

1999 SENATE EDUCATION
SB 2142

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2142

Senate Education Committee

Conference Committee

Hearing Date 1/13/99

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|------------|
| 1 | X | | 2,499-3807 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Linda Christman</i> | | | |

Minutes:

Senator Freborg called meeting to order. Roll call was taken.

Senator Freborg opened hearing on SB 2142.

Roger Reiger, Director of the Approval & Accreditation Unit. Testified in favor. Testimony attached.

Senator Freborg: Thank you.

Senator Kelsh: Roger is this not authorized in law any other place. Is this just to protect the ones that were given before the Attorney Generals opinion or something you just did?

Roger Reiger: No specific references to minor equivalency in law prior to this attempt to bring it in. Believed though that there was authority under the superintendent which would give them establish schools. Prior to Education Standards & Practices Board having the authority for recertification. Considered to be a necessary accommodation.

Senator Freborg: Minor equivalency good forever?

Roger Reiger: The minor equivalency as they are administered now, as long as that letter is in the file we honor it. Similar to the minors that the educator has received at the college level. Teachers do take courses through the certification. Majors and minors are never withdrawn.

Senator Freborg: What prompted the Attorney Generals opinion?

Roger Reiger: Last legislative session we were put under the law which requires that we have administrative rule. When we took a look at our guidelines one of them is the delivery of minor equivalency. Looking for where the authority is law is because the Attorney General has advised that when we write administrative rule where there is a basis in law. No specific references to minor equivalency so therefore decided we should find a better way.

Senator Cook: Standard and Practices Board will be writing administrative rule.

Roger Reiger: Yes- Bill 2075 would give them that authority.

Senator Freborg: Any other questions. Any other testimony in favor of SB 2142.

Deb Jensen, Assistant Director of Education Standards and Practices Board. Testimony enclosed.

Senator Freborg: Thank you.

Helen Bush, staff of ND Education Association. No written testimony, urged a Do Pass on SB 2142.

Senator Freborg closed hearing on SB 2142.

Senator Wanzek made motion for a Do Pass.

Senator Flakoll seconded.

Discussion. Motion carried.

ROLL CALL VOTE: 7 yes, 0 no. CARRIER: Senator Cook.

Date: 1/13/99
Roll Call Vote #: _____

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2142

Senate EDUCATION _____ Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Motion for Do Pass

Motion Made By Sen. Wanzek Seconded By Sen. 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 | ✓ | | | | |
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Total (Yes) 7 No 0

Absent _____

Floor Assignment Sen. Cook

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

REPORT OF STANDING COMMITTEE (410)
January 13, 1999 1:28 p.m.

Module No: SR-07-0559
Carrier: Cook
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2142: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2142 was placed on the
Eleventh order on the calendar.

1999 HOUSE EDUCATION

SB 2142

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2142

House Education Committee

Conference Committee

Hearing Date 2-24-99

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|--------------|
| Tape #1 | x | | 31.6 to 51.1 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Joan Davis</i> | | | |

Minutes:

Chairman R Kelsch , Vice Chair Drovdal , Rep Brusegaard , Rep Brandenburg , Rep Haas , Rep Johnson , Rep Nelson , Rep Nottestad , Rep L Thoreson , Rep Grumbo , Rep. Hanson , Rep. Lundgren , Rep. Mueller , Rep. Nowatzki .

Chairman R Kelsch : We will open the hearing on SB 2142 and ask the clerk to read the title.

Roger Rieger: Director of the Approval and Accreditation Unit for DPI. ((See attached testimony) . testified in support of SB 2142. SB 2142 has a provision that Any minor equivalency previously granted by the superintendent of public instruction remains valid.

Rep Nelson : As a former school board member, we had a lot of trouble in this area with your department. We would call the department and get verbal approval and then when the accreditation report came out in the spring, found that they were not approved. Why is not there

not continuity between what is said verbally and what was documented on the report. You don't have a policy as to what would be necessary as to the decision and have it consistent.

Rieger: We do have a list of courses that we use and we stick to that list. The issue of getting approval from the department by phone verses written, comes up occasionally. A policy was instituted that we did not honor any minor equivalency unless they were on paper. The reason that we do not have a list out for school boards or administrators to look at, is because people tend to take those lists, look at a transcript and say, yes, it looks like we fit that, and sign the teacher and the teacher was not qualified. We do not believe that you have uniformity that way, so therefore we use the departments evaluation. We have quit issuing the minor equivalency as of September and the Education Standards and Practices Board will do that now.

Rep Nelson : Will the ESP board have discretion in the areas as you just described, as you did to grant these minor equivalency on an individual basis.

Rieger: One of the things that they are working on is to define what it is that would be appropriate to be included in the minor equivalency.

Rep Nottestad : You do have access to all the course descriptions if you request them from the colleges.

Rieger: That is correct. We sometimes have to get more information from the colleges.

Rep Nottestad : That may be true but these course descriptions are acceptable for North Central Accreditation standards.

Rieger: I'm not sure what are differences are here.

Janet Placek: Executive Director f the Education Standards and Practices Board. ((See attached testimony) .

Page 3

House Education Committee

Bill/Resolution Number Sb 2142

Hearing Date 2-24-99

Rep Nottestad : If someone is short one class, are you willing to look at graduate courses?

Placek: Whether its graduate or undergraduate, it won't make any differences, it depends on the content of the course that they take.

Rep Nottestad : School districts don't _____ salaries, you can look at it both ways.

Helen Busche: North Dakota Education Association. testified in support SB 2142.

Chairman R Kelsch : Anyone wishing to speak in opposition of SB 2142. Hearing none we will close the hearing on SB 2142.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2142-3-4-99

House Education Committee

Conference Committee

Hearing Date 3-1-99

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|------------|
| Tape #2 | | x | 7.2 to 9.2 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Joan Diers</i> | | | |

Minutes:

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 take up SB 2142, what are the wishes of the committee?

Rep Nelson : Move a DO PASS

Rep Brusegaard : Second.

Chairman R Kelsch : Discussion. HEaring none, the clerk will call the roll on a DO PASS

motion of SB 2142. The motion passes 14 YES 1 NO 0 Absent

Floor assignment Rep Nelson .

Date: 3-1-99
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB-2142

House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Nelson Seconded By Brusegaard

| 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) 14 No 1

Absent 0

Floor Assignment Nelson

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

REPORT OF STANDING COMMITTEE (410)
March 1, 1999 4:49 p.m.

Module No: HR-36-3825
Carrier: Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2142: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS
(14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2142 was placed on the
Fourteenth order on the calendar.

1999 TESTIMONY

SB 2142



Education Standards and Practices Board

600 East Boulevard Avenue

Bismarck, ND 58505-0080

(701) 328-2264

Fax #328-2815

Testimony for SB 2142 – Regarding previously issued minor equivalencies

January 13, 1999 - Senate Education Committee

M. Chairman and Members of the Committee, my name is Deb Jensen and I am the Assistant Director of the Education Standards and Practices Board. The Education Standards and Practices Board (ESPB) supports the DPI's position in SB 2142 that minor equivalencies issued by the Department of Public Instruction prior to September 1, 1998 should continue to be honored for purposes of school approval and accreditation.

Educators often pick up additional coursework in another content area after graduation. This coursework may not be transcribed as a minor but may be equivalent to a minor. The need to define and credit this additional preparation continues and is important to districts utilizing teachers in more than one content field. Since this matter relates to the individual's teaching preparation and licensure, the ESPB, after discussing the issue with the DPI and the field, has proposed legislation that would allow the ESPB to begin issuing minor equivalency endorsements as part of the individual's teaching certificate. This related legislation, SB 2075, was heard before this committee yesterday.

SB 2075 would allow the ESPB to recognize coursework obtained after graduation or from a different institution than the original degree that is equivalent to a minor in the content area. The DPI could then recognize this information when considering personnel assignments within school accreditation.

**TESTIMONY ON SB #2142
SENATE EDUCATION COMMITTEE**

January 13, 1999

**by Roger F. Rieger, Director of the Approval and Accreditation Unit
328-2389**

Department of Public Instruction

Mr. Chairperson and members of the committee:

My name is Roger F. Rieger and I am the Director of the Approval and Accreditation Unit for the Department of Public Instruction. I am here to provide information and to speak in favor of Senate Bill #2142 regarding the minor equivalency.

This amendment to section 15-41-25 of the North Dakota Century Code would provide formal recognition of a property right we believe teachers have that were awarded a minor equivalency by the Department of Public Instruction. Until September of 1998 the Secondary Education office did receive requests for and did issue minor equivalencies in various subject areas. The minor equivalencies were issued to secondary certified teachers whose transcripts showed a concentration of courses (at least 16 semester hours) in a subject area. Each area had standard preparation we would look for and if they met the requirement we would issue a letter granting a minor equivalency. This minor equivalency would allow them to teach courses in that particular area in addition to the majors or minors listed on their teaching certificates. We have 661 minor equivalencies being used in 14 subject areas in North Dakota schools in the 1998-99 school term.

As we were preparing to write the administrative rules for the issuance of the minor equivalencies we were advised by the attorney general's office that no specific authority is in statute for continuing this practice. We did take steps to

discontinue the process of issuing the minor equivalency and asked the Education Standards and Practices Board to pursue some options in making a similar process available. Senate Bill #2075 was introduced yesterday before this committee to facilitate the continuation of the issuance of minor equivalencies. We believe that issuing minor equivalencies is a valid practice by helping small schools expand curriculum and fulfill the needs they have had for teachers to teach in two or more subject areas. We are asking for your support of this amendment to protect those teachers and school districts that are now using the minor equivalency in providing approved courses for their students.

**TESTIMONY ON SB #2142
HOUSE EDUCATION COMMITTEE**

February 24, 1999

**by Roger F. Rieger, Director of the Approval and Accreditation Unit
328-2389**

Department of Public Instruction

Madam Chairperson and members of the committee:

My name is Roger F. Rieger and I am the Director of the Approval and Accreditation Unit for the Department of Public Instruction. I am here to provide information and to speak in favor of Senate Bill # 2142 regarding the minor equivalency.

This amendment starting on line 13 of this bill adds to section 15-41-25 of the North Dakota Century Code and would provide formal recognition of a property right we believe teachers have that were awarded a minor equivalency by the Department of Public Instruction. Starting in 1959 until September of 1998, the Secondary Education office did receive requests for and did issue minor equivalencies in various subject areas. The minor equivalencies were issued to secondary certified teachers whose transcripts showed a concentration of courses (at least 16 semester hours) in a subject area. Each area had standard preparation we would look for and if they met the requirement we would issue a letter granting a minor equivalency. This minor equivalency would allow them to teach courses in that particular area in addition to the majors or minors listed on their teaching certificates. We have 661 minor equivalencies being used in 14 subject areas in North Dakota schools in the 1998-99 school term.

As we were preparing to write the administrative rules for the issuance of the minor equivalencies, we were advised by the attorney general's office that no specific authority is in statute for continuing this practice. We did take steps to

discontinue the process of issuing the minor equivalency and asked the Education Standards and Practices Board to pursue some options in making a similar process available. Senate Bill # 2075 was passed through the Senate and will be brought before this committee to facilitate the continuation of the issuance of minor equivalencies. We believe that issuing minor equivalencies is a valid practice by helping small schools expand curriculum and fulfill the needs they have had for teachers to teach in two or more subject areas. SB # 2142 received a do pass vote of 007 yeas and 000 nays along with 49 positive votes by the Senate. We are asking for your support of this amendment as well, to protect those teachers and school districts that are now using the minor equivalency in providing approved courses for their students.

Testimony of
Janet L. Placek
On Senate Bill 2142

M. Chairman and members of the House Education Committee, for the record, I am Janet L. Placek, Executive Director of the Education Standards and Practices Board. The Education Standards and Practices Board supports DPI's position on SB 2142 that minor equivalencies issued by DPI prior to September 1, 1998 should continue to be honored for the purposes of school approval and accreditation.

Educators often pick up additional coursework in another content area after graduation. This coursework may not be transcribed as a minor but may be equivalent to a minor. The need to define and credit this additional preparation continues and is important to districts utilizing teachers in more than one content field. Since this matter relates to the individual's teaching preparation and licensure, the ESPB, after discussing the issue with DPI and the field, has proposed legislation that would allow ESPB to begin issuing minor equivalency endorsements as part of the individual's teaching certificate. This related legislation SB2075 will be heard at a later date by this committee.

SB 2075 would allow ESPB to recognize coursework obtained after graduation or from a different institution than the original degree that is equivalent to a minor in the content area. The DPI could then recognize this information when considering personnel assignments within school accreditation.

Thank you for the consideration given this legislation. If there are any questions, I would be available at this time. For further information, I can be reached at 328-1659 or jplacek@state.nd.us.