

**TESTIMONY ON HB 1075  
SENATE EDUCATION COMMITTEE  
February 10, 2021**

**By: Kirsten Baesler, Superintendent of Public Instruction  
701-328-4570  
North Dakota Department of Public Instruction**

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Chairman Schaible and Members of the Committee:

My name is Kirsten Baesler, and I serve as the Superintendent of Public Instruction for the state of North Dakota. I am here to speak in favor of HB 1075.

NDCC 15.1-06-04.1 currently states that schools cannot schedule school sponsored activities, including instruction, on days that the Superintendent of Public Instruction declares in conflict of a professional development conference directed towards all teachers or all administrators hosted by an educational organization in this state. There is nothing in law stating that the Superintendent of Public Instruction must declare these professional development days, but approval has traditionally been granted.

For the upcoming 2021-2022 school-year, for a variety of reasons driven primarily by COVID-19, approval was not granted to declare these days, in order to provide more local control and allow each individual school district to make the decision for themselves whether or not to hold school or schedule activities on these days.

I feel strongly that the State should not dictate what days a school should be in session beyond what is absolutely necessary and already mandated by NDCC.

HB 1075 as originally filed provided even more local control to school districts in future years to allow locally elected school board members to make their own decisions about school sponsored activities. The bill was amended and passed in the House to rightly broaden local control and give locally elected school board members full authority of their school calendars to best accommodate the needs of their students, families, educators, and communities. The Department supported the amendment. Local decision-makers in districts, along with their community, must have the option to close schools or schedule events on days they so choose.

We've taken a pretty firm and widespread stance in this state to infringe on local control as little as possible. Currently, Century Code lists the following days on which schools may not schedule instruction or activities, and they include: any Sunday, New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day, as well as any day declared to be a public holiday by the President of the United States, or the Governor of North Dakota. These are the only days currently prohibited in law.

Local school boards have long been granted broad discretion in setting their school calendars from July 1 to June 30 in any given year. Requiring mandated

days that schools must be closed or prohibit activities further will only impede the flexibility and autonomy which they rightfully deserve.

I know we all agree that high quality professional development is extremely important for all educators. I think we also can all agree that the current flexibility that was requested and that you've granted in NDCC 15.1-06-03 and 15.1-06-04 to let school boards schedule the required number of hours/days for student instruction leaves ample opportunity throughout the year, and in June, July and August to seek the professional development they most need. Quality professional development offerings will and should dictate the calendar schedule and how narrowly- or broadly educators should gather together for professional learning should be based on demand each year, not on a permanent statewide mandate.

HB 1075 maintains our commitment to letting our local leaders decide what is best for their school schedule. To decide otherwise is in direct opposition to our state's long-held belief that the state is **not** the entity who is in a better position to decide what is best for local teachers, families, leaders, and communities.

Chairman Schaible and Members of the Committee that concludes my prepared testimony and I will stand for any questions that you may have.