

March 15, 2021

Senator Don Schaible
Senate Education Committee
600 East Boulevard Avenue
Bismarck ND, 58505-0001

**Subject: Testimony on North Dakota Education Funding Formula – HB1388
By Nathan Davis, Turtle Mountain Band of Chippewa Tribal Council Representative**

Greetings Senator Don Schaible and Education Committee Members,

My name is Nathan Davis. I am a Tribal Council Representative of the Turtle Mountain Band of Chippewa. I would like to first point out, I find it essential that Federal, State and Tribal governments work together to continuously help improve the lives of Native American students with quality educational opportunities. It is paramount that we work together to provide Native American children a quality education.

The future and very existence of our tribes depends on the education. So today, when we talk about education, we need to think about our continuous effort to elevate our educational system to meet the needs of 21st century Native American students and provide resources to achieve this undertaking.

It is common for our Native students to deal with misperceptions and stereotypes of Native Americans that reinforce the notion of how we lived in the past rather than as a diverse and resilient part of the world today with untapped potential. I am certain we agree the primary effort in tapping that potential is through education.

High levels of socio-economic conditions our students are subject to when living on or near Native American reservations create obstacles to educational success. It is common for many of our students to worry about family issues at a young age. Our students heavily rely on teachers and schools for more than teaching. Our students rely heavily on school lunch programs. Our teachers and staff must develop an understanding of the student's family life dynamics and our tribal culture to optimize student learning.

It is essential for our schools to attract and retain dedicated teachers and school administrators who work hard to overcome the challenging situations and conditions faced by Native American students. Our schools also face issues with hard-to-fill teaching positions; in addition, if a hard to fill position is filled with a non-local resident, we face the issue of finding housing for the individual. To attract and retain quality educators, we must offer competitive compensation and fringe benefits.

Despite the many obstacles that stand in the way of Native American students, their resiliency and determination to create better lives for themselves is nothing short of inspiring. They understand the importance of a quality education and the opportunities it will afford them.

I wish to direct testimony today on House Bill 1388 which relates to the North Dakota Education funding formula. My testimony will specifically be on the "Transition Maximum" portion of HB1388. Transition Maximum primarily pertains to school districts receiving less funding than calculated by the funding formula.

Transition Maximum was established in the North Dakota Education funding formula back in the 2013 biennium as a funding formula mechanism to allow school districts that were "under formula", based on actual formula calculation, to "get on formula" at a reasonable pace; which was anticipated then to be no more than 6 - 8 years.

In the 2013 biennium, there were 41 Districts that were affected by Transition Maximum. As of the 2020-21 school year, there are 11 Transition Maximum Districts remaining, of which 10 primarily serve a high Native American population. As a Tribal leader, these figures immediately caught my attention.

Three of the aforementioned Transition Maximum Districts primarily serve students of the Turtle Mountain Band of Chippewa; they are the Belcourt, St. John and Dunseith School Districts. These three school districts account for \$7,481,749.37 of the State wide grand total transition maximum amount of \$9.8 million.

I recognize the language by the Interim Education Funding Formula Review Committee in HB1388 to continue to maintain current baseline funding rates and to continue to increase the (transition) maximum percentage by only 5% as understandable due to declining State tax revenues caused in part by the corona virus pandemic.

I am also very pleased the interim committee recognized the length of time it is taking to get the Transition Maximum Districts on formula as being far stretched as there is language in HB1388 to include a revenue add-on calculation component which reduces the transition maximum deduction by 15%. This is a great start in addressing the transition maximum adjustment effects for the Tribal School Districts.

In closing, I wish to be clear that my testimony today supports this "add-on" language as it allows a mechanism in the formula for the Transition Maximum Districts to gain revenue that is not provided in the formula due to Transition Maximum.

In addition, I would like to mention HB 1388 was adjusted in the House of Representatives prior to "crossover"; in the adjustment, HB1388 is to have no increase in the per pupil payment. I ask for consideration that the original form of the bill, which included a 1% increase on the per pupil payment be reinstated. The increase is necessary for school districts to be able to negotiate with teachers in offering sustainable salary and benefits.

I thank you for your time and consideration on this important matter.

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Nathan Davis,
Tribal Council Representative
Turtle Mountain Band of Chippewa