

CHAPTER 67-11-25
CREDENTIALS FOR SPECIALISTS TRAINED IN DYSLEXIA

Section

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67-11-25-01. Issuing Agency.

The North Dakota credential for specialists trained in dyslexia is issued by the:

Superintendent of Public Instruction
Department of Public Instruction
600 East Boulevard Avenue, Dept. 201
Bismarck, ND 58505-0440

History: Effective April 1, 2022

General Authority: NDCC 15.1-02-16, 28-32-02

Law Implemented: NDCC 15.1-02-16

67-11-25-02. Pathways to support

1. A school district or non-public school may choose to employ an individual that holds the credential for specialists trained in dyslexia according to the rules of this chapter to work in schools with children with dyslexia.
2. A school district or non-public school may choose to employ an individual without an educator license that holds other professional certifications in dyslexia to work in schools with children with dyslexia

History: Effective April 1, 2022

General Authority: NDCC 15.1-02-16, 28-32-02

Law Implemented: NDCC 15.1-02-16

67-11-25-03. Definitions

A “specialist trained in dyslexia” is an individual with the coursework and competencies listed in subsection 4 of this chapter

History: Effective April 1, 2022

General Authority: NDCC 15.1-02-16, 28-32-02

Law Implemented: NDCC 15.1-02-16

67-11-25-04. Requirements for Specialist Trained in Dyslexia Credential.

1. To obtain a credential for a specialist trained in dyslexia to teach students in a school setting, an educator must hold a valid North Dakota educator's professional license issued by the education standards and practices board;
2. The individual must have completed the required coursework from a state-approved institution of higher education. This coursework must include:
 - a. Introduction to dyslexia;
 - b. Assessment for students with dyslexia;
 - c. Interventions for students with dyslexia; and
 - d. Minimum of three semester hours of practicum experience related to dyslexia assessment and interventions.
3. An individual is exempted from subsection 2 of this section if the individual has completed certification approved by the international dyslexia association or the center for effective reading instruction. The certification must include a practicum experience of a minimum of three credits or forty-five clock hours and be equivalent to that required in subsection 2 of this section.

History: Effective April 1, 2022

General Authority: NDCC 15.1-02-16, 28-32-02

Law Implemented: NDCC 15.1-02-16

67-11-25-05. Application Process.

The application process to obtain a credential under this chapter shall consist of:

1. The completion of an online application; and
2. The submission of official transcripts and other documentation as needed.

History: Effective April 1, 2022

General Authority: NDCC 15.1-02-16, 28-32-02

Law Implemented: NDCC 15.1-02-16

67-11-25-06. Credential Renewal.

A credential issued under this chapter is valid only while the credentialed individual holds a valid North Dakota educator's professional license. An applicant for renewal of a credential issued under this chapter must:

1. Renew the credential prior to the expiration of the applicant's license, or every five years if the applicant has a lifetime license or certification.
2. Complete continuing education requirements towards renewal of the credential as follows:

- a. The applicant must complete two semester hours of credit before the expiration date of the applicant's credential, unless the individual's license will expire as described in subdivision b. or c. of this section.
- b. An applicant who holds a two-year educator's professional license must complete one semester hour of credit before the expiration date of the applicant's credential.
- c. If the applicant's teaching license expires within twenty-four months of the issuance of a first-time credential issued under this chapter, then no additional credit hours are required.
- d. Credits earned to fulfill the requirements of subdivisions a. or b. of this subsection must be related to language-based reading disorders or dyslexia.

History: Effective April 1, 2022

General Authority: NDCC 15.1-02-16, 28-32-02

Law Implemented: NDCC 15.1-02-16

67-11-25-07. Reconsideration.

If an application for a credential for specialists trained in dyslexia is denied, the applicant will be notified of the opportunity for reconsideration. Upon receipt of a written denial, the applicant may request a reconsideration of the denial. A request for reconsideration must be in writing and must be received by the superintendent of public instruction within twenty-one days of the date the denial was mailed to the applicant by the superintendent of public instruction. Untimely requests will not be considered. The request for reconsideration must discuss:

1. The fact, law, or rule the applicant believes was erroneously interpreted or applied; and
2. The applicant's arguments on how the fact, law, or rule should have been applied, giving specific reasons and a thorough analysis.

The superintendent of public instruction will issue a final written response on the reconsideration request within twenty-one days after receiving a complete and timely reconsideration request. If the superintendent's written response denies the reconsideration request, the superintendent's written response shall notify the applicant of the applicant's right to a hearing conducted pursuant to chapter 28-32. The applicant must request the hearing within thirty days after receiving a complete and timely reconsideration request.

History: Effective April 1, 2022

General Authority: NDCC 15.1-02-16, 28-32-02

Law Implemented: NDCC 15.1-02-16

ARTICLE 67-13
SCHOOL DISTRICT COOPERATIVE AGREEMENTS

Chapter

67-13-01 School District Cooperative Agreements

CHAPTER 67-13-01
SCHOOL DISTRICT COOPERATIVE AGREEMENTS

Section

67-13-01-01 Purpose
67-13-01-02 Approval
67-13-01-03 Withdrawal
67-13-01-04 School Districts
67-13-01-05 Cooperative Program
67-13-01-06 Agreements
67-13-01-07 Cost-Sharing Reimbursement

67-13-01-01. Purpose.

School districts cooperating with another school district or districts for the purpose of providing joint educational opportunities to the students as established by North Dakota Century Code section 15.1-27-16 may receive additional per student payments as provided in North Dakota Century Code section 15.1-27-16.

History: Effective May 1, 1999; amended effective January 1, 2018.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15.1-27-16

67-13-01-02. Approval.

Cooperative agreements of education must first receive the approval of the superintendent of public instruction and shall be effective beginning July first of the year approved, upon the approval of the school boards of the member districts. The agreement may be changed only by a majority vote of each board signing the agreement and the approval of the department of public instruction. Any change to the agreement requires submission to and approval from the superintendent of public instruction prior to the change becoming effective.

History: Effective May 1, 1999; amended effective January 1, 2018.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15.1-27-16

67-13-01-03. Withdrawal.

Any district wishing to withdraw from the cooperative agreement must submit its intent to the other cooperative members in writing by January fifteenth. Withdrawal will become effective June thirtieth of the same year. The superintendent of public instruction must be notified in writing thirty days prior to the termination of the agreement.

History: Effective May 1, 1999; amended effective January 1, 2018.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15.1-27-16

67-13-01-04. School districts.

Cooperating school districts must agree to equitably share expenses of the cooperative agreement, to inventory all equipment used by the cooperative, and to provide appropriate transportation.

History: Effective May 1, 1999; amended effective January 1, 2018.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15.1-27-16

67-13-01-05. Cooperative program.

The school district cooperative must address the following:

~~A plan for providing unduplicated grade level services for at least four grade levels, unless the school district has taxable property located in the same city as the other school district under the cooperative plan;~~

1. A plan for sharing administration, at a minimum a shared superintendent unless the school district has taxable property located in the same city as the other school district under the cooperative plan;
2. A plan for sharing cooperative expenditures between the member districts;
3. A plan for sharing cooperative revenues upon termination of the cooperative; and
4. A plan for the changing of the agreement.

History: Effective May 1, 1999; amended effective January 1, 2018; January 1, 2020, April 1, 2022.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15.1-27-16

67-13-01-06. Agreements.

The following areas must be discussed with hopes of arriving at written agreements. However, written agreements are not required for:

1. Identification of the location of education and grade level services programs;
2. Provisions for curriculum integration;
3. Site utilization regarding partial usage or closure;
4. Provision for sharing of extracurricular activities; and
5. The number and timely manner in which the school boards will meet jointly during the duration of the agreement.

History: Effective May 1, 1999; amended effective January 1, 2018.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15.1-27-16

67-13-01-07. Cost-Sharing Reimbursement.

To be eligible to be reimbursed for a cost-sharing agreement school districts or special education units shall:

1. Share a superintendent/special education administrator and business manager;
2. Demonstrate a cost savings by sharing central office personnel; and
3. Indicate the percentage of time the superintendent/special education administrator and business manager are assigned to each district/unit.

History: Effective April 1, 2022.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 15.1-27-16

CHAPTER 67-23-07
POST-SECONDARY TRANSITION PROGRAMS

Section

67-23-07-01 Definition

67-23-07-02 Description of Program

67-23-07-03 Grant Payments for Post-Secondary Transition Programs

67-23-07-01. Definition.

A “postsecondary transition program” is a degree, certificate, or non-degree program at an accredited post-secondary institution that is designed to support students with an intellectual or developmental disability who are seeking to continue academic, career and technical, and independent living instruction. The program must be consistent with the higher education act requirements for the degree, certificate, or program.

History: Effective April 1, 2022

General Authority: NDCC 15.1-32-09, 15.1-32-21.1, 28-32-02

Law Implemented: NDCC 15.1-32-21.1

67-23-07-02. Description of program

A Postsecondary Transition Program:

1. Serves students with intellectual disabilities or developmental disabilities who:
 - a. Are at least eighteen years of age but has not reached the age of twenty-two;
 - b. Have graduated from high school in the state or obtained an equivalent degree; and
 - c. Enroll in a postsecondary transitional program at an institution of higher education;
2. Includes an advising and curriculum structure;
3. Requires students with intellectual disabilities or developmental disabilities to participate on not less than a half-time basis as determined by the institution
4. Provides individual supports and services for the academic and social inclusion of students with intellectual disabilities or developmental disabilities; in academic courses, extracurricular activities, and other aspects of the institutions of higher education’s regular postsecondary program;
5. With respect to the students with intellectual disabilities or developmental disabilities provides a focus on:
 - a. Academic enrichment, including access to inclusive college courses available to students without disabilities to the maximum extent possible;
 - b. Socialization in inclusive environments, to the maximum extent possible;

- c. Independent living skills, including self-advocacy skills; and
- d. Integrated work experiences and career skills that lead to competitive integrated employment;
6. Integrate person centered planning in the development of the course of study for each student with an intellectual disability or developmental disability; and
7. Create and offers a meaningful credential for students with intellectual disabilities or developmental disabilities upon the completion of the postsecondary transition program.

History: Effective April 1, 2022

General Authority: NDCC 15.1-32-09, 15.1-32-21.1, 28-32-02

Law Implemented: NDCC 15.1-32-21.1

67-23-07-03. Grant payments for post-secondary transition programs

1. In order to receive integrated formula payments as described in NDCC 15.1-32-21.1, post-secondary transition programs must be:
 - a. Proven to be successful for students with intellectual and developmental disabilities, and
 - b. An established program with evidence of results.
2. The superintendent of public instruction shall review and approve postsecondary transitional programs and develop a system for the distribution of payments necessary to implement this section

History: Effective April 1, 2022

General Authority: NDCC 15.1-32-09, 15.1-32-21.1, 28-32-02

Law Implemented: NDCC 15.1-32-21.1

**ARTICLE 67-31
READING CURRICULUM**

**CHAPTER 67-31-01
PROFESSIONAL DEVELOPMENT FOR GRADES KINDERGARTEN THROUGH THREE READING**

Section

67-31-01-01 Definitions

67-31-01-02 Professional development required

67-31-01-03 Implementation and compliance

67-31-01-01. Definitions.

“Comprehension” means the process by which a reader thinks about written language to extract and construct meaning through integration with the reader’s prior knowledge and experiences.

“Fluency” means the ability to read accurately, with expression, and at a rate that supports deep understanding.

“Phonemic awareness” means the ability to identify and manipulate individual sounds, called phonemes, in spoken words.

“Phonics” means the alphabetic letter-sound correspondences used in reading, writing, and spelling.

“Systematic direct instruction” means the carefully planned sequence of instruction with organization of material that follows a developmentally appropriate order within a pre-established routine. Systematic direct instruction is explicit, follows a gradual release process, and allows opportunities for practice and feedback.

“Teacher-approved professional development” means professional development identified and organized through the collaboration of district teachers and administrators

“Vocabulary” means the knowledge of, and memory for word meanings which include receptive and expressive skills in the areas of reading, writing, speaking, and listening.

History: Effective April 1, 2022

General Authority: NDCC 15.1-21-12.1, 28-32-02

Law Implemented: NDCC 15.1-21-12.1

67-31-01-02. Professional Development Required.

1. Pursuant to NDCC 15.1-21-12.1(2), beginning with the 2022-2023 school year, each teacher and principal serving students in grades kindergarten through three in a public or non-public school shall have attended teacher-approved professional development training described in NDCC 15.1-21-12.1(1).
2. Pursuant to NDCC 15.1-21-12.1(2), beginning with the 2022-2023 school year, each teacher and principal newly hired to serve students in grades kindergarten through three in a public or non-public school shall complete teacher-approved professional development training described in NDCC 15.1-21-12.1(1) within one year of first-year placement, or demonstrate mastery in the topics provided in this subsection.
3. Required trainings must have occurred on or later than July 1, 2018
4. Teachers and principals that successfully completed reading training in accordance with 15.1-13-35.1 shall be considered as having met the training requirements of this section.

History: Effective April 1, 2022

General Authority: NDCC 15.1-21-12.1, 28-32-02

Law Implemented: NDCC 15.1-21-12.1

67-31-01-03. Implementation and Compliance.

1. School districts and non-public schools shall choose curriculum and curricular resources meeting the focus areas of NDCC 15.1-21-12.1(1).
2. Each school district or non-public school shall ensure compliance of this section in a manner determined by the superintendent of public instruction.
3. The department shall collect assurances of school districts and non-public schools to ensure compliance with NDCC 15.1-21-12.1 (4).
4. During the monitoring process, the school district or non-public school shall report the following information regarding this chapter in a manner determined by the superintendent of public instruction
 - a. Reading curriculum and instruction
 - b. Professional development and training offered for grades kindergarten through three, or demonstrated mastery of literacy topics by teachers and principals
 - c. Assessment instruments to diagnose reading development and comprehension
5. School districts and non-public schools shall report information required in subsection 4 of this section annually to the department on the first day of October, unless the school district or non-public school meets the requirements of subsection 6 of this section.
6. School districts and non-public schools that have submitted satisfactory information required under subsection 4 and subsection 5 of this chapter may be awarded an exemption from the requirements of subsection 5 for a period of up to three years.

History: Effective April 1, 2022

General Authority: NDCC 15.1-21-12.1, 28-32-02

Law Implemented: NDCC 15.1-21-12.1

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