

1999 HOUSE EDUCATION

HB 1490

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1490

House Education Committee

Conference Committee

Hearing Date 1-26-99

Tape Number	Side A	Side B	Meter #
#3	x		46.6 to end
#3		x	0.1 to 11.9
Committee Clerk Signature <i>Joan Davis</i>			

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 1490 and ask the clerk to read the title.

Rep. Johnson : sponsor of the bill. District 12. HB 1490 address more on the weather concerns.

Line 23 where it address weather related closures, the superintendent has more flexibility to address the issue.

Rep. Hanson : Line twenty three, you want twelve hours instead of three days.

Rep. Johnson : I wanted hours rather than days, can be up to two days,

Rep. Hanson : You want to amend it to say twelve hours rather than two days?

Rep. Johnson : It would have to be amended to read that way.

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House Education Committee

Bill/Resolution Number Hb 1490

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Rep. Haas : If a school used all that time, it would take the instructional time down to one hundred seventy one days, right.

Rep. Johnson : Yes.

Vice-Chair Drovdal : This would just void the law that we passed two years ago?

Rep. Johnson : That is possible.

Richard Cheatley: Superintendent of Schools at Maddock. I am here to support this bill, which gives us the tools to make our decisions for our situations in our district. (end tape 3 side A0 (Tape 3 side B) Cheatley testimony continues.

We need the flexibility to decide what each school should do.

Myron Dremes: Superintendent at Minnowalken. We are in favor of this bill. We need the time and flexibility to run our schools.

Joe Westby: NDEA, in support of some kind of flexibility.

Chairman R. Kelsch : Anyone else wishing to speak in support of HB 1490? Anyone wishing to appear in opposition of HB 1490.

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

Rep. Johnson : If you have no school, you can't have any other activities such as games?

Rieger: Apparently the staff employees were having a game, I don't know whether the rules permit it or not.

Rep. L. Thoreson : I keep hearing safety, have we had life threatening situations?

Rieger: Chances are that the life situations are smaller then there used to be.

Chairman R. Kelsch : Do rural school districts still set up storm homes or have storm plans?

Rep. Haas : Yes.

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House Education Committee

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Rep. Lundgren : Our school has storm homes.

Rep Brusegaard : We went to a high school that was two miles from the nearest town. We spent the night at the school.

Chairman R. Kelsch : Anyone else who would like to appear in opposition of HB 1490? Hearing none, we will close the hearing on HB 1490.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1490-2-10-99

House Education Committee

Conference Committee

Hearing Date 2-10-99

Tape Number	Side A	Side B	Meter #
1	x		22.4--32.5
Committee Clerk Signature <i>Joan Dries</i>			

Minutes: Chairman R Kelsch : Let's take up HB 1490. Rep Johnson, can you explain the amendments.

Rep Johnson : 24.0 The amendments give the schools up to six hours, but most schools use 6 ½ hour day. You don't want to go over.

Rep Brandenburg : You build up six hours and you can use the six hours for weather related, storm, letting school out early, etc.

Rep Johnson : That's correct.

Rep Johnson made a motion of DO PASS on amendments and Rep Nottestad seconded the motion. VOICE VOTE with all YES. Motion carried.

ACTION: Rep Johnson made a motion of DO PASS AS AMENDED and Rep Brandenburg seconded the motion.

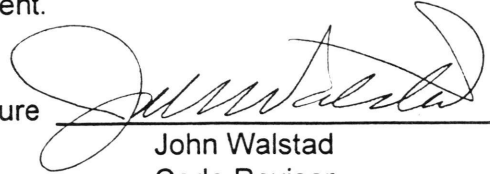
ROLL CALL VOTE: 13 YES and 2 NO, 0 ABSENT. Passed. Rep Nelson will carry the bill.

FISCAL NOTE STATEMENT

House Bill or Resolution No. 1490

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

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1490

Page 1, line 23, after "3." insert "Instructional time exceeding the minimum number of hours per day required for a full day of instruction may be used to compensate for up to six hours of", replace "Weather-related" with "weather-related", after "closures" insert "per year.", and remove "may account for up to two full days of classroom"

Page 1, remove line 24

Page 2, line 20, after "3." insert "Instructional time exceeding the minimum number of hours per day required for a full day of instruction may be used to compensate for up to six hours of", replace "Weather-related" with "weather-related", after "closures" insert "per year.", and remove "may account for up to two full days of classroom"

Page 2, remove line 21

Renumber accordingly

VK
2/10/99

HOUSE AMENDMENTS TO HOUSE BILL NO. 1490 Edu 2-11-99

Page 1, line 23, replace "Weather-related" with "Instruction time exceeding the minimum number of hours per day required for a full day of instruction may be used to compensate for up to six hours of weather-related" and replace "may account for up to two full days of classroom" with an underscored period

Page 1, remove line 24

HOUSE AMENDMENTS TO HOUSE BILL NO. 1490 Edu 2-11-99

Page 2, line 20, replace "Weather-related" with "Instruction time exceeding the minimum number of hours per day required for a full day of instruction may be used to compensate for up to six hours of weather-related" and replace "may account for up to two full days of classroom" with an underscored period

Page 2, remove line 21

Renumber accordingly

Date: 2-10-99

Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1490

House Education Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as amended

Motion Made By Johnson Seconded By Brandenburg

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 Nelson

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

REPORT OF STANDING COMMITTEE

HB 1490: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1490 was placed on the Sixth order on the calendar.

Page 1, line 23, replace "Weather-related" with "Instruction time exceeding the minimum number of hours per day required for a full day of instruction may be used to compensate for up to six hours of weather-related" and replace "may account for up to two full days of classroom" with an underscored period

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Page 2, remove line 21

Renumber accordingly

1999 SENATE EDUCATION

HB 1490

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1490

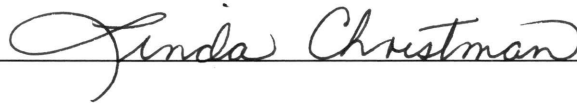
Senate Education Committee

Conference Committee

Hearing Date March 10, 1999

Tape Number	Side A	Side B	Meter #
1		x	0-3121
3/17/99	1 x		0-1100
3/17/99	1 x		4180-end
3/17/99	1	x	0-2330
3/22/99	1 x		0-2184
3/23/99	1 x		0-2589

Committee Clerk Signature



Minutes:

SENATOR FREBORG opened the hearing on HB1490. All senators were present.

REPRESENTATIVE JOHNSON, DISTRICT 12. What I'm trying to attempted to do here, when you compute a 6 hour high school day time it is 173 school days that we have to have to come up with 1,038 hours. A lot of the schools are going 6 hours 15 minutes, etc. so they have accumulated about 1,124 hours. So we could bank time and allow 6 hours to be used for a late start in the morning or an early out in the afternoon. Automatic 6 hours they wouldn't have to make up. Pretty self explanatory.

SENATOR WANZEK : You are only allowed to bank in a sense 6 hours.

Rep. Johnson: Yes, I put a cap on 6 hours.

SENATOR KELSH : Could that be construed as one full day or just as you had stated for late starts and early outs.

Rep. Johnson: The way the language is written here it could be construed as one full day a 6 hour day but the intent being hourly discussion.

SENATOR FREBORG : Have you considered a minimum number of minutes as bank time. In other words if you have a 6 hour 10 minute day you are allowing that 10 minutes to be banked.

Rep. Johnson: Anything over 6 hours is considered bank time.

SENATOR WANZEK : They can bank up to 6 hours. Can they use the 6 hours and then start banking hours again for use.

Rep. Johnson: My intent is 6 hours for one school year, not calendar year.

Testimony in Favor: Representative Monson, District 10, Superintendent of Schools. My school has 6 hours 15 minutes a day, that is our standard time. I don't see that I would really be banking until I miss one hour. Then that extra 15 minutes would kick in and I could count from that point forward. In essence what it is doing is rewarding a school that is putting in more than the minimum 6 hour day by giving them essentially one more day that they can use in small increments as a storm day. That is the way I see this bill.

SENATOR FREBORG : You explained yourself on the bill as being such that you would have to go to the hour first and then you would start to build bank time. I don't think the bill reads that way. You can bank from the first day of school.

Rep. Monson: I don't see it that way. It really doesn't say that you are banking them before hand or not. I would think once I had missed one hour then I am starting to make it up because I have got an extra 15 minutes built into my day. That is how I look at it. Maybe that should be clarified and put into the intent of this bill.

Testimony in Favor: Bev Nielson, ND School Board Ass. We would support this bill.

Presently if they miss an hour here and an hour there they are required to make up time that they are actually already making up because they go so many hours past the time required by law.

Whether it is 5 minute or 15 minute segments. I would share that concern if this were unlimited bank times. Just an aggregate of 6 hours and only 6 hours that are above and beyond what is required by law already. Doesn't allow districts that are right on 5 ½ or 6 anything.

SENATOR FREBORG : You don't really view the bill as costing the state of ND 3.2 million dollars for that day of school that we are going to lose in every system in the state.

Bev: I don't, because we wouldn't lose it in every district in the state unless every district in the state extended their school day past that required of law for the year. My interpretation of this is these additional minutes are built into the daily calendar of the school district for the school year. Not after the fact they start adding minutes in that regard. Our interpretation is that when the calendar for the school is set up and the periods for the day are set up that is their calendar for the year and if they are putting in 15 minutes to an hour more everyday than is required by law, then this allows them 6 additional hours that are not required by law to be used to make up for missed time.

SENATOR FREBORG : I don't think that is what the bill says though, that it has to be a part of the calendar.

Bev: I wouldn't argue that, it could be interpreted either way.

SENATOR COOK : Schools that offer the early morning extra hour does that count toward total school day.

Bev: If it isn't academic time my guess would be no.

SENATOR COOK : I am talking about academic classroom time.

Bev: If there are academic classes offered at 7:30 in the morning that would be part of the school day.

SENATOR WANZEK : You believe this bill is only referring to those hours that are part of a regular school day that were set by the calendar at the beginning that are over and above the required number of hours per day. Those are the hours that you believe this bill is only referring to and you might consider an amendment that would clarify that.

Bev: The bill that we are dealing with here I interpret it that it applies to school districts whose normal daily schedule for the school year exceeds the states requirements.

SENATOR REDLIN : Are you suggesting that you bank these hours ahead of the need.
What if you don't have a blizzard.

Bev: The school districts that have days longer than required by law have been doing it all along, it would just allow them if they did late openings on a storm day that they could use the extra time they are putting in but only up to 6 hours per year.

SENATOR REDLIN : You mean that there is no provision in here for schools to add a half an hour after they have had a blizzard to make up for that.

Bev: To me that would not be much different than making up the times they missed which is current law. So I don't see it applying in that way.

SENATOR REDLIN : Then in affect we're saying you believe in a 61/4 hour day or 61/2 hour day.

Bev: The districts when they set periods, set them by how many courses they have to get in and what periods they would like each class to be, how many minutes and how many kids they have to get through the schedule. Some are 6 hours or more.

SENATOR FLAKOLL : Say it is a 15 minute overage what do they do to make it academically sound.

Bev: It is structured in two very instructional days already. So you could say what makes a 52 minute period any better than a 54 minute period. Structured into their instructional day and it goes all year long. Technically their kids are getting minutes or hours each day added on to their class time or added onto the school time and if it were more comfortable for people to say anything, advocate the minimum of quarter of an hour or longer. Anything that is over what is required by law maybe shouldn't have to be made up.

SENATOR FREBORG : We're really not interested in anyone's day to day operation, the bill says anything over 6 hours can be banked. Whether you bank it in advance or whether you bank it after the fact, as much as one minute can be banked. Has nothing to do with length of classes, etc., it has to do with a 6 hour day.

Bev: If the committee feels more comfortable with it being in quarter hour sections, or more specific to an entire calendar year that is set out for the year,.

Testimony in Favor: Max Laird, President of NDEA. Encourage your positive support. No written testimony. This is an attempt to address an issue of a particularly weather and safety

related issues and allow schools to be able to dismiss with the understanding that time needs to be made up and with the understanding that issue of academic time needs to be addressed.

I do believe that this bill does allow in its engrossed form for a significant amount of compromise relative to the issue of both academic and actual school time. I believe the intent of the amendment in the engrossment of this legislation is to create a framework whereby a school district can in fact dismiss school or certain issues of weather related need allow for the safety of students and address the issues whether or not the time needs to be made up. I know that most school districts in North Dakota do make a significant effort in terms of holding the school day to the maximum that their community will allow. Encourage your positive approval on this legislation.

SENATOR FREBORG : Do you have any idea what the reasoning was behind the change in MN law when they began adding one day a year to their 180 days of school until they hit 190.

Max: I can't answer that exactly except that there is an identified need for more time in school for kids for us to accomplish our professional goals. That is why you will find 80-90% of the districts in ND do in fact exceed the minimum number of hours based on local school district authority.

SENATOR FREBORG : Why on earth would we then believe that in ND we can take a day off the calendar.

Max: I don't see this as taking a day off the calendar. The issue here is the state established what they believed was a minimum number of hours for minimum standard for academic time in school and if the school district is exceeding the minimum number of academic hours per day, we have a need to be able to address the issues of weather and safety. Those 6 hours are just

a flexibility around weather.

SENATOR COOK : I have a question for Tom Decker. What is your opinion, are the early hours counted in a school day.

Tom: Generally they are not. The standard school day is the point at which the full faculty is available.

SENATOR COOK : Generally that means some of the classes are counted, 7:00 and 7:30 are considered advanced course work or specialized course work for a limited number of students.

SENATOR COOK : The ultimate decision is made by DPI.

Tom: Yes.

Testimony Neutral: Beth Baumstock with the Attorney General's office. It was my understanding that the intent of the engrossed bill and the way I had been reading it that it would be instruction time that's built into the calendar that exceeds the minimum number of hours that would be available for use. This way it would not depend on whether it was before or after the loss of time for weather related closure because it would be what is consistently day by day built in as part of the school schedule. It has been interpreted other ways, I would like to see it clear.

SENATOR FREBORG : Maybe we can visit about this bill Rep. Johnson and clear it up and put it in better shape then consider it.

Close the hearing on HB1490.

3/17/99

SENATOR FREBORG opened the hearing on HB1490.

REPRESENTATIVE JOHNSON presented some amendments. We worked with the Attorney General's Office on these amendments. If you decide to adopt these amendments, you may want

to have Legislative Council look them over. We tried to address the questions that were brought at the hearing the other day as far as specifically spelling out the day a half hour longer than the minimum requirement that would be 6 ½ hours for high school and the elementary would be a h longer.

SENATOR FREBORG: There is nothing in the amendment to say that this must be a part of the entire school year.

REPRESENTATIVE JOHNSON stated it would have to be built into their school calendar when the school season starts.

SENATOR FREBORG asked for the entire year and asked if he is pleased with these amendments and would you be satisfied with the bill if we adopted the amendments and passed the bill.

REPRESENTATIVE JOHNSON stated yes.

SENATOR FREBORG stated that would be a much better situation then if we didn't pass the bill.

REPRESENTATIVE JOHNSON stated he would have liked the bill a little better without it being spelled out but this is satisfactory.

SENATOR O'CONNELL asked that if we built in 6 hours and 10 minutes into your calendar year, every week you would pick up approximately an 1 hour. Isn't that how it will read.

REPRESENTATIVE JOHNSON stated that these were the questions that were brought out the other day and that is why we specifically put in the language that you have to have a half hour longer than the minimum requirement, so the 6 hours and 10 minutes would qualify.

SENATOR O'CONNELL asked how this would differ from the Senate bill basically we did pretty much the same thing.

REPRESENTATIVE JOHNSON stated that he did not believe so.

SENATOR WANZEK asked didn't that bill essentially say a school has to accumulate at least 6 hours and at that point that could be counted as a day for possible waiver.

REPRESENTATIVE JOHNSON stated it could count at least 2 days.

SENATOR FLAKOLL asked when a school lets out an hour earlier, do they simply block it off in 15 minute increments when they report that they let out early because of weather. Does this include partial days. Does it have to be within 15 minutes or is it a half hour.

REPRESENTATIVE JOHNSON stated that I haven't heard the example that a school lets out on a 15 minute increment.

SENATOR FLAKOLL asked that when you start at 8:45, you would start an hour and 15 minutes later, what do they have to report.

REPRESENTATIVE JOHNSON stated that is really management and to know what point to spell out when to qualify for the 6 hours.

SENATOR WANZEK asked that you really don't have to be that concerned with the 15 minutes. What this essentially says is that schools that build in an extra half hour over the statutory requirements has that time available up to 6 hours to use for whatever time that have to make up, right.

REPRESENTATIVE JOHNSON stated 6 hours is what you have to work with and you work with it in whatever increments however you do it. You only have 6 hours to work with.

SENATOR WANZEK asked that we assume that a school over the course of the year was called out for weather related reasons by 5 hours and 10 minutes, they could go to this bank and make it 5 hours and 10 minutes.

REPRESENTATIVE JOHNSON stated that they use it at their discretion.

SENATOR O'CONNELL asked why 6 hours was picked.

REPRESENTATIVE JOHNSON stated that 6 hours are the minimum required in statute for high school days, 5 ½ for elementary, so we went a half hour beyond the minimum required.

SENATOR O'CONNELL asked the reason I was why only make up the one day instead of 2 or 3 or whatever.

REPRESENTATIVE JOHNSON stated it wasn't real hard to find the time.

SENATOR FREBORG stated that the question on the other bill that you referred to, 2344, that really is only clarifying language from concern that the language was such that it was questionable and this only clarifies that if because of weather school must dismiss before completing a full day of instruction the school is responsible for making up only those hours and portions of an hour between the time of early dismissal and conclusion of the school day. DPI wanted that language and it makes them more comfortable.

SENATOR KELSH stated he had amendments that would make it 6 hours and 15 minutes, would you be opposed to those.

REPRESENTATIVE JOHNSON stated that certainly that would be adjustable.

SENATOR REDLIN asked that you do want that identified as instruction time.

REPRESENTATIVE JOHNSON stated yes.

SENATOR WANZEK asked what have you done with research on how many schools in the past year, did they have these hours in their calendar.

REPRESENTATIVE JOHNSON stated that the schools I visited with have the 6 hours and 15 minutes calendar now. The only problem with the school going with the 6 ½ hour school day for the high school, the elementary school is really getting out there because they use the same bus service.

SENATOR FREBORG CLOSED the hearing on HB1490.

SENATOR KELSH proposed some amendments. Basically these do the same thing except change ½ hour to 15 minutes. This will allow them to bank a 15 minute day.

SENATOR O'CONNELL made a motion to adopt amendment number 90694.0201, SENATOR KELSH seconded. Discussion. Senator Wanzek stated the only difference from these and Representative Johnson's is the 15 and 30 minutes. Senator Cook asked how many schools out there are building into their daily schedule - 6 1/2 hours. How many of them would change the school year if this was passed. Senator O'Connell asked what is the concern. Senator Cook stated the intent of this is to get classroom time. Senator Kelsh stated that the school may adjust their schedule up if either of these amendments pass. I don't think they will adjust it down. I think we may be seeing problems that aren't there. Senator Cook stated if the school has the 6 ½ school day and they let out of school after 4 hours of instruction time, do they have to make up 2 hours or 2 ½ hours. Senator O'Connell stated two hours. Senator Cook asked if the school has a 6 ½ hour school day and they let out a half hour early, they have to make up no time then.

Senator Freborg stated no, they have met their requirement of 6 hours. Senator Flakoll stated he questions the wording. It says daily instruction in excess of 5 hours and 45 minutes, the clock

doesn't start ticking until you get past 5 hours and 45 minutes. Senator Freborg stated that is true. Motion failed.

SENATOR KELSH asked if on the amendment, on the second line you scratch out 45 and put 30 minutes and on the third line if you leave the 6 hours and scratch out the 15 minutes and do the same on the second part of the amendment.

SENATOR FREBORG stated that you want to do the Johnson amendments does with 15 minutes.

SENATOR KELSH stated that is right.

SENATOR O'CONNELL made a motion on Amendment, SENATOR KELSH seconded.

Discussion. The motion is to adopt the Johnson amendments and changing the 30 minutes to 15.

Discussion. Senator Wanzek asked if it would read 6 ¼ hours or 6 hours and 15 minutes.

Senator Freborg stated we will get that cleaned up. Motion failed. 2 - 4 - 1

SENATOR COOK made a motion on the Johnson amendments, SENATOR FLAKOLL seconded. Discussion. Motion passed. 4 - 3 - 1

SENATOR COOK made a motion for DO PASS AS AMENDED, SENATOR WANZEK seconded. Discussion.

SENATOR COOK asked how many schools do we have with instruction time longer than 6 ½ hours.

ROGER RIEGER, DPI stated that we don't have that information.

SENATOR COOK stated that the way its amended, the school will have 6 ½ hours and they can bank 30 minutes a day to eventually make up 1 storm day. Could a school start the year with a 6 ½ hour school day and after two weeks shorten every period by 5 minutes so they could let

school out a ½ hour early every day and have the days they have banked up to take off storm days.

ROGER RIEGER stated that I am aware of the bill and I testified against it in its original form and then it was modified to talk about enough time to make up one school day. Has that been changed to two now. In that particular form, we chose not to testify against it. There has been a movement to provide some flexibility. Because they allowed in the past to use this time over 6 hours to make up school time as long as it didn't go over one day. To answer your question, that is my understanding.

SENATOR COOK asked to reconsider our actions on the Johnson amendments.

SENATOR O'CONNELL stated that we have always encouraged more student contact. With the addition of 15 minutes, with the ½ hour addition I don't see many schools doing that.

SENATOR COOK made a motion to reconsider our actions to pass the Johnson amendments.

SENATOR O'CONNELL seconded.

SENATOR KELSH asked why we are reconsidering.

SENATOR COOK stated he may want to change the amendment. I would take out either before or provided this was made up after the storm.

SENATOR FREBORG stated that all that would allow is that they can use their regular 6 ½ hour school day. They already have that built in. If they are on a 6 ½ hour school day under present law and they lose 4 hours, do they have to add time to the 6 ½ hour day to make up the 4 hours or can they use that ½ hour automatically.

ROGER RIEGER stated that we were allowing them to use that time in making up time. I do believe the 6 hour day is the minimum, they can't bank any of the time presently.

SENATOR WANZEK stated that is the way he understood it. Now we get here and I've been told differently. After they have a school closing, they can use that extra time above 6 hours after the fact to make up for those hours they lost.

ROGER RIEGER stated I believe that is exactly what we have done.

SENATOR COOK asked if we do not have schools that have increased the length of their school days by 3 minutes so they could fix the problem we are trying to address here.

SENATOR FREBORG stated that I don't think that will address that problem.

SENATOR COOK made a motion for DO NOT PASS. Motion failed for a lack of a second.

SENATOR WANZEK asked if we have to take action today. I am not clear exactly what the interpretations are.

SENATOR FREBORG asked how the committee would feel if we took 3 million dollars of the 27 million dollars we are directing to elementary and secondary education and required a 174 days of school or 181, would that be better. All schools would be required to have a 181 day calendar and we would just let them wipe off one storm day. We would forgive one other day. Would this be better. Minnesota is going to 190 days.

SENATOR FREBORG CLOSED the hearing on HB1490.

3/22/99

SENATOR FREBORG opened discussion on HB1490. All senators were present.

SENATOR WANZEK passed out an amendment.

SENATOR O'CONNELL : Before we were talking about anything that was on the school calendar, it would have to be for the full year, according to the amendment though, they could

take and pick up if they miss say 2 storm days they could start picking up 15 minutes a day anytime during the year. It doesn't have to be built into the calendar year.

SENATOR WANZEK : The way they are suppose to read is anything that is built into the school calendar day over and above the required numbers of hours that are required in statute can be used as long as they are over 15 minutes. There has to be at least 15 minutes built into the calendar day to be able to start using it. I think the concern was that they go, if there was 6 hours 5 minutes days. It has to be 15 minutes before they can start using it. It was my intention that would only be used after the weather closing. In my opinion what I'm trying to do here is what we all thought was being done now. DPI said this is the way it was being done but then updated information at the Attorney General's office said otherwise. It just seems fair to me if a school is going over and above what is required of them, after they use a weather/storm day or call off school early they be allowed to use part of that time that is built into their school calendar after the weather closing.

SENATOR FREBORG : Do the amendments do that.

SENATOR O'CONNELL : How many days are you going to allow. We were talking only one day makeup time for extended calendar hours. I don't see that in the amendment. Was it your intention for one day or more than one day.

SENATOR WANZEK : It was my intention to have according to original bill, 6 hours.

SENATOR REDLIN : Wording in the two major paragraphs where it says "during each of the 173 full days of instruction." wouldn't that cover what your concern is.

SENATOR O'CONNELL : It could but kind of vague. That was my point, what is his intention. We were talking about extending to 181 days.

SENATOR FLAKOLL : By taking out instruction time and talking about for the purpose of receiving curricular instruction is that just another way of saying it, or does it change the meaning.

SENATOR WANZEK : That language was intended to make it clear, time that counts is when the students are in attendance for the purpose of receiving instruction. The only time that counts is when the students are all required to be there for the purpose of receiving instruction.

SENATOR FREBORG : I believe we can aggregate the extra 15 minutes for the entire school year and not after the fact according to your amendment.

SENATOR WANZEK : I tend to agree with you but that was not my intent to have it that way.

SENATOR KELSH : What difference does it make if they have 6 1/2 hours built into their day and they can only use it up to 6 hours. What difference does it make when they use the time.

SENATOR FREBORG : That is a personal opinion, some may believe they should be able to aggregate the hours for the full year. Personally, I believe they should only be able to aggregate the hours after they have lost school time. We've discussed banking time and that is what it amounts to if you can start the first day of school and bank time.

SENATOR WANZEK : My amendments were trying to make it clear that a school can use that time after they call for a weather related purposes. That time over and above required of them that they're putting in in the school calendar. They can use part of that time for make-up time. But only after calling off school for weather related closures. The amendments were suppose to do that but the way I read them it doesn't appear that way.

SENATOR COOK : The more I look, the more confused I get. Right now today, if a school has 2 hours to make up can they increase their school day by 15 minutes a day to make up that 2 hours.

SENATOR KELSH : Not according to these amendments.

SENATOR FREBORG : Under present law they can add 2 minutes, 10 minutes, 1 hour; whatever they wish to add to the calendar.

SENATOR COOK : Right now. What they can't do right now is if they had a calendar of 6 hours 5 minutes they cannot count that 5 minutes.

SENATOR FREBORG : That's right.

SENATOR COOK : Believe the whole role is to provide an opportunity to learn, kids get that opportunity when they are in a classroom in front of a teacher, why do we have such a discussion to find a way to reduce, ultimately you are reducing the time kids spend in front of a teacher.

SENATOR REDLIN : We're dealing with time over and above the requirement in the law, 6 hours of curriculum time.

SENATOR FREBORG : I'm assuming that schools on an extended daily calendar are doing that so that they can offer the curriculum that they think is necessary to give that extra special education opportunity to those students. We're trying to decide whether or not we should allow them to have a 173 day calendar rather than 173.

SENATOR REDLIN : In the event they have a storm to have caused it to be necessary.

SENATOR FLAKOLL : Will they have 172 day school year whether banked or not.

SENATOR FREBORG : Would allow those schools that have in their calendar more than 6 hours a day to use the additional time. Those that do not could make it up a minute, a day, 5 minutes a day, etc.

SENATOR WANZEK : In reference to trying to reduce teacher/student instruction time. Certainly not my intent. we would still be requiring 173 days times 6 hours, there would still be that requirement but some of the minutes lost because of weather related closure could be offset by those schools that go above and beyond. If they do that let's let some of that time count if they have to use it. Maybe it would encourage some schools to go to a longer day to have it built in, but at a maximum of 6 hours.

SENATOR COOK : Do you think its right if a school has 2 hours to make up that they add 5 minutes to their school day until those two hours are made up.

SENATOR WANZEK : I'd have some trouble with that.

SENATOR COOK : That's what they can do right now. Will these amendments stop that.

SENATOR WANZEK : These would not stop that, we're only addressing that time that is built into a school calendar over and above.

SENATOR REDLIN : Do believe a 15 minute minimum is the right way to go. I would hope the balance of the law would reflect that in some point in time. My opinion 2-5 minutes is a poor way to add up to an hour.

SENATOR KELSH : I don't see anything wrong with the amendments. Has to be built into the schedule.

SENATOR FREBORG closed the discussion on HB1490.

SENATOR FREBORG opened discussion on HB1490.

SENATOR COOK : I am passing out my amendments on HB1490. One concern is for schools that have a normal 6 hour school day and the other is for concerns for schools that have longer than 6 hour school days already built into their schedule. These amendments address only the concerns regarding schools with a normal 6 hour school day. Biggest change page 2 line 1.

SENATOR COOK : I move these amendment 90694.0204.

SENATOR WANZEK : 2nd

SENATOR COOK : One of our concerns was schools to make up time might increase their school day 2-3 minutes.

SENATOR O'CONNELL : Was there any reason no one wanted 15 minutes rather than 30 minutes.

SENATOR KELSH : This has nothing to do with if they have extended their school year the whole time. Add 30 minutes to their day after they lost a day to weather.

SENATOR COOK : Intent is to separate these 2 issues. These amendments deal with schools that have normal 6 hour days. This is for storm related closures only.

SENATOR O'CONNELL : Doesn't have to be built into full calendar year only after the fact.

SENATOR WANZEK : I'm inclined to support the amendments, however I want to make sure they don't conflict with mine.

SENATOR FLAKOLL: Would that be allowed to be taken over the noon break, if you put your 30 minutes in that period of time.

SENATOR COOK : Regular school day schedule out there that equates to 6 hours and they would have to increase that by 30 minutes. Flexibility to do that but common sense would say the kids needed time to eat.

SENATOR O'CONNELL : Say I miss 3 hours in my scheduling. So I can do 6 days of 30 minutes makeup that one day then and can drop that 30 minutes. Flexibility is really here.

SENATOR COOK : My intent.

Vote: 5 Yes 2 No

SENATOR WANZEK : I move the amendment 90694.0203 but exclude subsection 4.

SENATOR O'CONNELL : 2nd

SENATOR WANZEK : The intent of my amendments are to allow those schools that put in their school calendar over and above what is required of them, to use that time as long as they once meet the criteria of at least 15 minutes over and above. Once they meet that 15 min. level they can use 15 minutes, up to 6 hours after a weather related closure.

SENATOR O'CONNELL : This would take away from instructional time, so additional instructional time.

SENATOR WANZEK : I don't see it as banking cause they aren't going to bank it up to that point. From the closure on if there school calendar is beyond what is required of at least 15 minutes they can use that 15 minutes or anything over and above up to 6 hours to compensate for time lost.

SENATOR O'CONNELL : Isn't there another bill that the Governor asked that there be at least two storm days built into everyone's calendar.

SENATOR FREBORG : Is it your intent that if this should pass and a school is on a 6 hour 15 minute calendar they would only have to add 15 minutes a day to that calendar to make up $\frac{1}{2}$ hour a day.

SENATOR WANZEK : That would be my intent but the way it is worded it is not going to look that way.

SENATOR COOK : If we pass these amendments then Legislative Council will put the two together.

SENATOR KELSH : It appears that the intent is that if they have put 15 minutes into their school day they can use that. If they didn't have 15 minutes built in and they were going to add time to the scheduled makeup time they would have to do it with 20 minute increments with subsection 4.

SENATOR WANZEK : Subsection 4 is being removed.

SENATOR KELSH : If we hadn't passed the first amendment these would sit pretty well with what I would like to do. These would give you some time after you've lost a day.

SENATOR FREBORG : With SENATOR COOK 'S amendment we will not lose the 15 minutes, they can still use the 15 minutes. They can still use the 15 minutes for makeup time but need to add another 15 minutes to meet the 30 minute requirement.

SENATOR FLAKOLL : They will not be able to save anything in advance. This needs to be clarified.

SENATOR COOK : Say you have two schools. School A has a 6 hour 15 minute day. School B has a 6 hour day. Both schools have 2 full days (12 hours) to make up. School B with my amendments add 30 minutes a day for the number of hours to make up 12 hours. School A

which has 15 minutes built in would increase their school day by another 15 minutes and in the same period of time make up the 2 days. Both schools would be treated the same.

SENATOR FLAKOLL : They are not limited to 30 minutes either, they could go 45 minutes or an hour.

SENATOR FREBORG : They can do whatever.

SENATOR O'CONNELL : We're making up 6 days, now we're asking teachers and administrators to work for free for those days. Will we run into that.

SENATOR FREBORG : What will happen, if this bill passes we're going pay them for one day that they are not in attendance. Get paid for 173 days and will only be working 172 days.

SENATOR REDLIN : They will be putting in the hours.

SENATOR FREBORG : If you look at the bill, I believe somewhere they are forgiven one day. Only affects schools that are on a 6 1/2 hour day. Will not have to makeup up additional time, subsection 3, page 2.

Vote: 7 Yes 0 No

SENATOR WANZEK : I move a DO PASS as amended.

SENATOR REDLIN : 2nd

Vote: 6 Yes 1 No

CARRIER: SENATOR WANZEK

March 11, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490

Page 2, line 1, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "Daily instruction time in excess of five hours and forty-five minutes for elementary students and six hours and fifteen minutes for high school students may be aggregated to make up for up to six hours of instruction time lost during a school year because of weather-related school closures, provided the excess time is included in the school calendar and is applicable to each of the required one hundred and seventy-three days of full instruction."

Page 2, remove lines 2 and 3

Page 2, line 23, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "Daily instruction time in excess of five hours and forty-five minutes for elementary students and six hours and fifteen minutes for high school students may be aggregated to make up for up to six hours of instruction time lost during a school year because of weather-related school closures, provided the excess time is included in the school calendar and is applicable to each of the required one hundred and seventy-three days of full instruction."

Page 2, remove lines 24 and 25

Renumber accordingly

Date: 3/17/99
 Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1490

Senate EDUCATION Committee

- Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Adopt amendment 96694.0201

Motion Made By O'Connell Seconded By Kelsh

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman		✓			
Senator Flakoll		✓			
Senator Wanzek		✓			
Senator Kelsh		✓			
Senator O'Connell		✓			
Senator Redlin					

Total (Yes) 1 No 5

Absent _____

Floor Assignment _____

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

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490

Page 1, line 20, overstrike "of instruction time"

Page 1, line 21, after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 1, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 1, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "Daily instruction time in excess of five hours and thirty minutes for elementary students and six hours for high school students may be aggregated to make up for up to six hours of instruction time lost during a school year because of weather-related school closures, provided the school's calendar provides for instruction time that exceeds the minimum required hours of instruction by at least fifteen minutes during each of the one hundred seventy-three full days of instruction"

Page 2, remove line 2

Page 2, line 3, remove "weather-related school closures"

Page 2, line 20, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 23, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "Daily instruction time in excess of five hours and thirty minutes for elementary students and six hours for high school students may be aggregated to make up for up to six hours of instruction time lost during a school year because of weather-related school closures, provided the school's calendar provides for instruction time that exceeds the minimum required hours of instruction by at least fifteen minutes during each of the one hundred seventy-three full days of instruction"

Page 2, remove line 24

Page 2, line 25, remove "weather-related school closures"

Renumber accordingly

Date: 3/17/99
 Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. H.B. 1490

Senate EDUCATION Committee

Subcommittee on _____
 or

Conference Committee

Legislative Council Amendment Number _____

Action Taken move adopt Johnson amendment changing 30
min to 15

Motion Made By O'Connell Seconded By Kelsh

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman		✓			
Senator Cook, Vice Chairman		✓			
Senator Flakoll		✓			
Senator Wanzek		✓			
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin					

Total (Yes) 2 No 4

Absent _____

Floor Assignment _____

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

Date: 3/17/99
 Roll Call Vote #: 3

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. HB 1490

Senate EDUCATION Committee

- Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Move the Johnson amendments

Motion Made By Cook Seconded By Flakoll

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh		✓			
Senator O'Connell		✓			
Senator Redlin					

Total (Yes) 4 No 3

Absent 1

Floor Assignment _____

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

March 22, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490

- Page 1, line 20, overstrike "of instruction time"
- Page 1, line 21, after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"
- Page 1, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"
- Page 2, line 1, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "If a school extends its normal schoolday to make up for time lost as a result of a weather-related closure, the extension must have a duration of at least thirty minutes. For purposes of this subsection, any time beyond that required for a full day of instruction constitutes makeup time"
- Page 2, remove line 2
- Page 2, line 3, remove "weather-related school closures"
- Page 2, line 20, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"
- Page 2, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"
- Page 2, line 23, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "If a school extends its normal schoolday to make up for time lost as a result of a weather-related closure, the extension must have a duration of at least thirty minutes. For purposes of this subsection, any time beyond that required for a full day of instruction constitutes makeup time"
- Page 2, remove line 24
- Page 2, line 25, remove "weather-related school closures"
- Renumber accordingly

Date: 3/23
 Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. HB 1490

Senate EDUCATION Committee

- Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken move ^{Do Pass} the amendment 90694.0204

Motion Made By Cook Seconded By Wanzek

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh		✓			
Senator O'Connell		✓			
Senator Redlin	✓				

Total (Yes) 5 No 2

Absent _____

Floor Assignment _____

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

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490

Page 1, line 20, overstrike "of instruction time"

Page 1, line 21, after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 1, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 1, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "Daily instruction time in excess of five hours and thirty minutes for elementary students and six hours for high school students may be aggregated, after a weather-related closure, to make up for up to six hours of instruction time lost during a school year because of a weather-related school closure, provided the school's calendar provides for instruction time that exceeds the minimum required hours of instruction by at least fifteen minutes during each of the one hundred seventy-three full days of instruction."

4. If a school extends its normal schoolday to make up for time lost as a result of a weather-related closure, the extension must have a duration of at least twenty minutes.

Page 2, remove lines 2 and 3

Page 2, line 20, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 23, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "Daily instruction time in excess of five hours and thirty minutes for elementary students and six hours for high school students may be aggregated, after a weather-related closure, to make up for up to six hours of instruction time lost during a school year because of a weather-related school closure, provided the school's calendar provides for instruction time that exceeds the minimum required hours of instruction by at least fifteen minutes during each of the one hundred seventy-three full days of instruction."

4. ~~If a school extends its normal schoolday to make up for time lost as a result of a weather-related closure, the extension must have a duration of at least twenty minutes.~~

Page 2, remove lines 24 and 25

Renumber accordingly

Date: 3/23/99
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1490

Senate EDUCATION Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken move to adopt amendment 90694.0203 but strike subsection 4

Motion Made By Wanzek Seconded By O'Connell

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin	✓				

Total (Yes) 7 No 0

Absent _____

Floor Assignment _____

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

Date: 3/23/99
 Roll Call Vote #: 3

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. HB 1490

Senate EDUCATION Committee

- Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Move Do Pass as amended

Motion Made By Wanzek Seconded By Redlin

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh	✓				
Senator O'Connell		✓			
Senator Redlin	✓				

Total (Yes) 6 No 1

Absent _____

Floor Assignment Wanzek

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

REPORT OF STANDING COMMITTEE

HB 1490, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1490 was placed on the Sixth order on the calendar.

Page 1, line 20, overstrike "of instruction time"

Page 1, line 21, after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 1, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

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Page 2, remove lines 2 and 3

Page 2, line 20, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 23, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "Daily instruction time in excess of five hours and thirty minutes for elementary students and six hours for high school students may be aggregated, after a weather-related closure, to make up for up to six hours of instruction time lost during a school year because of a weather-related school closure, if the school's calendar provides for instruction time that exceeds the minimum required hours of instruction by at least fifteen minutes during each of the one hundred seventy-three full days of instruction. If the school's calendar does not provide for instructional time that exceeds the minimum required hours of instruction by at least fifteen minutes during each of the one hundred seventy-three full days of instruction, any extension of a normal schoolday to make up for time lost as a result of a weather-related closure must have a duration of at least thirty minutes."

Page 2, remove lines 24 and 25

Re-number accordingly

1999 HOUSE EDUCATION

HB 1490

CONFERENCE COMMITTEE

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB-1490-CC

House Education Committee

Conference Committee

Hearing Date 4-6-99

Tape Number	Side A	Side B	Meter #
Tape # 1	x		0.1 to 11.0
Committee Clerk Signature <i>Joan Diers</i>			

Minutes:

Rep Johnson, Rep Drovdal, Rep. Solberg, Sen Cook, Sen Freborg, Sen O'Connell.

Chairman Johnson: Call the conference committee on HB 1490 to order and have the clerk take the roll. We have Senate amendments on the bill, do you wish to explain the amendments?

Sen Cook: Chairman, they are just a common sense approach to allowing schools to make up storm days.

Rep Drovdal : I understand, but I would like them explained.

Sen Cook: This bill has two separate issues here, one if schools that have a regular six hour school day and one with schools that have longer than a six hour school day. Trying to find some way in which they both could make up time lost because of bad weather. Schools that have a six hour storm day can make up time after the storm by increasing the length of their school day, but it has to be by at least 30 minutes. Schools that had already built into their schedule a

longer than six hour school day, by at least 15 minutes, could use time after storm days to make up six hours.

Sen Freborg: I believe that they are given credit for the 15 minutes on the extended day, but they need to add another 15 minutes, because they have to make up time in 30 minutes increments.

They don't lose the 15 minutes on the regular daily calendar, six hours and 15 minutes, they add 15 minutes to make up and increment of 30 minutes. All other schools that are on a six hour day add thirty minutes.

Chairman Johnson: You have to have more than 15 minutes over and above your minimum required hours to qualify for this early out or late start, but once you have used up your six hours that is when your, you are referring to your 15 minutes, please explain.

Freborg: This has nothing to do with making up 6 hours to accumulate in the aggregate of 6 hours for a day. The last three lines in the Senate amendment in the extension of a normal school day to make up for time lost as a result of a weather related closure, must have a duration of at least 30 minutes. May I ask a question? Why did the house not want one storm day to be forgiven by the governor.

Chairman Johnson: My thoughts on that is the way I had 1490 introduced, addressing 6 hours of late start or early out, any time on and above that one day or six hour period, I would think go right into.

Sen Freborg: We have two thoughts, one would require all time to be made up or two have aggregate hours.

Chairman Johnson: This bill addressed more than 6 hours of a school day. If they have an extended day, time is built in, they have it, maybe this type of language would encourage schools to extend their regular school day.

Rep Drovdal: The governor now forgives one day for every two days made up.

Freborg: Is it the policy to be rigid on storm days?

Rep Drovdal: Is the governor rigid or is the law rigid?

Freborg: It is this governor's policy but the policy could change.

Further discussion was held on the governor's authority and where that authority is taken from in statute.

Rep Drovdal: Moved that the House accede to the Senate Amendments.

Sen O'Connell: seconded the motion.

Chairman Johnson: We will have a roll call vote on the motion. The motion for the House to accede to the Senate Amendments. Roll call vote taken Motion PASSES 6 YES 0 NO

Conference committee adjourned.

FURTHER COMMITTEE ACTION

Chairman Johnson: We need to reopen the Conference Committee on HB 1490. The wording has to be clarified on the six hour day. It has to be specifically spelled out in language as how to address those schools.

Freborg: There is no provision for them to continue to make up time. None at all they don't fall under the 30 minute minimum. We need to discuss that.

Chairman Johnson: So at this time we need to have the motion withdrawn.

Rep Drovdal: Move to withdraw our action and reconsider the action of the committee.

Page 4
House Education Committee
Bill/Resolution Number HB-1490-CC
Hearing Date 4-6-99

Sen Freborg: seconded the motion.

Chairman Johnson: We have a motion to reconsider our actions on HB 1490. Will ask for a voice vote. Motion PASSES.

Sen Freborg: Maybe we should name one from each side to set down with Anita Powers of Legislative Council to work out the amendment to have it do what we thought it did.

Chairman Johnson: Sen Freborg and myself will work with LC to get proper amendments. We will set up a time to meet again. Meeting adjourned until further notice.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB-1490-CC-2

House Education Committee

Conference Committee

Hearing Date 4-7-99

Tape Number	Side A	Side B	Meter #
Tape # 1	x		0.1 to 42.6
Committee Clerk Signature <i>Joan Diers</i>			

Minutes:

Rep D Johnson, Rep Drovdal, Rep Solberg, Sen Cook, Sen Freborg, Sen O'Connell

Chairman Johnson: We will call the conference committee on HB 1490 back to order and have the clerk take the roll. We will continue on with this conference committee and I understand that there are some new amendments.

Sen Freborg: Chairman, you were right yesterday, in visiting with Anita, she thought it would be well to adopt the amendments concerning the governor forgiving school days without the proper language in the code, so this will take care of it. Where are we at with the bill?

Chairman Johnson: I believe that is where we are sitting, we have the bill with the Senate amendments and the motion was made but withdrawn on the House acceding to the Senate amendments, so that is where we are sitting right now.

Sen Freborg: We have reconsidered that motion.

Chairman Johnson: We have reconsidered, so we are right back where we started.

Sen Freborg: I would move that the Senate recede from the Senate amendments and further amend.

Sen O'Connell: seconded the motion.

Chairman Johnson: We will have a voice vote on the motion. Motion carries.

Sen Freborg: Move to adopt amendments 90694.0208.

Sen O'Connell: seconded the motion.

Sen Freborg: There amendments puts in statue the correct language, so that when the governor is forgiving school days, according to the legislative council , it is legal.

Further discussion was held on the amendments and the reason for adopting these amendments.

Chairman Johnson: We will have the clerk call the roll on amendments 90694.0208. The motion passes 6 YES 0 NO 0 Absent. Do we have further amendments?

Sen Freborg: We have amendments 90694.0209 that we though was happening yesterday and is now what we wish.

A discussion of some great length was held on amendments 90694.0209. The discussion dealt with schools having longer than a six hour day and how they would make up weather related school days. There was great confusion as to whether or not these amendments would address the question and how it would be interrupted, so the committee was recessed while a phone call was placed to Anita Thomas of the legislative council. She was asked to appear before the committee to explain the amendments and to see if the language was what the committee wanted to address the problem.

Page 3

House Education Committee

Bill/Resolution Number HB-1490-CC-2

Hearing Date 4-7-99

Anita Thomas of the legislative council appeared before the committee. A lengthy discussion was held with Ms Thomas to see if the language in amendments 90694.0209 did in fact support the language that the committee wanted placed in the bill. At the end of the discussion, the committee was still not satisfied with the amendments.

Sen Cook: Moved we amendments 90694.0209.

Sen O'Connell: seconded the motion.

Chairman Johnson: We will have a roll call vote. The clerk will call the roll. The motion fails.

I will visit with Anita to get the amendments drafted. The meeting is adjourned.

The committee spent some time with Anita Thomas explaining what was needed in the amendments.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB-1490-CC-3

House Education Committee

Conference Committee

Hearing Date 4-8-99

Tape Number	Side A	Side B	Meter #
Tape # 1	x		0.1 to 11.4
Committee Clerk Signature <i>Joan Diers</i>			

Minutes:

Rep Johnson, Vice Chair Drovdal, Rep. Solberg, Sen Cook, Sen Freborg, Sen O'Connell

Chairman Johnson: Open the conference committee on HB 1490 and have the clerk take the roll .

Regarding HB 1490, after yesterday I had Anita draw up amendments or ideas and the only thing that I would have you change, after visiting with Sen Freborg, on line 3, change forty-two to eighty four.

Sen Freborg: Mr Chairman, could we have the clerk tell us again, just for the record, where we are on the bill. What all we have done.

The House Education Clerk went back through the minutes of the two previous committee meeting to inform the committee what action had taken place and that the committee had before it a clean bill.

Freborg We have a clean bill before us. We adopted the one for the governor forgiving storm days that Anita wanted in the bill.

Rep Drovdal: Moved the Johnson amendments.

Rep. Solberg : seconded the motion.

Chairman Johnson: Committee discussion. Rep Johnson explained his amendments. Any further discussion?

Sen Cook: I would support these amendments, but before they go to the floor that we see them all put together.

Chairman Johnson: Anita asked that and I said the way it is going I would like to get a conscience and then put it together and run it by the folks involved in this conference committee.

Sen Cook: I think that with the other amendments that were put on there, everything should flow.

Sen O'Connell: Call for the question.

Chairman Johnson: The question has been called for, ask for a vote on the Johnson amendments. The clerk called the roll for a vote. The motion passes 6 YES 0 NO 0 Absent.

Chairman Johnson: Any further questions. The committee then held further discussion on the bill and what the amendments would do.

Rep Drovdal: Moved that the conference committee on HB 1490 approve the bill as amended.

Rep. Solberg : seconded the motion.

Sen Freborg: Called for the question.

Chairman Johnson: Any other discussion. The question has been called for, the clerk will call the roll on HB 1490 for approval vote as amended. The motion PASSES with 6 YES 0 NO 0 Absent. The conference committee was adjourned.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB-1490-CC-4

House Education Committee

Conference Committee

Hearing Date 4-9-99

Tape Number	Side A	Side B	Meter #
Tape # 1	x		0.1 to 9.0
Committee Clerk Signature <i>Joan Dietz</i>			

Minutes:

Chairman D Johnson, Rep Drovdal, Rep. Solberg, Sen Cook, Sen Freborg.

Chairman Johnson: Recall the conference committee on HB 1490 and asked the clerk to take the roll. What we have before us on HB 1490 to remove the amendments and reconsider our actions.

Rep Drovdal: Move that we reconsider our actions on HB 1490.

Sen Cook: seconded the motion.

Chairman Johnson: Voice vote, motion carried.

Rep Drovdal: Move that we recede from the conference committee amendments and further amend with amendments 90694.0210.

Sen Freborg: seconded the motion.

Chairman Johnson: Ask for a voice vote on the motion of Rep Drovdal. Motion carried.

Sen Cook: Moved to pass HB 1490 as amended.

Page 2

House Education Committee

Bill/Resolution Number HB-1490-CC-4

Hearing Date 4-9-99

Rep Drovdal: seconded the motion.

Chairman Johnson: We will ask the to call the roll on a DO PASS as amended motion. Motion carries 5 YES 0 NO 1 Absent.

Sen Cook: Move to obsolev the conference committee on HB 1490

The motion was seconded. Chairman Johnson adjourned the meeting.

Date: 4/6/99
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB-1490

House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken House accede to Senate Amend.

Motion Made By Rep Drovdal Seconded By Sen O'Connell.

Representatives	Yes	No	Senator	Yes	No
<u>Rep O Johnson</u>	<u>✓</u>		<u>Sen Cook</u>	<u>✓</u>	
<u>Rep Drovdal</u>	<u>✓</u>		<u>Sen Greborg</u>	<u>✓</u>	
<u>Rep Salberg</u>	<u>✓</u>		<u>Sen O'Connell</u>	<u>✓</u>	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

I

(Bill Number) HB-1490 (, as (re)engrossed):

Your Conference Committee

For the Senate:

<u>Sen Cook</u>	P
<u>Sen Hreborg</u>	P
<u>Sen O'Connell</u>	P

For the House:

<u>Rep D Johnson</u>	P
<u>Rep D Trovodal</u>	P
<u>Rep Solberg</u>	P

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

723/724 725/726 5724/B726 5723/B725

the (Senate/House) amendments on (SJ/HJ) page(s) 1047 - 1048

and place 1490 on the Seventh order.

727

, adopt (further) amendments as follows, and place

_____ on the Seventh order:

having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

690/515

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: 4/6/99

CARRIER: Rep Johnson

LC NO. _____ of amendment

LC NO. _____ of engrossment

Emergency clause added or deleted _____

Statement of purpose of amendment _____

(1) LC (2) LC (3) DESK (4) COMM.

April 7, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490

That the Senate recede from the Senate amendments as printed on pages 1047 and 1048 of the House Journal and pages 849 and 850 of the Senate Journal and that Engrossed House Bill No. 1490 be further amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to the closure of schools in weather emergencies; to"

Page 1, line 3, after "year" insert "; and to repeal section 15-40.1-09.1 of the North Dakota Century Code, relating to the closure of schools due to emergencies"

Page 1, after line 4, insert:

"SECTION 1. A new section to chapter 15-40.1 of the North Dakota Century Code is created and enacted as follows:

Weather or other emergency conditions - Closure of schools - Foundation aid. If because of severe weather or other emergency conditions a school or school district remains closed or provides less than a full day of instruction, the school or school district shall make every effort to reschedule classes so that students receive at least one hundred seventy-three full days of instruction. Any school or school district for which the rescheduling of classes would create undue hardship may request that, for purposes of foundation aid, the governor waive the rescheduling in whole or in part. In
↳ requesting a waiver under this section, the school or school district may aggregate -
↳ hours during which classes were not provided, but the governor may not grant a waiver for less than a full day of instruction."

Page 1, line 20, overstrike "of instruction time"

Page 1, line 21, after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 1, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, remove lines 1 through 3

Page 2, line 20, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, replace lines 23 through 25 with:

"SECTION 4. REPEAL. Section 15-40.1-09.1 of the North Dakota Century Code is repealed."

Renumber accordingly



Date: 4-7-99
 Roll Call Vote #: /

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB-1490

House Education _____ Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number 90694.0208

Action Taken Move to adopt amendment

Motion Made By Hreborg Seconded By O'Connell.

Representatives	Yes	No	Senator	Yes	No
<u>Rep O Johnson</u>	<u>✓</u>		<u>Sen Cook</u>	<u>✓</u>	
<u>Rep D Dordal</u>	<u>✓</u>		<u>Sen Hreborg</u>	<u>✓</u>	
<u>Rep Solberg</u>	<u>✓</u>		<u>Sen O'Connell</u>	<u>✓</u>	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

(Bill Number) HB-1490 (, as (re)engrossed):

Your Conference Committee

For the Senate:

<u>Sen Cook</u>	<u>P</u>
<u>Sen Areborg</u>	<u>P</u>
<u>Sen O'Connell</u>	<u>P</u>

For the House:

<u>Rep D Johnson</u>	<u>P</u>
<u>Rep Drowdal</u>	<u>P</u>
<u>Rep Salberg</u>	<u>P</u>

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)
723/724 725/726 S724/H726 S723/H725
the (Senate/House) amendments on (SJ/HJ) page(s) _____ - _____

and place _____ on the Seventh order.
727

, adopt (further) amendments as follows, and place
_____ on the Seventh order:

having been unable to agree, recommends that the committee be discharged
and a new committee be appointed. 690/515

((Re)Engrossed) _____ was placed on the Seventh order of business on the
calendar.

DATE: 4/7/99

CARRIER: _____

LC NO. _____ of amendment

LC NO. _____ of engrossment

Emergency clause added or deleted _____

Statement of purpose of amendment _____

(1) LC (2) LC (3) DESK (4) COMM.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490

That the Senate recede from the Senate amendments as printed on pages 1047 and 1048 of the House Journal and pages 849 and 850 of the Senate Journal and that Engrossed House Bill No. 1490 be further amended as follows:

Page 1, line 20, overstrike "of instruction time"

Page 1, line 21, after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 1, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 1, replace "Instruction time exceeding the minimum number of hours per day required for a full" with:

- "a. If a school must make up instruction time lost as a result of a weather-related closure and if the school's calendar provides for daily instruction time of less than five hours and forty-five minutes for elementary students, the school must schedule makeup time in increments of at least thirty minutes.
- b. If a school must make up instruction time lost as a result of a weather-related closure and if the school's calendar provides for daily instruction time of less than six hours and fifteen minutes for high school students, the school must schedule makeup time in increments of at least thirty minutes.
- 4. a. (1) If a school must make up instruction time lost as a result of a weather-related closure and if the school's calendar provides for daily instruction time of five hours and forty-five minutes or more for elementary students, the school must schedule makeup time in increments of at least thirty minutes.

 - (2) Except as provided in paragraph 3, a school qualifying under this subdivision may count as makeup time any minutes of classroom instruction provided after the statutorily required five hour and thirty-minute day.
 - (3) When the time made up under the provisions of paragraph 2 reaches six hours, the school must begin calculating its makeup time as minutes of classroom instruction provided after the conclusion of its regular school calendar day.
- b. (1) If a school must make up instruction time lost as a result of a weather-related closure and if the school's calendar provides for daily instruction time of six hours and fifteen minutes or more for high school students, the school must schedule makeup time in increments of at least thirty minutes.

- (2) Except as provided in paragraph 3, a school qualifying under this subdivision may count as makeup time any minutes of classroom instruction provided after the statutorily required six-hour day.
- (3) When the time made up under the provisions of paragraph 2 reaches six hours, the school must begin calculating its makeup time as minutes of classroom instruction provided after the conclusion of its regular school calendar day."

Page 2, remove lines 2 and 3

Page 2, line 20, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 23, replace "Instruction time exceeding the minimum number of hours per day required for a full" with:

- "a. If a school must make up instruction time lost as a result of a weather-related closure and if the school's calendar provides for daily instruction time of less than five hours and forty-five minutes for elementary students, the school must schedule makeup time in increments of at least thirty minutes.
 - b. If a school must make up instruction time lost as a result of a weather-related closure and if the school's calendar provides for daily instruction time of less than six hours and fifteen minutes for high school students, the school must schedule makeup time in increments of at least thirty minutes.
4. a. (1) If a school must make up instruction time lost as a result of a weather-related closure and if the school's calendar provides for daily instruction time of five hours and forty-five minutes or more for elementary students, the school must schedule makeup time in increments of at least thirty minutes.
- (2) Except as provided in paragraph 3, a school qualifying under this subdivision may count as makeup time any minutes of classroom instruction provided after the statutorily required five hour and thirty-minute day.
 - (3) When the time made up under the provisions of paragraph 2 reaches six hours, the school must begin calculating its makeup time as minutes of classroom instruction provided after the conclusion of its regular school calendar day.
- b. (1) If a school must make up instruction time lost as a result of a weather-related closure and if the school's calendar provides for daily instruction time of six hours and fifteen minutes or more for high school students, the school must schedule makeup time in increments of at least thirty minutes.
- (2) Except as provided in paragraph 3, a school qualifying under this subdivision may count as makeup time any minutes of

classroom instruction provided after the statutorily required six-hour day.

- (3) When the time made up under the provisions of paragraph 2 reaches six hours, the school must begin calculating its makeup time as minutes of classroom instruction provided after the conclusion of its regular school calendar day."

Page 2, remove lines 24 and 25

Renumber accordingly

Date: 4-7-99
 Roll Call Vote #: 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. HB-1490

House Education Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken on amendment 90694.0209

Motion Made By Cook Seconded By O'Connell

Representatives	Yes	No	Senator	Yes	No
Rep D Johnson		✓	Sen Cook	✓	
Rep D Drowdal		✓	Sen Hreberg	✓	
Rep Salberg	✓		Sen O'Connell	✓	

Total (Yes) 4 No 2

Absent 0

Floor Assignment _____

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

Defeated
in order to pass must have at least (2) yes from ea side

Johnson
Amend

1. If a school's calendar provides for an extension of each school day beyond the statutorily required minimum number of hours, and if the extensions when aggregated over an entire school year amount to more than ⁸⁴~~forty-two~~ hours of additional classroom instruction during the school year, the school is exempt from having to make up six hours of instruction time lost as a result of weather related closure. In order to make up lost classroom instruction time beyond the six hours, the school must extend its normal school calendar day by at least thirty minutes.

2. A school that does not qualify under the provisions of subsection 1 must extend its normal school day by at least thirty minutes to make up classroom instruction time lost as a result of weather related closure.

3. Instruction time exceeding the minimum number of hours per day required for a full day of instruction may be used to compensate for up to six hours of weather-related school closures per year.

Date: 4-8-99
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB-1490

House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken moved Johnson Amendments

Motion Made By DD Seconded By Salberg

Representatives	Yes	No	Senator	Yes	No
<u>Rep D Johnson</u>	<u>✓</u>		<u>Sen Cook</u>	<u>✓</u>	
<u>Rep D Rowdall</u>	<u>✓</u>		<u>Sen Hreborg</u>	<u>✓</u>	
<u>Rep Salberg</u>	<u>✓</u>		<u>Sen O'Connell</u>	<u>✓</u>	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Date: 4-8-99
Roll Call Vote #: 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1490

House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Approve 1490 as amended

Motion Made By Drovdal Seconded By Solberg

Representatives	Yes	No	Senator	Yes	No
Rep D Johnson	✓		Sen Cook	✓	
Rep Drovdal	✓		Sen Hreborg	✓	
Rep Solberg	✓		Sen O'Connell	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

(Bill Number) HB-1490 (, as (re)engrossed):

Your Conference Committee

For the Senate:

<u>Sen Cook</u>	<u>P</u>
<u>Sen Treborg</u>	<u>P</u>
<u>Sen O'Connell</u>	<u>P</u>

For the House:

<u>Rep D. Johnson</u>	<u>P</u>
<u>Rep D. Roodal</u>	<u>P</u>
<u>Rep Solberg</u>	<u>P</u>

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from) the (Senate/House) amendments on (SJ/HJ) page(s) 1047 - 1048

and place _____ on the Seventh order.

, adopt (further) amendments as follows, and place 1490 on the Seventh order:

having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: 4/8/99

CARRIER: _____

LC NO. _____ of amendment

LC NO. _____ of engrossment

Emergency clause added or deleted _____

Statement of purpose of amendment _____

(1) LC (2) LC (3) DESK (4) COMM.

VK
4/10/99
log 2

CONFERENCE COMMITTEE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490 Edu 4-12-99

That the Senate recede from its amendments as printed on pages 1047 and 1048 of the House Journal and pages 849 and 850 of the Senate Journal and that Engrossed House Bill No. 1490 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to the closure of schools in weather emergencies; to"

Page 1, line 3, after "year" insert "; and to repeal section 15-40.1-09.1 of the North Dakota Century Code, relating to the closure of schools due to emergencies"

Page 1, after line 4, insert:

"SECTION 1. A new section to chapter 15-40.1 of the North Dakota Century Code is created and enacted as follows:

Weather or other emergency conditions - Closure of schools - Foundation aid. If because of severe weather or other emergency conditions a school or school district remains closed or provides less than a full day of instruction, the school or school district shall make every effort to reschedule classes so that students receive at least one hundred seventy-three full days of instruction. Any school or school district for which the rescheduling of classes would create undue hardship may request that, for purposes of foundation aid, the governor waive the rescheduling in whole or in part. The governor may not grant a waiver for less than a full day of instruction."

Page 1, line 20, overstrike "of instruction time"

Page 1, line 21, after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 1, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

CONFERENCE COMMITTEE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490 Edu 4-12-99

Page 2, line 1, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "If a school's calendar provides for an extension of each schoolday beyond the statutorily required minimum number of hours, and if the extensions when aggregated over an entire school year amount to more than eighty-four hours of additional classroom instruction during the school year, the school is exempt from having to make up six hours of instruction time lost as a result of weather-related closure. In order to make up lost classroom instruction time beyond the six hours, the school must extend its normal school calendar day by at least thirty minutes.

4. A school that does not qualify under the provisions of subsection 3 must extend its normal schoolday by at least thirty minutes to make up classroom instruction time lost as a result of weather-related closure."

Page 2, remove lines 2 and 3

2 of 2

Page 2, line 20, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 23, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "If a school's calendar provides for an extension of each schoolday beyond the statutorily required minimum number of hours, and if the extensions when aggregated over an entire school year amount to more than eighty-four hours of additional classroom instruction during the school year, the school is exempt from having to make up six hours of instruction time lost as a result of weather-related closure. In order to make up lost classroom instruction time beyond the six hours, the school must extend its normal school calendar day by at least thirty minutes.

- 4. A school that does not qualify under the provisions of subsection 3 must extend its normal schoolday by at least thirty minutes to make up classroom instruction time lost as a result of weather-related closure.

SECTION 4. REPEAL. Section 15-40.1-09.1 of the North Dakota Century Code is repealed."

Page 2, remove lines 24 and 25

Renumber accordingly

Date: 4-9-99
 Roll Call Vote #: /

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. HB-1490

House EDUCATION Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as amended

Motion Made By Cook Seconded By D. Nordal

Representatives	Yes	No	SENATORS	Yes	No
Rep D. Johnson	✓		Sen Cook	✓	
Rep D. Nordal	✓		Sen Treborg	✓	
Rep Solberg	✓		Sen O'Connell	A	

Total (Yes) 5 No 0

Absent 1

Floor Assignment _____

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

4

(Bill Number) HB-1490 (, as (re)engrossed):

Your Conference Committee

For the Senate:

Sen Cook	P
Sen Hreborg	P
Sen O'Connell	A

For the House:

Rep D Johnson	P
Rep D Grovdal	P
Rep Salberg	P

recommends that the (~~SENATE~~/HOUSE) (ACCEDE to) (~~RECEDE~~ from) the (~~Senate~~/House) amendments on (S_{723/724}/H_{725/726}) page(s) 1047 - 1048

and place _____ on the Seventh order.

, adopt (further) amendments as follows, and place 1490 on the Seventh order:

having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: 4 19 99

CARRIER: Johnson / Cook

LC NO. _____ of amendment

LC NO. 90694 . 0210 of engrossment

Emergency clause added or deleted _____

Statement of purpose of amendment _____

(1) LC (2) LC (3) DESK (4) COMM.

REPORT OF CONFERENCE COMMITTEE

HB 1490, as engrossed: Your conference committee (Sens. Cook, Freborg, O'Connell and Reps. D. Johnson, Drovdal, Solberg) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1047-1048, adopt amendments as follows, and place HB 1490 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1047 and 1048 of the House Journal and pages 849 and 850 of the Senate Journal and that Engrossed House Bill No. 1490 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to the closure of schools in weather emergencies; to"

Page 1, line 3, after "year" insert "; and to repeal section 15-40.1-09.1 of the North Dakota Century Code, relating to the closure of schools due to emergencies"

Page 1, after line 4, insert:

"SECTION 1. A new section to chapter 15-40.1 of the North Dakota Century Code is created and enacted as follows:

Weather or other emergency conditions - Closure of schools - Foundation aid. If because of severe weather or other emergency conditions a school or school district remains closed or provides less than a full day of instruction, the school or school district shall make every effort to reschedule classes so that students receive at least one hundred seventy-three full days of instruction. Any school or school district for which the rescheduling of classes would create undue hardship may request that, for purposes of foundation aid, the governor waive the rescheduling in whole or in part. The governor may not grant a waiver for less than a full day of instruction."

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Page 1, line 21, after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction""

Page 1, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction""

Page 2, line 1, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "If a school's calendar provides for an extension of each schoolday beyond the statutorily required minimum number of hours, and if the extensions when aggregated over an entire school year amount to more than eighty-four hours of additional classroom instruction during the school year, the school is exempt from having to make up six hours of instruction time lost as a result of weather-related closure. In order to make up lost classroom instruction time beyond the six hours, the school must extend its normal school calendar day by at least thirty minutes."

4. A school that does not qualify under the provisions of subsection 3 must extend its normal schoolday by at least thirty minutes to make up classroom instruction time lost as a result of weather-related closure."

Page 2, remove lines 2 and 3

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Page 2, line 22, overstrike "of instruction time" and after "students" insert ", during which time the students are required to be in attendance for the purpose of receiving curricular instruction"

Page 2, line 23, replace "Instruction time exceeding the minimum number of hours per day required for a full" with "If a school's calendar provides for an extension of each schoolday beyond the statutorily required minimum number of hours, and if the extensions when aggregated over an entire school year amount to more than eighty-four hours of additional classroom instruction during the school year, the school is exempt from having to make up six hours of instruction time lost as a result of weather-related closure. In order to make up lost classroom instruction time beyond the six hours, the school must extend its normal school calendar day by at least thirty minutes.

4. A school that does not qualify under the provisions of subsection 3 must extend its normal schoolday by at least thirty minutes to make up classroom instruction time lost as a result of weather-related closure.

SECTION 4. REPEAL. Section 15-40.1-09.1 of the North Dakota Century Code is repealed."

Page 2, remove lines 24 and 25

Renumber accordingly

Engrossed HB 1490 was placed on the Seventh order of business on the calendar.

1999 TESTIMONY

HB 1490

**TESTIMONY ON HB # 1490
HOUSE EDUCATION COMMITTEE**

January 26, 1999

**by Roger F. Rieger, Director of Approval and Accreditation
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 1490 regarding the amendment to NDCC 15-47-33 or 15.1-06-04.

Adding this amendment would have the effect of reducing the school calendar for a large number of our schools to 171 school days. We need to advocate for as much on task quality educational time for our students as possible. When comparing length of school term with other states and other countries, we already have a shorter school term. We ask that schools build two days into their calendars to use as makeup days for storm days. According to the letter issued by the Governor's office, after having three storm days and making up two, they will receive forgiveness at the rate of one for every two thereafter. The formula follows this sequence:

<u>Total Days Missed</u>	<u>Make-Up Days</u>	<u>Days Forgiven</u>
3	2	1
4	3	1
5	3	2
6	3	3
7	4	3
8	4	4
9	5	4
10	5	5

Each day of school in North Dakota costs approximately 3.26 million dollars with the state share being one million. We know that there are days when schools should and will cancel school because of weather. We believe that for the same reasons we have scheduled school days, we should be willing to provide all of these days for the children of our state that we are educating. I realize that it is not easy to schedule makeup days, and I too struggled with that as a former school superintendent. As an alternative to dismissing school early for poor weather conditions, we had all the parents arrange to have storm homes in town for their children if bad conditions existed when the school day ended.

I believe we need to keep standard measures such as number of school days as requirements for accountability until we have shifted to a performance-based, results-oriented model of accountability. I would urge you to vote no on House Bill 1490 to amend section 15-47-33.

The Digest of Education Statistics 1996 / Table 392

Table 392.-- Characteristics of educational systems participating in the International Assessment of Educational Progress: 1991

Country	Ethnic homogeneity\1\	Age for starting school	Average days in school year\2\	Average minutes of instruction in school day\2\	National curriculum	Percentage of schools with one or more problems
1	2	3	4	5	6	7
Populations (comprehensive)						
Canada\4\	No	6	188 (0.2)	304 (0.8)	No	13 (1)
France	Yes	6	174 (1.7)	370 (3.4)	Yes	29 (4)
Hungary	Yes	6	177 (1.5)	223 (1.3)	Yes	32 (4)
Ireland	Yes	6	173 (0.9)	323 (4.4)	Yes	39 (5)
Israel\5\	No	6	215 (2.2)	278 (6.5)	Yes	46 (6)
Jordan	Yes	6	191 (0.9)	260 (2.9)	Yes	63 (5)
Korea	Yes	6	222 (2.5)	264 (2.4)	Yes	24 (4)
Scotland	Yes	5	191 (0.9)	324 (2.3)	Yes	23 (4)
Slovenia	Yes	7	190 (1.5)	248 (2.5)	Yes	50 (5)
Spain\6\	No	6	188 (2.3)	285 (3.2)	Yes	33 (5)
(Former) Soviet Union\7\	No	6 or 7	198 (2.1)	243 (2.6)	Yes	72 (5)
Switzerland\8\	No	6 or 7	207 (3.2)	305 (7.4)	No	11 (3)
Taiwan	No	6	222 (2.5)	318 (6.9)	Yes	10 (2)
United States	No	6	178 (0.4)	338 (5.0)	No	5 (2)
Populations (with exclusions or low participation)						
Brazil, Fortaleza	No	7	183 (1.1)	223 (9.8)	No	62 (5)
Brazil, Sao Paulo	No	7	181 (0.2)	271 (9.3)	No	60 (4)
China	Yes	6.5 or 7	251 (2.1)	305 (7.1)	Yes	43 (6)
England	Yes	5	192 (1.8)	300 (4.4)	Yes	24 (8)
Italy\9\	Yes	6	204 (0.5)	289 (5.0)	Yes	18 (5)
Mozambique, Maputo, and Beira	No	7	193 (0.0)	272 (0.0)	Yes	92 (0)
Portugal	Yes	6	172 (1.1)	334 (6.5)	Yes	56 (7)

1 90 percent of entire population from one ethnic group.

2 For 13-year-olds.

3 Problems included: overcrowded classrooms, inadequate facilities and maintenance, shortages of textbooks and other educational materials, student absenteeism, lack of discipline, and vandalism of school property.

4 Four provinces assessed 9-year-olds. Nine provinces assessed 13-year-olds.

School Make up Time 1997-98

Spiritwood	12 min. noon break
Newburg	14 min.
Dakota Prairie	15 min.
New District #8	15 min.
Trenton	15 min.
Turtle Lake-Mercer	15 min. to make up 2 days
Little Heart	20 min.
Richardton	20 min.
Taylor	20 min.
Inkster	23 min.
Ray	25 min. & 12 min.
Tioga	26 min.
Amidon	30 min.
Carson	30 min.
Fryburg, Medora	30 min.
Ft. Totten	30 min. & 60 min.
Mandaree	30 min.
Menoken	30 min.
Mott	30 min.
New Town	30 min.
Stanley	30 min.
Trinity, Dickinson	30 min.
Edinburgh	45 min.
Mt. Pleasant, Rolla	55 min.
Alexander	60 min.
Horse Creek, Cartwright	60 min.
Lidgerwood	60 min.
New England	60 min.
Park River	60 min.
Robinson	60 min.

Approval & Accreditation Unit
March 23, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1490

Page 2, replace lines 1 through 3 with:

"3. A school which has built into its full year school calendar six and one-half or more hours of instruction time per day for high school students, may use the amount of time exceeding six hours per day to compensate for up to six hours of weather-related school closures per school year. The time used to compensate for weather-related school closures under this section may be instruction time provided either before or after the weather-related school closures.

4. A school which has built into its full year school calendar six or more hours of instruction time per day for elementary students, may use the amount of time exceeding five and one-half hours per day to compensate for up to six hours of weather-related school closures per school year. The time used to compensate for weather-related school closures under this section may be instruction time provided either before or after the weather-related school closures."

Page 2, replace lines 23 through 25 with:

"3. A school which has built into its full year school calendar six and one-half or more hours instruction time per day for high school students, may use the amount of time exceeding six hours per day to compensate for up to six hours of weather-related school closures per school year. The time used to compensate for weather-related school closures under this section may be instruction time provided either before or after the weather-related school closures.

4. A school which has built into its full year school calendar six or more hours instruction time per day for elementary students, may use the amount of time exceeding five and one-half hours per day to compensate for up to six hours of weather-related school closures per school year. The time used to compensate for weather-related school closures under this section may be instruction time provided either before or after the weather-related school closures."

Renumber accordingly