

1999 HOUSE EDUCATION

HB 1489

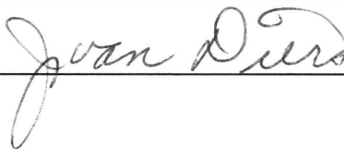
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1489

House Education Committee

Conference Committee

Hearing Date 1-26-99

Tape Number	Side A	Side B	Meter #
#2		x	42.2 to end
#3	x		0.1 to 46.2
Committee Clerk Signature 			

Minutes:

Those present: 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 : Open the hearing on HB 1489 and ask the clerk to read the title.

Rep. Johnson : sponsor of the HB 1489. District 12. Bill that address some concerns hours made up on school attendance. Lines eleven through fifteen can decipher the meaning of that, what it ends up with is eighteen hours, three in-service days, three storm days after two thirds of day.

Rep Monson: sponsor of HB 1489, District 10. Here to testify in favor of HB 1489.

Rep Brandenburg : By allowing the eighteen hours, don't have to make up storm days.

Monson: That is what the bill would do, if the superintendent wanted to do.

Rep Brandenburg : With the five and half hours for elementary and six hours in high school, buses leave at the same time. Are there concerns about that issue?

Monson: My school, we put in six hours and fifteen minutes a day, and we can't bank those extra minutes. (end of tape #2)

(Begin tape #3)

Vice-Chair Drovdal : We could have a school dismiss eighteen days in a row, one hour early, and still get full credit from this bill. When we require six hours of school is there a flexibility in the system.

Monson: I don't read the bill that way, you have to put in two thirds of day to get full credit.

Chairman R. Kelsch : As I see it, we are taking the one hundred seventy three days and dropping it down to one hundred seventy.

Monson: Yes, that is the case.

Rep. Hanson : To count a full school day, do you have to have the entire student body in attendance?

Monson: That is not addressed in this bill.

Vice-Chair Drovdal : The way to teach kids is to have them in the class room, now we are talking minutes. What is the problem.

Monson: What is the problem, we are getting paid to educate kids, I do have mixed feelings on this bill. These bills are an attempt to give you some directions.

Vice-Chair Drovdal : A comment on flexibility, how many times did you send the students home and how many times make up the time. What about you.

Monson: The first time I have to make up my mind because of bad weather, once I have to make up one hour, it really doesn't make much difference.

Rep. Hanson : Do we have two storm days build in now?

Monson: Yes, we are supposed to build in two days, I build in three storm days.

Rep. Hanson : In HB 1490, if we are supposed to have two days built in, then you would now have four days?

Monson: Yes, but two that would not count against you.

Rep Brandenburg : What is a fair number of hours? We have a concern for the children, for their safety, we have a concern about getting them educated. What is a fair number of hours?

Monson: I don't know if there is a fair number.

Rep. Grumbo : Are the students missing the same class, if you come one hour late.

Monson: In my school, I don't always skip that first hour in the morning. I keep track of the periods skipped and I try to even it out.

Chairman R. Kelsch : How many storm days have you used this year.

Monson: I have used one storm day and I've used five hours, where I started one hour late and two where I let out two hours early.

Rep. Nowatzki : A comment, with the forecasting of weather becoming more of a science, and they are now paying attention to the forecast. The twelve to twenty four hour forecast is extremely accurate.

Joe Westby: Executive Director of the North Dakota Education Association. (see written attached).

Chairman R. Kelsch: I trust you will work with Rep Johnson to clean up the language.

Westby: I talked with the Attorney General's office, she concurs with me. Maybe we need to tune up the language.

Rep. Mueller : In your hand out early closure, oh never mind.

Westby: If I could address what Pre Mueller was getting at, a late start or early closure, it is the same thing.

Rep. L. Thoreson : Those six hours could be taken at any time, but the main idea is for weather related purposes.

Westby: Well, there are three things listed. We think all three are valid reasons. Intent was to provide some flexibility.

Rep. L. Thoreson : How much of a problem this is.

Westby: There is a fairly significant problem when it comes to weather.

Bev Nielson: represents the North Dakota School Board Association. Our Association passed a resolution in 1997 which indicated we would work with the Legislature on weather days and again in 1999 about a concern of in-service and professional development. We thought it would be a plan to add a couple foundation days. People sat down together and talked about how we could address all these issues and keep the one hundred and seventy three days.

Rep. Nelson : What is the cost for school day across the state.

Nielson: I think it is two million a day, counting both the state and local portion.

Patti Lewis: North Dakota Farm Bureau. Our support is specifically related to weather related and bus schedules.

Dennis Johnson: North Dakota Farmers Union. We are in support of HB 1489. At our last convention we did put language in our policy and action book in regards to this matter. We have

language in our books that speaks to education. We also talk about safety of our students and are in support of these tools to provide flexibility for superintendents to make decisions.

Chairman R. Kelsch : Anyone wishing to appear in support of HB 1489? Anyone wishing to appearing opposition of HB 1489?

Roger Rieger: Director of the Approval and Accreditation Unit of DPI. In opposition. (see written attached)

Rep. Grumbo : Does the Governor still have the authority to call off school.

Rieger: I believe that the law is still on the books.

Bob Tollefson: Superintendent of Washburn school. I am not in opposition or a proponent of HB 1489, but rather a mess of the two. I believe we do need to have an established number of school days. One way we can add time for professional training is to add time to the school.

Rep. Mueller : Is it conceivable to build five storm days, how would we use them?

Tollefson: Are you looking at the five days we would be required to build in. We have some days built to use as storm days, and the governor can forgive some days after you have used your two storm days.

Vice-Chair Drovdal : If school is one hour late in the morning because of a storm, why can't we just run and hour later in the afternoon?

Tollefson: We can do so.

Vice-Chair Drovdal : Does any school do that?

Tollefson: Yes. schools do that.

Rep. Hanson : How many schools have more that one hundred seventy three days?

Rieger: I don't know, but I can provide that information.

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House Education Committee

Bill/Resolution Number Hb 1489

Hearing Date 1-26-99

Dr Sandstead: North Dakota Superintendent of Schools. I am in support of Roger Rieger. I am concerned also about professional development also. The cost would be about a million a day, but three million dollars could be spent on professional development.

Chairman R. Kelsch : There being no further testimony on HB 1489 , we will close the hearing on HB 1489.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1489-2-10-99

House Education Committee

Conference Committee

Hearing Date 2-10-99

Tape Number	Side A	Side B	Meter #
1		x	3.6--9.0
Committee Clerk Signature <i>Joan Davis</i>			

Minutes: Chairman R Kelsch : Let's take up HB 1489. Do you have amendments?

Chairman R Kelsch : I will explain the short amendment. (She went on to explain.) We can move whatever amendment you wish.

ACTION: Rep Brandenburg made a motion of DO NOT PASS on the bill and Rep Brusegaard seconded the motion.

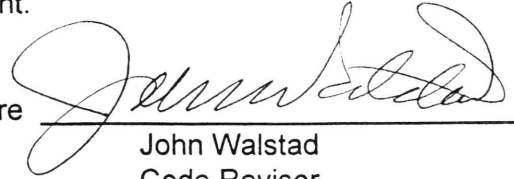
ROLL CALL VOTE: 13 YES and 2 NO with 0 ABSENT. Passed. Rep Haas will carry the bill.

FISCAL NOTE STATEMENT

House Bill or Resolution No. 1489

This bill or resolution appears to affect revenues, expenditures, or fiscal liability of counties, cities, or school districts. However, no state agency has primary responsibility for compiling and maintaining the information necessary for the proper preparation of a fiscal note regarding this bill or resolution. Pursuant to Joint Rule 502, this statement meets the fiscal note requirement.

Signature



John Walstad
Code Revisor

Date: 2-10-99
Roll Call Vote #: /

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1489

House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Brandenburg 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) 13 No 2

Absent 0

Floor Assignment Haas

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

REPORT OF STANDING COMMITTEE (410)
February 10, 1999 3:08 p.m.

Module No: HR-27-2499
Carrier: Haas
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1489: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS**
(13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1489 was placed on the
Eleventh order on the calendar.

1999 TESTIMONY

HB 1489

House Bill 1489 Testimony
House Education Committee
Joseph A. Westby, NDEA
January 26, 1999

Chairperson Kelsch and members of the House Education Committee, my name is Joe Westby, executive director of the North Dakota Education Association, testifying in support of HB 1489. This bill seeks to allow some flexibility to school districts for staff development, curriculum development and early closures necessitated by threatening weather. It allows school districts to dismiss early on three separate days following the completion of 2/3 of a full day of instruction for students.

It has been introduced as a result of requests from our members and school district to alleviate some of the stress experienced by schools following the passage of SB 2173 last session. That legislation requires school districts to make up time lost for any reason -- staff development activities or weather related closings or shortening of the day.

School districts believe, as we do, in the importance of students being in attendance the maximum amount of time possible, but our members and school districts believe they need some flexibility in the schedule to allow for some staff development activities as well as weather related problems.

If we are to adequately prepare practicing teachers for changing technologies, changing curriculum, writing of standards or simply allow them to meet in groups to plan strategies to improve instruction, some time during the school year must be set aside for that purpose.

I urge the committee to give this bill a Do Pass recommendation.



TESTIMONY ON HB #1489
HOUSE EDUCATION COMMITTEE
January 26, 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 speak in opposition to House Bill 1489 regarding early school closing for storm dismissal and staff development.

House Bill 1489 has the net effect of reducing the requirement of 173 days of school in NDCC 15-47-33 or Senate Bill 2173 to 172 days. The state's share of cost for one school day is approximately one million dollars. We are not denying the necessity of closing school early at times for storms nor that a real need exists for staff development, but students and the state have a right to a full 173 days. It would make more sense to add a day to the school calendar than to reduce it a day.

An *Education Week* magazine poll recently cited that parents and taxpayers favor accountability. Until we have shifted to a performance-based, results-oriented model of accountability, we need to keep standard measures such as number of school days as a requirement of accountability.

I would urge you to vote no to House Bill 1489 and any bill that reduces the length of the school calendar.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1489

Page 1, line 11, after "instruction" replace ", except that a period of time equivalent to three full days may be used for staff development, curriculum development, or school closures due to weather, provided that on each eay used for these purposes students still receive two-thirds of a full day of instruction" with ". A school district may use no more than six hours of instruction time or any combination thereof, for staff development, curriculum development, or school closures due to weather;"

Page 2, line 10, after "instruction" replace ", except that a period of time equivalent to three full days may be used for staff development, curriculum development, or school closures due to weather, provided that on each eay used for these purposes students still receive two-thirds of a full day of instruction" with ". A school district may use no more than six hours of instruction time or any combination thereof, for staff development, curriculum development, or school closures due to weather;"