

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1304  
(Representative Schreiber-Beck)

AN ACT to amend and reenact section 15.1-18-10 of the North Dakota Century Code, relating to a special education teaching authorization; and to declare an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 15.1-18-10 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-18-10. Specialty areas - Teacher qualification. (Effective through July 31, 2023)**

Notwithstanding the requirements of this chapter:

1. An individual may teach art, business education, computer education, a foreign language, music, physical education, special education, and technology education at any grade level from kindergarten through grade eight, provided the individual:
  - a. Is licensed to teach by the education standards and practices board;
  - b. Is approved to teach in that area by the education standards and practices board; and
  - c. Meets all requirements set forth in rule by the superintendent of public instruction.
2. An individual may teach Native American languages provided the individual is an eminence-credentialed teacher.
3. An individual may teach in the areas of trade, industry, technical occupations, or health occupations, provided the individual has been issued a license to teach in such areas by the education standards and practices board.
4. An individual may teach in any subject, except elementary education, special education, mathematics, science, language arts, and social studies, if the individual:
  - a. Has a permit issued by the board and has a high school diploma;
  - b. (1) Possesses at least four thousand hours over five years of relevant work experience in the subject area to be taught; or  
(2) Possesses a certificate, permit, or degree in the subject area to be taught; and
  - c. Enrolls in the North Dakota teacher support system approved mentor program, expensed to the sending district.
5. An individual may teach special education using a teaching authorization under this subsection for a time not exceeding two years. An individual may obtain a special education teaching authorization if the individual:
  - a. Is currently enrolled in a bachelor's program with a major in special education;
  - b. Has successfully completed all professional education coursework, special education major-specific coursework, and student teaching; and

- c. Has passed the tests required by the education standards and practices board, including the content area test.
- 6. The board of a school district may authorize an individual to teach under subsection 4 for one year, up to a maximum of three years, if:
  - a. The administrator of a school within the district submits a written request to the education standards and practices board which indicates the administrator is unable to locate a qualified applicant and requests the education standards and practices board issue a permit;
  - b. The individual successfully completes a background check conducted by the education standards and practices board; and
  - c. The education standards and practices board issues a permit to the individual.
- 6-7. The board may adopt rules to administer teaching permits under this section.
- 7-8. The board of a school district may terminate the employment of an individual with a teaching permit issued under this section at will.

**Specialty areas - Teacher qualification. (Effective after July 31, 2023)** Notwithstanding the requirements of this chapter:

- 1. An individual may teach art, business education, computer education, a foreign language, music, physical education, special education, and technology education at any grade level from kindergarten through grade eight, provided the individual:
  - a. Is licensed to teach by the education standards and practices board;
  - b. Is approved to teach in that area by the education standards and practices board; and
  - c. Meets all requirements set forth in rule by the superintendent of public instruction.
- 2. An individual may teach Native American languages provided the individual is an eminence-credentialed teacher.
- 3. An individual may teach in the areas of trade, industry, technical occupations, or health occupations, provided the individual has been issued a license to teach in such areas by the education standards and practices board.
- 4. An individual may teach in any subject, except elementary education, special education, mathematics, science, language arts, and social studies, if the individual:
  - a. Has a permit issued by the board and has a high school diploma;
  - b. (1) Possesses at least four thousand hours over five years of relevant work experience in the subject area to be taught; or  
(2) Possesses a certificate, permit, or degree in the subject area to be taught; and
  - c. Enrolls in the North Dakota teacher support system approved mentor program, expensed to the sending district.
- 5. An individual may teach special education using a teaching authorization under this subsection for a time not exceeding two years. An individual may obtain a special education teaching authorization if the individual:
  - a. Is currently enrolled in a bachelor's program with a major in special education;

- b. Has successfully completed all professional education coursework, special education major-specific coursework, and student teaching; and
- c. Has passed the tests required by the education standards and practices board, including the content area test.

**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.

Dennis E. Johnson  
Speaker of the House

Tammy Jell  
President of the Senate

Bruce J. Reed  
Chief Clerk of the House

Shanda Mogan  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1304 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:        Yeas 90                      Nays 0                      Absent 4

Dennis E. Johnson  
Speaker of the House

Bruce J. Reed  
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:        Yeas 47                      Nays 0                      Absent 0

Tammy Jell  
President of the Senate

Shanda Mogan  
Secretary of the Senate

Received by the Governor at 3:00 PM. on April 7, 2023.

Approved at 6:34 PM. on April 10, 2023.

Doug Burg  
Governor

Filed in this office this 11<sup>th</sup> day of April, 2023,

at 8:50 o'clock A. M.

Michael Howe  
Secretary of State