

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2066

2005 SENATE EDUCATION

SB 2066

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2066

Senate Education Committee

☐ Conference Committee

Hearing Date January 11, 2005

Tape Number	Side A	Side B	Meter #
1	x		3338 - end
Committee Clerk Signature <i>Patty Wilkins</i>			

Minutes:

Chairman Freborg opened the hearing on SB 2066, relating to reconfiguration of instructional days by school districts. All members were present.

Senator Flakoll introduced the bill. There are 5 people who will testify on the bill and 1 sponsor. The bill will reconfigure the instructional day to allow flexibility as approved by the Department of Public Instruction so hours over and above the 1038 hours required for instruction per year can be used for professional development by our teachers. As an example, there are schools with 14 days over the requirement of 1038 hours.

Representative Hawken testified in favor of the bill. Professional development has been looked at many times by the legislature and No Child Left Behind has added a new component. This legislation offers a way to accomplish professional development without adding additional cost and mandates. It allows for flexibility. (meter 3665)

Charles DeRemer, Assistant Superintendent for Instructional Services with the Fargo Public Schools testified in favor of the bill. (written testimony) (meter 3840)

Paul Johnson, Superintendent of Bismarck Schools, testified in favor of the bill. Bismarck does not currently have a long enough instructional day to implement this but he thinks it has merit. He was part of the committee that evaluated this concept over the past two years, a sub committee of the North Dakota Study Council Schools, consisting of Dr. DeRemer, Dr. Mark Sanford, Superintendent of Grand Forks Public Schools, Dr. David Smette, Superintendent of Jamestown Public Schools and they are supportive of this concept as well. (meter 4430)

Nancy Sand, NDEA, testified in favor of the bill. Education has changed greatly over the years. Public schools have been asked to take on community and social issues. Research has been conducted about learning to recognize instructional styles and their impact on learning. Teachers are no longer in isolated classrooms. Teachers need time to learn and discuss teaching styles and assessment. This bill would allow some flexibility. This bill is not intended to allow early dismissals for frivolous reasons. (meter 4555)

Mary Wahl, North Dakota Council of Educational Leaders, testified in favor of the bill. They believe it is very important to encourage innovation in education, especially with No Child Left Behind. This bill allows for flexibility for innovation and will help us develop better ways to educate our children. (meter 4865)

Senator Freborg asked Dr. DeRemer to return to the podium. (meter 4985)

Senator Freborg asked if, according to his example where school was dismissed two hours early every Wednesday afternoon for professional development, would you reconfigure the school day so the same classes weren't missed every week.

Dr. DeRemer said yes, that is one of the issues they are dealing with and one of their concerns is the half day kindergarten program. There is flexibility in the high school and elementary schools.

Senator Freborg said this all started several sessions ago. He is concerned the same classes aren't missed week after week.

Dr. DeRemer said they have discussed alternating AM and PM kindergarten. They would like to try it but would have to get parents on board due to day care concerns. This concept is not a slam dunk in his district if the bill passes because they would have to solve some issues before they could implement it. Senator Freborg's concerns are very legitimate and at the heart of their conversations.

Senator Taylor asked how many hours of instructional time in the Fargo Public Schools and how much time could be devoted to professional development.

Dr. DeRemer said right now they exceed the minimum by 30 minutes, both in the high school and the elementary school. They would like to implement it as he described in his example.

(meter 5430)

Bev Nielson, North Dakota School Boards Association, testified in favor of the bill. They support the flexibility the bill allows for professional development.

Anita Decker, Department of Public Instruction, testified in favor of the bill.. As she listens to the testimony, she sees a need for an Emergency Clause, so this could go into effect immediately.

They have an administrative rule that has a deadline for March 1 for applications for the following school year. They will have to extend the deadline or have people apply on the premise it might be approved. (meter 5635)

There was no opposition to SB 2066.

Page 4
Senate Education Committee
Bill/Resolution Number SB 2066
Hearing Date January 11, 2005

Chairman Freborg closed the hearing on SB 2066.

Senator Erbele moved an amendment to include an emergency clause.

Senator Flakoll seconded the motion.

The motion to amend passed on a roll call vote 6-0-0.

Senator Flakoll moved a do pass as amended on SB 2066.

Senator G. Lee seconded the motion.

The motion for a do pass on SB 2066 passed on a roll call vote 6-0-0. **Senator Flakoll** will carry the bill.

Chairman Freborg moved on to other business of the committee.

Date: /
Roll Call Vote #: /

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2066

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken motion to include Emergency Clause

Motion Made By Sen. Erbeke Seconded By Sen. Flakoll

[illegible]

Total (Yes) 6 No 0

Absent 0

Floor Assignment Flakoll

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

Date: 1/11/05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2064

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as amended

Motion Made By Sen. Flakoll Seconded By Sen. Lee

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR	✓	
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR	✓	
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Flakoll

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

REPORT OF STANDING COMMITTEE

SB 2066: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2066 was placed on the Sixth order on the calendar.

Page 1, line 2, after "districts" insert "; and to declare an emergency"

Page 2, after line 21, insert:

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

Renumber accordingly

2005 HOUSE EDUCATION

SB 2066

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2066

House Education Committee

☐ Conference Committee

Hearing Date 1 March 2005

Tape Number	Side A	Side B	Meter #
1	X		2100 - 3380
Committee Clerk Signature <i>Jan Trundle</i>			

Minutes:

Chairman Kelsch opened the hearing of SB 2066.

Senator Tim Flakoll, District 44, Fargo, introduced the bill. (Testimony attached.)

Chuck DeRemer, assistant superintended for Instructional Services for the Fargo Public Schools, testified in favor of the bill. (Testimony attached.) This bill would be a huge cost savings of nearly \$1million for Fargo Public Schools. It allows a level playing ground for all districts.

Rep. Haas: In your school district, how would you implement this? How many days would you gain? A few statistics along those lines if you could.

DeRemer: Right now our plan is to do early releases every Wednesday or at least some kind of a shortened day every Wednesday. We have some concerns that we haven't quite figured out yet.

That time would be used for professional development for our staff.

Rep. Haas: So how many hours would you gain in a year for professional development?

DeRemer: We'd gain approximately two weeks worth. One of the important things to realize is that one of the important things in educational research that we know now that we didn't know even ten years ago is that the time needs to be chunked over a period of time rather than all at one time. This allows us to do that.

Chairman Kelsch: You said in your district you would two weeks of professional days?

DeRemer: About that. Equivalent to, but not in a block.

Rep. Hawken: This has been done before and successfully in Fargo and West Fargo is that not correct? Maybe not to the extent of this, but you have done this kind of thing?

DeRemer: Yes. It's being done all over the country. It's probably more implemented in other parts of the country than it is in ND. If we could get our ideal plan in place it would exceed what other school districts are doing.

Rep. Mueller: Do you see what it is we are passing here as having any impact of any kind on the NDEA convention?

DeRemer: I do not see that at all.

Gloria Lokken, president, NDEA spoke in favor of the bill. SB 2066 allows for flexibility for professional development that we all want for our teachers in our schools and our staff that work in our public schools. You know we strongly support quality education and professional development as is evident by instructional conference. This would allow continued instructional and professional development to continue throughout the year without adding to the school year and without shortchanging students in their school day.

Mary Wahl, ND Council of Educational Leaders, testified in favor of the bill. What this bill does is remove a penalty that exists for those schools that have gone beyond the required number

of hours and days as provided for in the previous law under 2.1. There is a penalty if you have done more than what has been asked of you then you are not really eligible, as we understand it, to be able to reorganize your day because you might be doing less as part of that reorganization. This bill removes that type of penalty and we think it is a good bill in that regard and we ask for your support.

There being no further testimony, Chairman Kelsch closed the hearing of SB 2066.

Rep. Meier: I move a Do Pass.

Rep. Hawken: I second.

A roll call vote was taken.

Yes: 13 No: 0 Absent: 1 (Johnson)

Rep. Hawken will carry the bill.

Date: 14 Mar 05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2066

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Meier

Seconded By Hawken

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep. Hanson	✓	
Vice Chairman Johnson	○		Rep. Hunsakor	✓	
Rep. Haas	✓		Rep. Mueller	✓	
Rep. Hawken	✓		Rep. Solberg	✓	
Rep. Herbel	✓				
Rep. Horter	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte	✓				
Rep. Wall	✓				

Total (Yes) 13 No 0

Absent 1 (Johnson)

Floor Assignment Hawken

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

REPORT OF STANDING COMMITTEE (410)
March 1, 2005 11:49 a.m.

Module No: HR-37-3822
Carrier: Hawken
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2066, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2066 was placed on the Fourteenth order on the calendar.

2005 TESTIMONY

SB 2066

January 11, 2005

*Same
from
the House*

Testimony on Senate Bill 2066 – Reconfiguration of Instructional Days

Mr. Chairman, Members of the Committee:

My name is Charles DeRemer. I am Assistant Superintendent for Instructional Services for the Fargo Public Schools. I am here today to speak in favor of Senate Bill 2066.

The current statute 15.1-06-05 allows public schools to seek permission of the Department of Public Instruction to reconfigure instructional days for five reasons:

- Encourage innovation
- Enhance educational opportunities for students
- Increase flexibility in the use of the school by students
- Increase flexibility in the use of the school by the community
- Result in cost savings for the district

Bill 2066 would make two changes:

The first change would delete Lines 17-20 in subsection 2. Currently, this subsection of the statute restricts districts from reconfiguring their instructional days based upon previous annual calendars.

The deletion of lines 17-20 would do two things for most districts. First, it would recognize that some districts offer additional instructional time beyond the statutory minimum and gives districts the latitude to use this additional time as prescribed in the statute. Under the current statute, a school district may not reduce the instructional time below the level in the preceding school year. Thus one school district may be meeting just the minimum time requirements and a second district could be extending the instructional day by 30 minutes. Under the current statute, neither school district could reconfigure their school day since they must have the same level of instructional time as the previous year.

Let me share a second scenario that also illustrates the inequity of the current statute. Two school districts offer an additional 30 minutes of time over the minimum requirement. School district A has a history of reconfiguring their day – four day weeks, early releases, etc., but school district B has used all of the time in a traditional configuration. Since school district A had a prior history of the reconfigured days, they were “grandfathered” in the statute. School district B would not even be eligible to apply for the reconfiguration despite the fact that their instructional time also exceeds the minimum time required.

The second reason that I support the changes in lines 17-20, is that it would save money for schools. Let me give an example from our school district. Over the last three years we have established a need for additional training for our teachers. We have implemented new curriculum in mathematics, science, spelling, reading, etc., as well as developed a more comprehensive

assessment program. In addition, No Child Left Behind has certainly caused all of us to reexamine traditional classroom practices and established a need and sense of urgency for increasing various training opportunities.

If we chose to reconfigure our days to allow an early release for our teachers of two hours every Wednesday, we would save nearly \$1,000,000 per year (\$100/day for substitutes x 830 teachers x two hours ÷ 6 hours/day x 36 days). In contrast, if we extended the teaching contract for this same amount of time, it would cost the District an additional \$2,400,000 (\$305/day/teacher x 12 days x 830 teachers).

The second change in the statute that Bill 2066 provides is to modify Line 7 of subsection 3 to extend the approval of the application to five years after the first two years. This change would eliminate some of the paperwork and allow districts that have made some meaningful changes to continue with their reconfiguration. We are now making multiyear calendars and this would also aid us in planning with our communities.

In conclusion, I support the proposed changes to 15.1-06-05 in Bill 2066. These changes would greatly benefit students, staff, and our communities. It would allow all schools to be treated equally under the statute and provide substantial money savings to districts. Thank you for your time and I would be glad to answer any questions you may have.

SB 2066

Madam Chairman and members of the House Education Committee. For the record I am Senator Tim Flakoll of District 44 of Fargo.

SB 2066 relates to a reconfiguration of instructional days by school districts. It is a bill that many of you may recognize as a similar bill passed the House last session and was narrowly defeated on the Senate side.

Current statute allows public schools to seek permission from the DPI to reconfigure instructional days for five reasons:

1. Encourage innovation
2. Enhance educational opportunities for students
3. Increase flexibility in the use of the school by students
4. Increase flexibility in the use of the school by the community
5. Result in cost savings for the district

Current requirements (found on page 1 lines 14-17

Elementary students - 951.5 hours of instruction time.

High Schools - 1038 hours of instruction time available.

Page one -

First is would recognize that some districts offer additional instructional time well beyond the statutory minimum and gives districts the additional latitude to use some of the additional time as prescribed in the statute. To attain this waiver, a school district must submit a rigorous application to DPI etailing the program and intended usage of this additional time.

A number of our school districts have expressed an interest in using some of this additional flexible time for professional development for the teaching staff. In fact, I am aware that the provisions of this bill are contained in the top five wish list of a number of school districts.

This additional professional development could also help us with provisions of the No Child Left Behind act.

Page two of bill

Lines 8-10

If an waiver is granted, the first extension after the initial year is valid for one school year. All extensions after that proving period would be valid for five school years.

Line 23

There was a Senate amendment that was applied which was simply to slap on the emergency clause (carried 47-0). This was added after comments from DPI that revealed that there is one school eligible for the allowable modifications and others who would like to make plans for them.

The applications permitted by the bill go out in March and DPI would like to put the elements of the bill into action.

Chairman Kelsch, that completes my testimony. I know there are schools officials here that are eager to provide additional testimony as to the opportunities that this bill will have for them. I will be happy to do my best to answer any questions you may have.