we make them jump through the hoop of having a series of their peers look at a portfolio, that may or may not fit their teaching style.

**Welk:** The University System and Department of Public Instruction are working very closely on this. I asked them to have the portfolio system become an institutionalized part of the university system. They told me no. It then became a profession driven portfolio, set by your peers.

**Rep. Hunskor:** I missed the estimated number of teachers who are going to go through the portfolio process?

**Welk:** We believe approx. 27% of the courses offered are taught by teachers that are not highly qualified. When working with the Department of Public Instruction and their data system it was very difficult to identify specific teachers, we are guessing 2500 to 3000 teachers, they will have 1 of the 3 options, depending on where they are in their career.

**(1895) Chairman Kelsch** the portfolio is an option for those who are 50 years old

**Welk:** From the eyes of the writer.

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**Chairman Kelsch** They are close enough to retirement, they may just retire.

**Welk:** We hear from many people that will happen anyway. We have 894 teachers that could walk from the classroom at the end of this school year, retirement.

**(2000) Amy Benz, Teacher at Beulah Middle School, See Attached Testimony**

**(2422) Rep. Williams** This entire bill, even though you have had rule power, your making sure that you are not tied by law, so that when the changes come from NCLB you will be able to make rules to accommodate and yet not go over board with teachers certification and the like.

**Benz:** Correct, that is exactly what we would like to do.

**Bev Nielson, ND School Boards Association,**

We are represented on the ESPB and we are hear to support 1489. You have two teacher standards bills before you, this is the one that we prefer for all the reasons that have been stated. The flexibility, the allowing of the amount of time, and one of our fears is we get things in ND statute and then the federal law eases up us and we are stuck. When it comes to NCLB things we have been consistent in our testimony that we don't believe that there is any reason to go beyond any of the federal standards. We are going to have enough work to meet the federal standards as they are today.

**Rep. Sitte** Does this fits into your overall beliefs of local control?

**Nielson:** I don't like NCLB law.

**Mary Wahl, ND Council of Educational Leaders**

We to support this bill, 1489, it does not go beyond NCLB requires, If you recall we are in opposition of 1181, that goes beyond. We also like the idea that there is the 2008 deadline in this bill, which allows flexibility as being permitted by NCLB for our teachers to comply.

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**Wayne Kutzer, Director for the State Board for Vocational and Technical Education See Attached Testimony (2900-3200) Read testimony. Supports with his proposed amendments.**

**Rep. Williams:** Have you had the opportunity to run this past the ESPB?

**Kutzer:** They have a copy of it and we have been in some discussions on it. They are not in total agreement of it, but we are working on it.

**Deb Jensen, Assistant Director, Education Standards and Practices Board, See Attached Testimony**

Additional amendments. Since our board was formed seven years ago, a cooperative arrangement with the State Board for Vocational and Technical Education to issue licenses. And as you can see in the into to my comments, there is some overlap of authority regarding this because of the State Board's authority provides qualifications and the ESPB is to set standards and issue licenses. And so there are two different licenser areas that this would apply to. I just wanted to provide some additional clarification for you in that area. First of all, the way that our authorities overlap is the State board has the jurisdiction over the qualifications for the career and technical education, but because we have the qualifications over the four year and graduate degree programs, we have designed with standards for some areas that overlap. When we go out to do program approval at the colleges, we apply a set of standards for their program and then they are licensed on those basis. It is important that we have that ability to do that because we are required to by ND statue authority and by the national crediting agencies to look at all of the programs that are associated with the teacher education colleges. And make sure that they have met the state standards for program approval. I have broken out #3 on page 8, line 7 into two different areas. The reason for that is there are really two different kinds of licenser that applies to 1) the

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TNI licenses or those that are issued in trade, industry and tech or health occupations. Those may not be based on a four-year degree. 2) the area in which we overlap. We do the college approval and standards. We work together, allows for them to be involved and making sure that the programs are meeting what they expect and also allows us to be involved to meet our program approval statutory authority.

**Chairman Kelsch** I'm going to make sure that you, Janet, and Wayne sit down and hammer out the differences and come with one amendment.

**Rep. Hanson** Over the years we have authorize Native American language, does this affect that in any way.

**Jensen:** We do have a similar situation with native American language, because that is also restricted license. And we defer to the approval of the tribal council or language board to find out if the individual is qualified in the language. And then we issue the license, based on some other qualifications too. It is a similar situation. They are the ones determining whether they actually can speak the language and then we add additional qualifications to the restricted license.

**(4041) Gloria Lokken, President of the ND Education Association, See Attached Testimony**

**(4500) Gary Gronberg, Assistant Superintendent, Department of Public Instruction , See Attached Testimony**

**(4780) Address a couple of statements that are out there that might be effected by this.**

If we think about it from the secondary level, what we need to think about is that all teachers graduate from college highly qualified under the definition of NCLB. If they teach in their major field that they graduated in. What we have as a situation, is where we have allowed for some

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