

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2251

2001 SENATE EDUCATION

SB 2251

## 2001 SENATE STANDING COMMITTEE MINUTES

### BILL/RESOLUTION NO. SB 2251

Senate Education Committee

☐ Conference Committee

Hearing Date 01-30-01

Tape Number	Side A	Side B	Meter #
1		x	5.4 - end
2	x		0 - 9.4
2 (02-05-01)	X		29.0 - 42.0
Committee Clerk Signature <i>Sandra Johnson</i>			

Minutes: CHAIRMAN FREBORG called the hearing on SB 2251.

#### Testimony in support of SB 2251:

SENATOR LARRY ROBINSON, District 24, serves on the interim Information Technology Committee (ITC) as Chairman. In the Legislative Council booklet that captures the activity of all the interim committees, there is no reference in the ITC summary to SB 2251. It became apparent to the members of ITC the need to bring together the issue of technology as it relates to public education, K - 12, across the state. There are a number of boards and board members working with technology now with good intentions of working together for the good of educating our young people. However, there is not as much cooperation, coordination, collaboration, streamlining, focus that one can obtain in the process of bringing these boards together under one board, which is what is being proposed in this bill. This effort is being driven by all the member groups. This bill is an effort to improve upon the technology we already have. There is a concern by DPI on the inclusion of the Division on Independent Study in this

proposal. He stated this is not an attempt to be negative toward DPI. They need to work together and join hands in improving the technology in our schools.

JOHN BJORNSON, Legislative Council, explained the parts of the bill to the committee. This bill creates a new board or council in state government called the Educational Technology Council (ETC). This replaces the existing Telecommunications Council. The ETC will have certain powers similar to the ITC with some additional directives.

Section 1 of the bill transfers administration of Division of Independent Study (DIS) from Superintendent of Public Instruction to the new ETC. It also states the ETC shall hire a state director of the Division of Independent Study.

Section 2 of the bill also deals with current provisions related to the DIS dealing with special funds, and transfers duties from Supt. Of Public Instr. to the Technology Director of the new ETC.

Section 3 takes out reference to the division of independent study because the administration of that division is being transferred to the ETC.

Section 4 of the bill states the ETC is not considered an administrative agency for the purpose of adopting rules.

Section 5 amends an existing section of law removing the ETC from it in which it states the names of boards where appointments have been made by the governor which are resolved when there is a new governor.

Section 6 sets up the new Council and sets up provisions for them.

Section 7 lists powers and duties of the new ETC. Subsection 8 sets the Director of the Division of Independent Study as a classified position.

Section 8 repeals current ITC.

ROBERT POPE, Nexus Innovations, explained their involvement in the development of and the process of arriving at SB 2251 and the forming of the new ETC . (see attached). SENATOR CHRISTENSON asked how this is going to directly affect the classroom and the students. Mr. Pope replied it will make the coordinating to the classroom as effective and efficient as possible. CURT WOLFE, chief information officer for the state of ND, stated his office has been given the responsibility to coordinate major technology initiatives across the state for the course of the last 14 - 15 months. Worked closely with the information officer in DPI on a number of issues that related to education and other initiatives. When he looked at K - 12, he found there was no central direction given as to how technology is addressed. He feels the composition of the board is correct and will give him someone to work with at the K - 12 level to help drive technology down to the classrooms.

JERRY BARTHOLOMEW, member and chair of NDETC, spoke in support of the bill. (see attached). He feels this will benefit small schools and large schools as to their individual needs. TONY WEILER, State Assn. For Non-Public Schools, presented testimony in support of the bill. (see attached). He would like to have SANS represented on the board.

DAN PULLEN, Director Center for Innovation in Instruction, presented testimony. (see attached). He also presented the position statement of the CII Board. (see attached).

JODY FRENCH, SENDIT Technology Serv., presented testimony in support of the bill (see attached).

LISA FELDNER, Chairman SENDIT Technology Serv. Board, presented a position statement from SENDIT. (see attached).

DARRIN KING, President of ND Assn. of Technology Leaders, feels structure would help focus efforts, give leadership at the state level and bring the technology to the local level.

**BEV NIELSON**, ND School Boards Assn., supports the concept contained in the bill.

**PAT DONAHUE**, Dakota Science Center, Project Director of the Nature Shift Technology Innovation Challenge Grant, supports concept to bring all constituents together and bringing technology to the students at their classroom level.

**Testimony in opposition to SB 2251:**

**DR. WAYNE SANSTEAD**, State Supt. for DPI, stated DPI's opposition to this bill. (see attached). He urges amending out the portions of Section 1, 2, 3 which removes the administration of the Division of Independent Study from the state superintendent and the state education agency. He feels this is unwise.

**NEIL HOWE**, Director of the Division of Independent Study, testified. (see attached).

**SENATOR O'CONNELL**, asked Mr. Howe how much input the department had in the study leading to this bill. **MR. HOWE** stated he was involved in some early discussions. Did not feel the department was involved. **DR. SANSTEAD** stated the concern of the department is that they were not involved in the discussions. Stated they had one informational session with Mr. Pope, and at that time there was no indication that this move would take place under the direction of the new technology organization in state government. The department was surprised with the administrative role change. He feels the bill is flawed in that the technology director would be responsible to two directors (Director of Division of Independent Study, and the DPI). He feels no advantage to changing the administrative organizations. He feels in the future, the expansion of this whole arena at the Federal level will focus on the state education.

**There being no further testimony the hearing was closed.**

Page 5  
Senate Education Committee  
Bill/Resolution Number SB 2251  
Hearing Date 01-30-01

**02-05-01, Tape 2, Side A, 29.0 - 42.0**

CHAIRMAN FREBORG presented an amendment to the committee. SENATOR CHRISTENSON feels the amendment is good in that it puts the Superintendent of Public Instruction back in the loop in a very positive way. SENATOR FLAKOLL feels it helps redefine when a change occurs in shifting from one end to the other, who is going to be taking responsibility for various things. Discussion on the amendment. This bill transfers the Division of Independent Studies to the ETC. It also sets up a new makeup of the Board and it spells out the Powers and Duties thereof.

SENATOR COOK moved to adopt the amendment. Seconded by SENATOR CHRISTENSON.

ROLL CALL VOTE: 7 YES. 0 NO. 0 Absent. Amendment adopted.

SENATOR FLAKOLL moved a DO PASS as AMENDED. Seconded by SENATOR CHRISTENSON. Discussion on the bill and the funds involved. There is no fiscal impact on state funds. The funds are diverted to a different source, therefore the bill does not need to go to Appropriations.

ROLL CALL VOTE: 6 YES. 1 NO. 0 ABSENT. MOTION CARRIED.

CARRIER: SENATOR CHRISTENSON

**FISCAL NOTE**  
 Requested by Legislative Council  
 03/19/2001

**REVISION**

Bill/Resolution No.: SB 2251

Amendment to:

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

SB 2251 transfers any funds appropriated by the Fifty-Seventh Legislative Assembly to or for the purposes of the Division of Independent Study, SENDIT technology services, and the Center for Innovation in Instruction to the Information Technology Department for use by the Educational Technology Council.

The Executive Budget Recommendation for Department (201) Public Instruction Includes:

Division of Independent Study: \$5,521,166



General Fund \$ 795,416

Federal Funds \$ 405,878\*

Special Funds \$4,319,872\*\*

\*Only \$400,000 in federal funds is available for the 2001-03 biennium.

\*\*The Office of Management and Budget (OMB) decreased Operating Expense by

\$27,500. The correction made by OMB increases Special Funds to \$4,347,372.

The \$400,000 in federal funds is for administration and grants to schools for the Partners in Character Education grant. Under federal law, the responsibility for the Partners in Character Education grant must remain with DPI.

For the 2001-03 biennium, \$115,285 is allocated for 1.05 FTE salaries and wages and \$4,715 is allocated for operating expenses. The remaining \$280,000 is for grants to schools.

Administration of the grant involves a project coordinator (.35 FTE), a clearinghouse director

who is responsible for distribution of resources to partner schools (.35 FTE), and a part-time secretary (.35 FTE). The clearinghouse director and secretary are .35 FTE Character Education and the remaining .65 FTE for these two employees is assigned to Division of Independent Study activities.

The Division of Independent Study physically houses four DPI outreach employees: one Special Education, 2 Early Childhood Tracking, and 1 School for the Deaf. Since the Division is a unit of the DPI, a nominal rental fee is currently charged to Special Education and Early Childhood for space occupied in the building. The School for the Deaf pays no rental fee for its employee. All four outreach employees receive mailing, printing, some technology support, and other miscellaneous services at no direct cost to these individual programs.

The Executive Budget Recommendation transferred the SENDIT funding from Department (201) Public Instruction to the Information Technology Department.

Information Technology Department has reviewed this fiscal note and recommends 1 FTE be added for the Director position of the proposed ETC (Education Technology Committee). Funding for

this position can come from the \$2,200,000 requested in the ETC funding in ITD's budget.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

1 position needs to be created for the Director of the Education Technology Committee (ETC) as described in the narrative above. The funding for this position will be taken out of the \$2,200,000 requested for the ETC in ITD's budget.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Mike J. Ressler	Agency:	ITD
Phone Number:	328-3190	Date Prepared:	03/19/2001

# FISCAL NOTE

Requested by Legislative Council  
03/07/2001

## REVISION

Bill/Resolution No.: SB 2251

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

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	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

SB 2251 transfers any funds appropriated by the Fifty-Seventh Legislative Assembly to or for the purposes of the Division of Independent Study, SENDIT technology services, and the Center for Innovation in Instruction to the Information Technology Department for use by the Educational Technology Council.

The Executive Budget Recommendation for Department (201) Public Instruction Includes:

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For the 2001-03 biennium, \$115,285 is allocated for 1.05 FTE salaries and wages and \$4,715 is allocated for operating expenses. The remaining \$280,000 is for grants to schools.

Administration of the grant involves a project coordinator (.35 FTE), a clearinghouse director who is responsible for distribution of resources to partner schools (.35 FTE), and a part-time secretary (.35 FTE). The clearinghouse director and secretary are .35 FTE Character Education and the remaining .65 FTE for these two employees is assigned to Division of Independent Study activities.

The Division of Independent Study physically houses four DPI outreach employees: one Special Education, 2 Early Childhood Tracking, and 1 School for the Deaf. Since the Division is a unit of the DPI, a nominal rental fee is currently charged to Special Education and Early Childhood for space occupied in the building. The School for the Deaf pays no rental fee for its employee. All four outreach employees receive mailing, printing, some technology support, and other miscellaneous services at no direct cost to these individual

programs.

The Executive Budget Recommendation transferred the SENDIT funding from Department (201) Public Instruction to the Information Technology Department.

Information Technology Department has reviewed this fiscal note and does not have any changes to make.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

<b>Name:</b>	Bonnie Miller	<b>Agency:</b>	Public Instruction
<b>Phone Number:</b>	328-2346	<b>Date Prepared:</b>	01/26/2001

# FISCAL NOTE

Requested by Legislative Council  
01/22/2001

Bill/Resolution No.: SB 2251

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

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	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
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Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

SB 2251 transfers any funds appropriated by the Fifty-Seventh Legislative Assembly to or for the purposes of the Division of Independent Study, SENDIT technology services, and the Center for Innovation in Instruction to the Information Technology Department for use by the Educational Technology Council.

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The Executive Budget Recommendation transferred the SENDIT funding from Department (201) Public Instruction to the Information Technology Department.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

<b>Name:</b>	Bonnie Miller	<b>Agency:</b>	Public Instruction
<b>Phone Number:</b>	328-2346	<b>Date Prepared:</b>	01/26/2001



PROPOSED AMENDMENTS TO SENATE BILL NO. 2251

Page 1, line 8, remove "and" and after "funds" insert "; and to provide for reports to the legislative council"

Page 6, after line 22, insert:

**"SECTION 10. SUPERINTENDENT OF PUBLIC INSTRUCTION TO REPORT TO LEGISLATIVE COUNCIL.** During the 2001-03 biennium, the superintendent of public instruction shall vigorously pursue grant funds for projects and initiatives relating to the use of technology in elementary and secondary education. The superintendent of public instruction shall report to the legislative council, when requested by the legislative council, at least once every five months during the 2001-02 interim."

Renumber accordingly

Date: 2-5-01  
Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2251

Senate Education Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken adopt amendment 10228.0301

Motion Made By Sen. Cook Seconded By Sen. Christenson

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christenson	✓	
Senator Flakoll - Vice Chairman	✓		Senator Kelsh	✓	
Senator Cook	✓		Senator O'Connell	✓	
Senator Wanzek	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent: puts responsibility on Dept of Public Instruction.

Date: 2-5-01  
Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2251

Senate Education Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DPA - ~~not for the Senate~~

Motion Made By Sen. Flakoll Seconded By Sen. Christenson

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christenson	✓	
Senator Flakoll - Vice Chairman	✓		Senator Kelsh		✓
Senator Cook	✓		Senator O'Connell	✓	
Senator Wanzek	✓				

Total (Yes) 6 No 1

Absent 0

Floor Assignment Sen. Christenson

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

**REPORT OF STANDING COMMITTEE**

**SB 2251: 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). SB 2251 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "and" and after "funds" insert "; and to provide for reports to the legislative council"

Page 6, after line 22, insert:

**"SECTION 10. SUPERINTENDENT OF PUBLIC INSTRUCTION TO REPORT TO LEGISLATIVE COUNCIL.** During the 2001-03 biennium, the superintendent of public instruction shall vigorously pursue grant funds for projects and initiatives relating to the use of technology in elementary and secondary education. The superintendent of public instruction shall report to the legislative council, when requested by the legislative council, at least once every five months during the 2001-02 interim."

Renumber accordingly

2001 HOUSE EDUCATION

SB 2251


2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2251

House Education Committee

☐ Conference Committee

Hearing Date 03/06/01

Tape Number	Side A	Side B	Meter #
#2		X	552 to 6200
#3	X		1 to 530
Committee Clerk Signature 			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunsakor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Vice-Chairman Brusegaard: We will now open the hearing on SB2251.

Sen. Robinson: The IT committee covered a whole host of issues. Not until last summer did we realize that there are some things that need to look at some change and some restructuring in the area of the Education Telecommunications Council (ETC). One thing that came to mind was the fact that we had a number of different entities doing similar work, all trying very hard to march down the same road. It became increasingly apparent that to look at a restructuring of the ETC with the idea of the greater good in mind, what could be done to streamline and bring together the vision of technology in ND into one entity. SB2251 is a complete restructuring of the ETC.

The most sensitive part of this bill is the fact that it moves the division of independent study under the ETC, because it's now part of DPI.

Rep. Bellew: On page 5, Line 28, is it adequate compensation?

Robinson: I would only say that I would defer that to Mr. Pope.

Sen. Solberg: (District 7) In order to move ahead in this day and age, we've got to make some changes. It's going to be an opportunity for education in ND to grow positively.

John Bjornson: (Legislative Council) \*He explained the bill\*

Robert Pope: \*Please refer to written testimony\*

Rep. Nottestad: How many new general fund dollars is it going to take to put this into place?

Pope: There is no fiscal impact.

Rep. Mueller: The last page, in Section 10, we're asking that the Superintendent of DPI be involved, I'm not understanding why we're doing that?

Pope: That would be a good question to ask someone from Sen. Freborg's committee who added the amendment.

Curt Wolfe: (ND ITD) I'm here in favor. The composition of the board has a number of technology leaders and administrators and teachers that will serve on this board who will provide real advice. The establishment of the technology director position is a person I can work with as we deploy technology in k-12.

Dan Pullen: \*Please refer to written testimony\*

**Written testimony submitted by Jerry Bartholomay**

**Written testimony submitted by Grant Crawford**

Lisa Feldner: (SENDIT/ND Association of Technological Leaders) \*Please refer to written testimony\*

Bev Nielson: (ND School Board's Association) We support this bill.

Larry Klundt: (ND Council of Educational Leaders) We support this bill.

Tony Weiler: (SANS) \*Please refer to written testimony\*

Rep. Nottestad: Was this requested in the Senate side?

Weiler: Yes, it was, and I asked the Senators afterward, and my understanding it was not intentional, and sometimes oversight occurs. I haven't actually asked Chairman Freborg, but I asked another one of the Senators and he could not remember why, and usually they'd know if they had.

Max Laird: (NDEA) We support this legislation. I do have some problems in just moving what contextually would be the entire conversation of the Educational Telecommunications and Technology issues from the DPI. On page 5, if I were to design a council that was to address the issues of the specific telecommunication needs of education in k-12, I might construct it differently. If I were looking at hardware/software issues as compared to the delivery of curriculum, and I'm not sure where we're going with this in the future. I think we need a little bit more vision. Section I identifies two representatives of school districts, one of which the enrollment is higher or lower than 400. If the intent of ETC is to deal with the development of systems and backbones and hardware/software connectivity, then I'm not quite sure who the representatives of that committee might be, if it's to deliver curriculum and content, I believe that they should have some regular education teachers represented on this committee.

Chairman Kelsch: Anyone who wishes to appear in opposition to SB2251?



Wayne Sanstead: (Superintendent of Public Instruction) \*Please refer to written testimony\*

Rep. Hawken: You would not share those dollars if this passes?

Sanstead: We will not have opportunity to do that. We know full well that two entities are not going to make distributions of funds. And then we're going to be the responsible party.

Rep. Hawken: Those funds can be passed through funds for specific programs that do function for the state purpose of those federal funds.

Sanstead: That would be possible.

Neil Howe: \*Please refer to written testimony\*

Rep. Thoreson: When were you first involved in the discussion as to what your goal was going to be in this?

Howe: The discussions that Mr. Pope made reference to, I was a part of the conference calls that discuss the organizational charts he explained. Most of it occurred last fall.

Rep. Thoreson: Were you then a part of the decision making process?

Howe: There has been discussion on that question, and I was a part of the discussion on the conference calls. The stand of the Department was that there probably was not adequate discussion and representation from the Department.

Chairman Kelsch: We will now close the hearing on SB2251.

.....

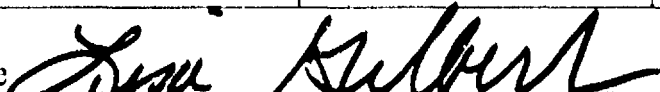
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2251 A

House Education Committee

☐ Conference Committee

Hearing Date 03/20/01

Tape Number	Side A	Side B	Meter #
#1	X		5375 to 6230
#1		X	1 to 379
Committee Clerk Signature 			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunsakor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelsch: We will now take up SB2251.

Rep. Hawken: I move the amendments.

Rep. Mueller: Second.

Chairman Kelsch: What are the wishes of the committee?

Rep. Mueller: I move a DO PASS AS AMENDED.

Rep. Brusegaard: Second.

Chairman Kelsch: Committee discussion.

The motion of DO PASS AS AMENDED passes with 14 YAY 1 NAY 0 ABSENT

Floor Assignment: Rep. Hawken

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2251b

House Education Committee

☐ Conference Committee

Hearing Date 3-22-01

Tape Number	Side A	Side B	Meter #
TAPE I	x		01 to 490
Committee Clerk Signature <i>Juan D. [Signature]</i>			

Minutes: Chairman Kelsch called the committee to order, the clerk will take the roll and asked for a motion to reconsider SB 2251.

Rep Brusegaard: I move that the committee reconsider its action on SB 2251.

Rep Hawken: Second.

Chairman Kelsch: Motion made and seconded that we reconsider our actions on SB 2251 , passed by a vote of 14, 1. Voice vote, motion carries. As this bill was up on the sixth order, the amendment that Rep Hawkens had added to the bill regarding the representative of the non public schools, it had a SANS nonvoting member. There have been other bills that have come in asked to be a nonvoting member but that was not the case in this situation. That amendment should not have had nonvoting member on it. It should be a representative of the SANS organization would be a member of the board. We need to remove the amendment that says nonvoting member.

Rep Brusegaard: Moved that amendment.

Page 2  
House Education Committee  
Bill/Resolution Number SB 2251b  
Hearing Date 03-22-01

Rep Hawken: Second.

Chairman Kelsch: This is what the amendment would say, on page five, a member appointed by the governor from three members nominated by the state association of non public schools.

Rep Mueller: I don't have a problem with the change, I would like to know why there are some reference to the SANS members that are not voting members.

Chairman Kelsch: What SANS have done in some cases is asked to be on certain boards, that do not apply to them, but they would like to have some input, and so they are put on as non voting members. I had intended that they be a voting member because it does effect them.

#### DISCUSSION

Chairman Kelsch: the question is on the motion to amend SB 2251, voice vote, motion carries.

Rep Hawkens: Moved a DO PASS as amended. Seconded by Rep Solberg. The clerk will call the roll on a DO PASS motion on SB 2251. The motion passes on a vote of 13 YES, 0 NO and 2 ABSENT. Carrier Rep Hawken.

Date: 3/20/01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2251

House House Education Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass As Amended

Motion Made By Rep. Mueller Seconded By Rep. Brusegaard

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo		✓
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson	✓	
Rep. Larry Bellew	✓		Rep. Bob Hunsakor	✓	
Rep. C.B. Haas	✓		Rep. Phillip Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg	✓	
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meler	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				

Total (Yes) 14 No 1

Absent 0

Floor Assignment Rep. Hawken

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

**REPORT OF STANDING COMMITTEE**

**SB 2251, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2251 was placed on the Sixth order on the calendar.**

Page 5, after line 24, insert:

- "j. The director of technology for the department of public instruction.
- k. A representative appointed by the governor from a list of three nominees submitted by the state association of non public schools, who is a nonvoting member."

Renumber accordingly

Date: 3/22/01  
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB2251

House House Education Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do PASS AS AMENDED

Motion Made By Rep. Hawken Seconded By Rep. Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo	✓	
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson		
Rep. Larry Bellew	✓		Rep. Bob Hunsakor	✓	
Rep. C.B. Haas	✓		Rep. Phillip Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg	✓	
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meier	✓				
Rep. Jon O. Nelson					
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				

Total (Yes) 13 No 0

Absent 2

Floor Assignment Rep. Hawken

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

**REPORT OF STANDING COMMITTEE (410)**  
**March 26, 2001 8:24 a.m.**

**Module No: HR-52-6674**  
**Carrier: Hawken**  
**Insert LC: 10228.0402 Title: .0600**

**REPORT OF STANDING COMMITTEE**

**SB 2251, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2251 was placed on the Sixth order on the calendar.**

In lieu of the amendments to Engrossed Senate Bill No. 2251 as printed on page 1035 of the House Journal, Engrossed Senate Bill No. 2251 is amended as follows:

Page 5, after line 24, Insert:

- "l. The director of technology for the department of public instruction.
- k. A representative appointed by the governor from a list of three nominees submitted by the state association of non public schools."

Renumber accordingly



2001 SENATE EDUCATION

CONFERENCE COMMITTEE

SB 2251

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2251

Senate Education Committee

☒ Conference Committee

Hearing Date 04-09-01

Tape Number	Side A	Side B	Meter #
1		x	12.0 - 22.2
Committee Clerk Signature: <i>Andrea Johnson</i>			

Minutes: CONFERENCE COMMITTEE on SB 2251:

MEMBERS: SENATOR FLAKOLL

REPRESENTATIVE HAAS

SENATOR COOK

REPRESENTATIVE J. NELSON

SENATOR KELSH

REPRESENTATIVE GRUMBO

SENATOR FLAKOLL called the conference committee to order. Roll Call was taken with all (6) members present.

SENATOR FLAKOLL stated the House amendments add two (2) people to the Educational Technology Council. Some of the concern was with putting another member from DPI on the board. The Senate felt the Superintendent would appoint the technology director to this board anyway. By putting the Superintendent and the Technology Director on the board, it gives two members to DPI. The other concern is that if only one member would be on, it would give an odd number to the board. REPRESENTATIVE HAAS stated the House did not feel DPI is represented too much with two members. They feel the technical expert and the superintendent

Page 2

Senate Education Committee

Bill/Resolution Number SB 2251

Hearing Date 04-09-01

should both be represented. The superintendent is to do the reporting and be accountable.

REPRESENTATIVE HAAS stated most of the discussion in the House was on the removal of the division of independent study from the supervision of the superintendent of DP! to the supervision of the Educational Technology Council. More discussion on members of the Educational Technology Council and what they represent.

SENATOR COOK moved that the Senate Accede to the House amendments. Seconded by

SENATOR KELSH. Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.



**REPORT OF CONFERENCE COMMITTEE (420)**  
April 9, 2001 3:28 p.m.

**Module No: HR-62-8196**

**Insert LC: .**

**REPORT OF CONFERENCE COMMITTEE**

**SB 2251, as engrossed:** Your conference committee (Sens. Flakoll, Cook, Kelsh and Fleps. Haas, Nelson, Grumbo) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 1031 and place SB 2251 on the Seventh order.

Engrossed SB 2251 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420

07398

(Bill Number) SB 2251 (, as ~~(Re)~~ engrossed):

Your Conference Committee

For the Senate:

Sen. Flakoll  
Sen. Cook  
Sen. Kiloh

For the House:

Rep. Haas  
Rep. J. Nelson  
Rep. Shumbo

☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
723/724 725/726 8724/H726 8723/H725  
the Senate/House amendments on (SJ/HJ) page(s) 1031 -       

☐ 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:      /      /     

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.

**CO**

**NT**

**NEXT FICHE**

2001 TESTIMONY

SB 2251



*Senate Education Committee*

*January 30, 2001*

*Robert Pope*

*Nexus Innovations*



1110 College Drive, Suite 206  
Bismarck, ND 58501  
701.258.7072

**Nexus**  
INNOVATIONS  
Linking People with Solutions

## Research Process

Nexus Innovations was contracted to conduct research and make recommendations regarding the organizational structure for technology and education in North Dakota.

Data was collected through several venues:

- Surveys
- Interviews
- Regional/statewide meetings of school superintendents
- Strategy sessions with 22 core ND education-technology leaders (Attached)

A Responsibility Matrix was created as a foundational document, which delineated the current organizations, and agencies that are involved in technology/education issues, as well as the role the group fulfills whether it be policy, operations, or content. The Matrix also includes the organization's funding, lines of accountability, the primary customer of the organization and its primary services. (Attached)

As our recommendations regarding changes to the organizational structure were developed, the following guiding principles were used:

- **Customer-Centered:** satisfying user needs will drive the organization, rather than procedures, authority or control. Service requests and problems should be quickly addressed and resolved.
- **Efficient & Effective:** The organization structure is to be efficient and streamlined in order to offer high quality services with limited administration.
- **Accountable:** The roles for the organization and staff are to be explicit and clear. Organizational goals should be met, with procedures for accountability clearly delineated.

## K-12 Representatives

*This group included a broad representation of recognized leaders  
for K-12 technology issues*

<u>Name</u>	<u>Organization</u>
Bob Stringer	ND Small Organized Schools
Lisa Feldner	Bismarck Schools
Jerry Barthalemay	ETC Chairman
Bev Nielson	ND School Boards Association
Bill Strasser	Great Western Network
Art Conklin	Oakes School
Tana Kinkald	ND Vocational & Technical Education
Bob Tollefsen	Washburn School
Dan Pullen	Director-Center for Innovation in Instruction
Larry Klundt	ND Council of Educational Leaders
Neil Howe	DPI Division of Independent Study
Julie Palmer	Williston Schools
Darin Kling	Grand Forks Schools
Bill Conway	Fargo Schools
Craig Nansen	Minot Schools
Laurie Haag	Richardton School
Mike Ness	Bottineau School
Mike Defoe	Devils Lake Schools
Kevin Keenaghan	Watford City School
Paul Jensen	Kindred School
Jody French	Sendt/STS
Dean Koppelman	Dickinson Schools

## Responsibility Matrix for North Dakota K-12 Technology Education

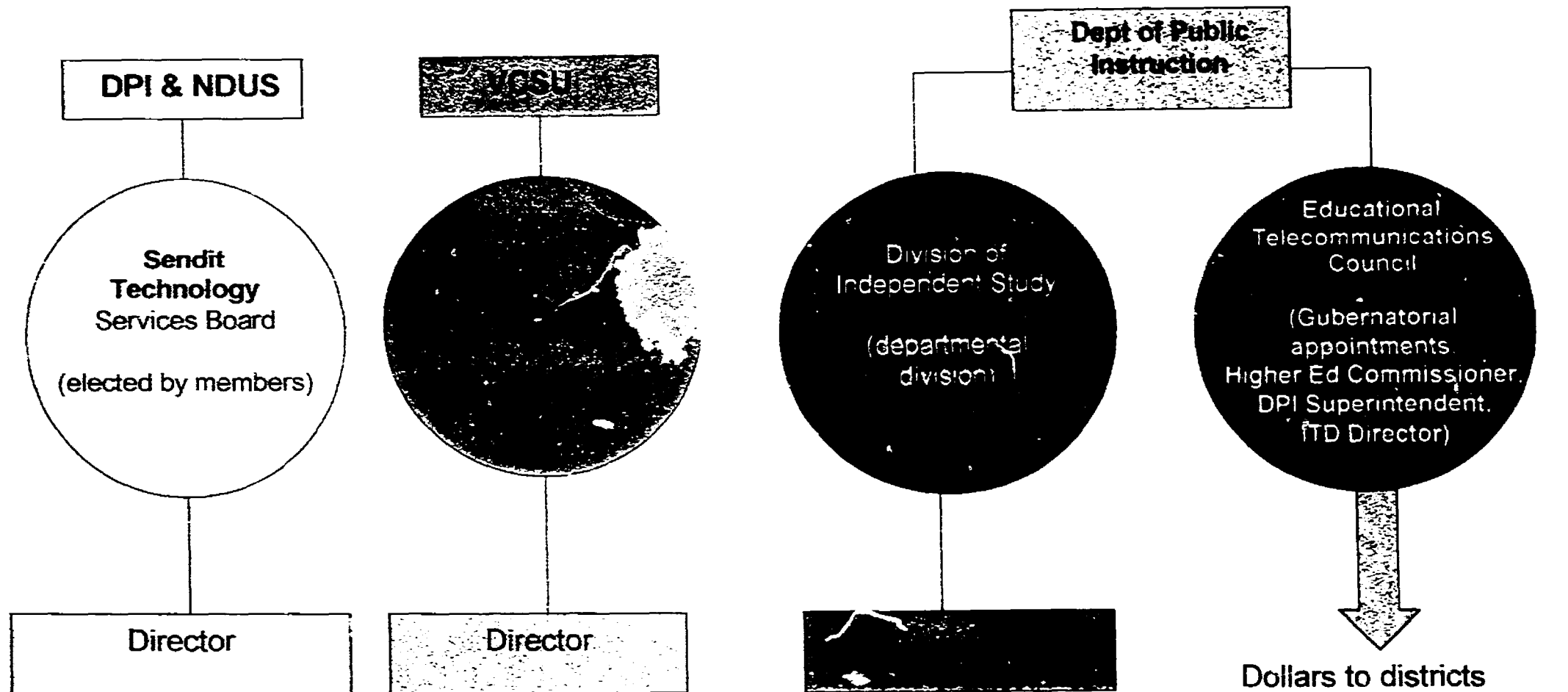
ORGANIZATION	FUNDED THROUGH	FUND TYPE	REPORT TO	PRIMARY CUSTOMER	PRIMARY FUNCTION	PRIMARY SERVICES
ND Educational Telecommunications Council	DPI	General	DPI	K-12 Schools	Policy	Funds technology initiatives through grants
Department of Public Instruction (DPI)	Legislature	General	Citizens	K-12 Schools	Policy	Develops and enforces standards Coordinates Schools Technology Plans Provides school accreditation Administers school funding and grants
ND School Boards Association	Dues	Dues	Board	ND School Boards	Policy	Serves as liaison with legislature and other ed. entities Provides access to legal counsel Provides professional development Serves as legislative liaison / Publishes periodicals Serves as liaison with other education agencies Consults with members / Provides policy assistance
ND Council of Education Leaders (NDCEL)	Dues	Dues	Board	NDASA NDASSP NDAESP NDACS NDASBO NDATL	Policy   NDSESC NDIAAA NDCLA	Provides legal counsel Provides professional development Serves as legislative liaison Publishes periodicals Serves as liaison with other education agencies Consults with members
ND Association of Technology Leaders	Dues	Dues	NDCEL & NDATL Boards	Technology Coordinators	Policy	Provides communication among tech leaders Provides technical expertise to NDCEL Provides a unified voice to decision makers Promotes technology leaders Provides leadership in education with tech. Supports technology initiatives

ORGANIZATION	FUNDED THROUGH	FUND TYPE	REPORT TO	PRIMARY CUSTOMER	PRIMARY FUNCTION	PRIMARY SERVICES
ND State Board For Vocational and Technical Education	Legislature	General	Board	K-16	Policy Operations	Financial and technical assistance and leadership for sec. and post-sec. schools with technology education.
SENDIT Technology Services	DPI (Soon to be NDSU)	General Special Grants	STS Board	K-12	Operations	Provides servers/support for email, hosting, audio/video streaming, email lists and online courses Serves as a Purchasing Cooperative Provides LAN and WAN consulting services Provides Help Desk Services/Training programs Supports Cisco Networking Academy
ND Association of Counties	Dues	Dues	Board	County Govt	Operations	Provides Computer Training & Support
Interactive Video Network (IVN)	NDUS	General Special	NDUS	Higher Ed	Operations Content	Provides Remote Learning Content Sets-up and operates the ITV Network
Online Dakota Information Network (ODIN)	NDUS	General Special	NDUS	School & City Libraries	Operations Content	Sets-up and operates the statewide library network
Center for Innovation in Instruction (includes Teaching With Technology initiative: TNT)	NDUS  Fees Contracts	General  Special	Board	K-12 Teachers K-12 Administrators	Content	Provides professional development  Assists in technology planning Provides workshops in technology
ND Division of Independent Study	DPI Fees	General Special	DPI	K-12 Students	Content	Provides High School Diploma program Administers 172 courses for grades 5-12 Administers 52 online courses
ND Leadership and Educational Administration Development Center (LEAD)	NDCEL Grants Dues	General Special	NDCEL	K-12 Administrators Students	Policy	Provides professional development Provides resource library Provides training for future leaders
Information Technology Department (ITD)	Legislature	Special	Governor	Agencies	Operations Content	Provides technology services to state agencies Provides network services statewide.

Vo-Tech

Interactive  
Video Network

ODIN



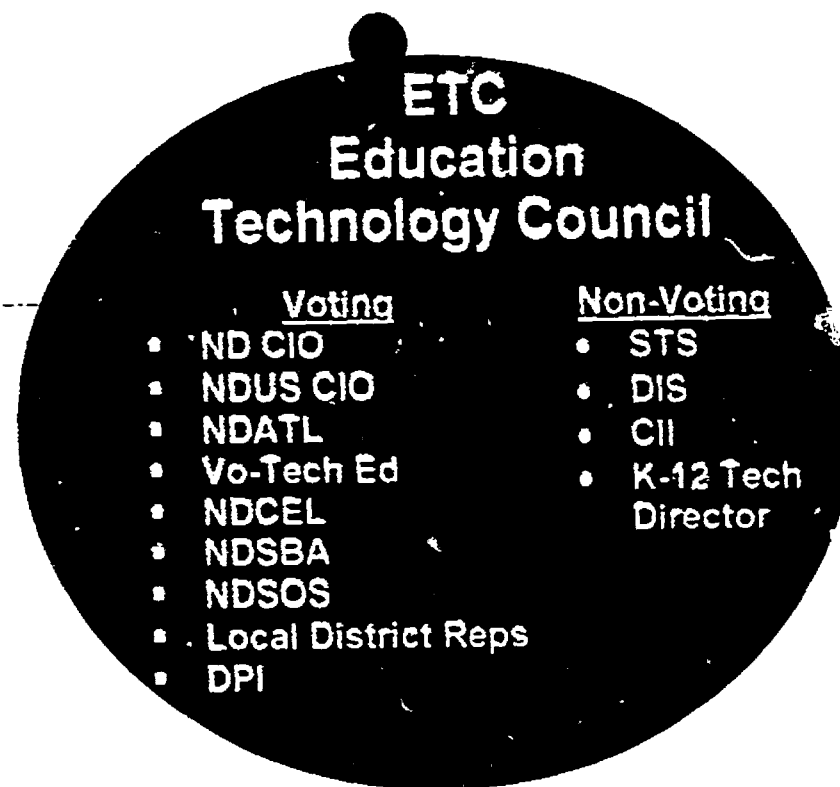
**Current**

**State of North Dakota  
K-12 Technology  
Organizational Structure**

**Current**

**Executive  
Branch**

\$



Contracted  
Services

IVN  
ODIN  
Private sector  
services

**Vo-Tech Ed**

**K-12  
Technology  
Director**

**Sendit  
Technology  
Services**

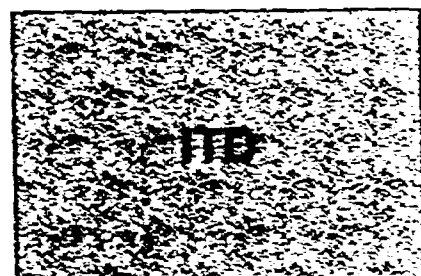
**State of North Dakota  
K-12 Technology  
Director**

**State of North Dakota  
K-12 Technology  
Director**

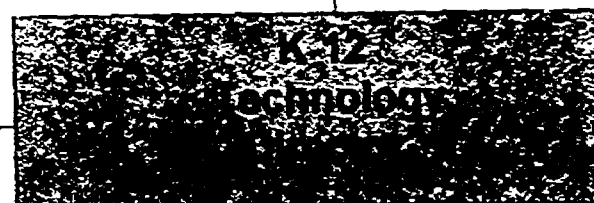
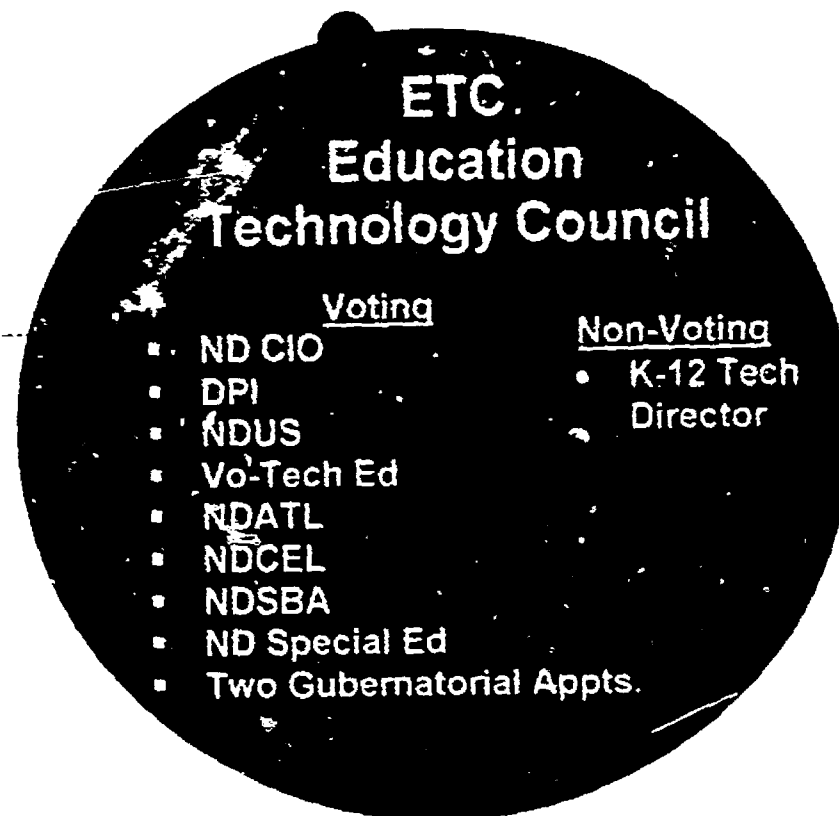
*As recommended  
in Nexus report*

**State of North Dakota  
K-12 Technology  
Organizational Structure**

*As recommended  
in Nexus report*



\$



As per SB2251  
Third bill draft

State of North Dakota  
K-12 Technology  
Organizational Structure

As per SB2251  
Third bill draft



Members of the North Dakota Senate Education Committee.

*Jerry Bartholomew*

As member and chairman of the North Dakota Education Telecommunication Council (NDETC), I am here to support SB 2251 which proposes changes in the name, membership and powers and duties of NDETC.

I support SB 2251 for these reasons:

1. This bill provides for changes in NDETC that will allow us to support and maximize the benefits of the new statewide network for our schools and communities.
2. The changes proposed for NDETC would ensure the coordination of services provided by NDETC, CII, SENDIT and the Division of Independent Study (DIS) to our schools and communities.
3. This bill authorizes the hiring of a Director for NDETC. The Director will assist NDETC in developing and evaluating initiatives for education technologies and will also be responsible for evaluating the services provided by CII, SENDIT and DIS. This will ensure the coordination and cooperation among these organizations that is necessary to deliver the necessary services our schools need to implement technology for the benefit of student learning.

NDETC has been trying to assist schools in implementing educational technology since it was established in 1989. We that have been involved have been asking for the directives that are provided by SB2251 since that time. We have positively impacted students with the funds provided through NDETC over the past six bienniums, but we have also wasted some dollars because we lacked the coordination and central leadership that this bill provides. By coordinating the efforts of all of these organizations and by providing a system for accurately reporting their progress, we can ensure that our precious funds will be maximized and that we will deliver the needed assistance to our schools and communities.

### **History of NDETC**

NDETC was established in 1989.

From 1989 until 1996, NDETC distributed North Dakota state appropriated funds to schools on a competitive basis primarily to establish interactive television consortiums and to assist school in distance learning initiatives.

During the past two bienniums we have distributed state-appropriated funds to all schools in North Dakota on an ADM basis. During the past two bienniums we have also cooperated with the Department of Public Instruction (DPI) to distribute over \$8,000,000.00 in Federal Technology Literacy Challenge Funds to ND schools on an ADM basis. During each of these grant rounds we established criteria for schools to use the funds to connect to the Internet and to provide modern computers in the classrooms.

### **Role of NDETC in Helping Schools and Communities Utilize Statewide Network**

It is expected that the NDETC will distribute appropriated funds on a competitive basis focusing on helping schools utilize the services provided by the Statewide Network. NDETC will also continue to work with DPI to distribute Technology Literacy Challenge Funds.

NDETC will also establish duties for K-12 technology director, for example:

1. Help schools assess their needs.
2. Help schools choose appropriate technology.
3. Evaluate effectiveness of technology and Network use.
4. Coordinate Network and other educational technology initiatives with SENDIT, CII, DIS and NDIVN.

January 30, 2001

SENATE EDUCATION COMMITTEE  
SB 2251

CHAIRMAN FREBORG AND MEMBERS OF THE COMMITTEE:

My name is Tony Weller. I am appearing today on behalf of the State Association for Non-Public Schools (SANS). SANS represents 60 nonpublic grade schools and high schools throughout North Dakota, with approximately 7,200 students. We estimate that this school year SANS students are saving the State of North Dakota approximately \$16.5 million in foundation aid payments.

We support this bill, but are suggesting an amendment to allow SANS to have a representative on the proposed Education Technology Council.

The council's goal is to coordinate education technology initiatives for elementary and secondary education, and SANS would like to play a role in that initiative. Being a member of the council would better enable the SANS schools and their students to participate in the council's activities and take its recommendations and concerns back to our schools. This would be beneficial to our students, teachers, and administrators.

This is a large council. Adding one more member will not hurt the council's operations.

If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

PROPOSED AMENDMENT TO SENATE BILL NO. 2251

Page 5, after line 22, insert:

- j. A member appointed by the executive committee of the State Association of Nonpublic Schools.

Renumber accordingly



---

## Center for Innovation in Instruction

101 College Street SE • Valley City, ND 58072 • (701) 845-7435 • Fax (701) 845-7557

### Members of the ND Senate Education Committee.

As the director of the Center for Innovation in Instruction, I am here to speak in support of SB 2251. The bill proposes to change the name, membership, powers and duties of the current Educational Telecommunications Council.

These changes in the ETC are planned to coincide with the implementation of the new state network in K-12 schools. Taken together, these two initiatives provide an important opportunity to make the benefits of information technology available to all schools in the state in a way that has not been possible before. State-level coordination of all related K-12 information technology initiatives is critical in order to maximize those benefits and ensure accountability for the considerable investment the state will make in the new network. I think the expanded duties of the proposed Educational Technology Council, the hiring of a state K-12 technology director and the realignment of C.I.I., SENDIT Technology Services and other initiatives will help ensure that these and other efforts are all working toward common goals.

The C.I.I. Board met in December and endorsed the concept contained in this bill. I have included the C.I.I. Board's official position statement as part of my testimony.

I also think that if this bill is passed, it will make it possible for all of us involved in K-12 educational technology to better plan and more efficiently make other changes that will inevitably be required in the future. I see this current bill as a necessary "next step" and expect the ETC and state K-12 technology director to be back in two years with an improved plan for how to accomplish their mission in the 2003-2005 biennium.

Dan Pullen, Director, C.I.I.  
January 30, 2001

*Dan Fullen*

### Center for Innovation in Instruction

- Established in 1993.
  - Start-up funds from the ND ETC.
  - Hosted by VCSU with a Statewide Mission.
- Mission:  
"To Improve Teaching with Technology."
  - 1. Statewide Leadership and Partnerships.
  - 2. Professional Development in Curriculum Integration for Teachers & Administrators.
  - 3. Assessment of Technology's Impact on Student Learning.



### C.I.I. 2000-2001

- 1. Leadership and Partnerships.
  - ND TWT Statewide Initiative.
    - Direction, Development and Evaluation.
  - State Representative to the High Plains Regional Technology in Education Consortium.
  - State Partnerships
    - NDETC, NDCEL, STS, ND ITD, NDATL, DPI, NDUS.
    - Development of State K-12 Network Support Plan.
  - Regional and National Partnerships
    - SD TIE, NCRTEC, MCREL, HPRTEC.



### C.I.I. 2000-2001

- 2. Professional Development for Teachers and School Administrators (7/00-12/00).
  - 330 Participants, 23 Locations, 15 Workshop Topics.
    - Using Internet in the Classroom
    - Integrating Internet into Lessons
    - Developing Web Pages to Improve Teaching
    - Using Presentation Software in K-12 Classroom
  - Locations

Almont	Forman	Napoleon
Buffalo	School for the Blind	Oriskany
Bismarck	Hoople	Rugby
School for the Deaf	Hardfield	Lawyer
Dickinson	Lambie	Tower City
Enderlin	Lisbon	Valley



### C.I.I. 2000-2001

- 3. Assessment: Technology's Effectiveness in Improving Student Learning.
  - C.I.I. Staff Involved in Illinois Tech Check Project Jan. 2000 - Present.
  - ND/SD Evaluation Summit Oct. 16/17, 2000.
  - ND Evaluation Next Step Feb. 5, 2001.
  - Pilot Evaluation Process in Two Schools Sept. 2001.



### C.I.I. and The New State Network

- Phase Two of the State Network.
  - Reorganize K-12 Tech. Initiatives Under a New ND Educational Technology Council.
  - Move C.I.I.'s Regular Budget Request from VCSU Line Item to ND ITD (ETC).
  - Develop a Joint Network Support Plan with STS, IVN, NDUS and Others.
  - Submit Supplemental Budget Request as Part of ITD Budget to Support Professional Development Activities For Start-Up of New Network.



### C.I.I. and The New State Network

- Develop/Deliver Professional Development to K-12 Users of the New State Network.
  - Enable K-12 Users to Improve Instruction, Classroom Management & Communication.
- Administrator Institute I (80) - Aug. 2001.
- Administrator Institute II (160) - Aug. 2002.
- Tech. Mentor Institute (240) - Jun/Aug. 2002.
- Distance Learning Inst. (26) - Jun/Aug. 2002.



Members of the ND Senate Education Committee,

I serve as Project Coordinator for SENDIT Technology Services and am here today to speak in support of Senate Bill 2251.

I believe this bill has the potential to:

- Better coordinate technology initiatives occurring statewide.
- Offer improved accountability for investments made in technology.
- Provide leadership for schools and technology organizations.
- Expand and enhance the cooperation between technology organizations.

SENDIT Technology Services looks forward to the opportunities this bill offers and is committed to working towards successful technology initiatives in K-12 technology.

Jody French  
SENDIT Technology Services  
Project Coordinator  
January 30, 2001

## Division of Independent Study

Senate Education Committee  
January 30, 2001

Mr. Chairman and Members of the Committee.

My name is Neil Howe and I am the director of the  
Division of Independent Study.

As you are probably aware, the mission of the Division  
of Independent Study is to provide quality distance  
education to the K-12 community. With our own  
teachers, curriculum, curriculum development  
procedures, related support services, as well as state  
and regional accreditation processes - It is important  
for the Committee to know that we are organized and  
function like any other ND high school.

With that said, the question becomes this: Should our  
organization structure within state government not be

with the state education department? It is that fundamental question that raises concern regarding the portion of this bill that relates to the Division of Independent Study.

In my 15 months as director, Dr. Sanstead and the Department have been supportive of me, the Division staff, and program we have successfully provided. The Division has made excellent progress in developing and offering courses online. The only handicap in providing more and better online delivery has not been for lack of Department support – but because of lack of funds beyond those necessary for regular expenditures.

The staff and I are all proud to be distance educators by profession. It is a unique field. We know and clearly understand the fact that the field of distance education is quickly evolving – and it is evolving

because of our technological abilities to deliver content by means other than print-based.

I want to assure this Committee that the Division is very interested in working closely with the K-12 educational technology community. The Committee also needs to know that the Division has the infrastructure, resources, and distance education expertise not currently available through any other state entity.

The Division operates a highly respected, successful, and growing institution. At present, a large portion of the Division's revenues is generated from print-based materials. I am keenly aware, however, that the future of distance education will not be dependant upon print-based materials - but online delivery of content to small schools, students in isolated geographical



localities, and for students choosing to study independently for a variety of reasons.

Again, the issue before us is where the Division best fits in an organizational structure. Since we operate as a school and provide similar services, it strikes me to be a better match with the state education department.

Conclusion:

Whatever the result of Committee or Assembly action on this bill, as the director of the Division, I must advocate for our direct involvement as the distance education provider in the overall K-12 technology plan for the state – regardless of the organizational structure. It would not be honest or futuristic for me to advocate otherwise.



## Department of Public Instruction

600 E Boulevard Ave., Dept. 201, Bismarck, ND 58505-0440

(701) 328-2260 Fax - (701) 328-2461

<http://www.dpi.state.nd.us>

Dr. Wayne G. Sanstead  
State Superintendent

TO: Chair Kelsh and House Education Committee

FROM: Dr. Wayne G. Sanstead *WGS*

REF: House Education Hearing on SB 2251

At yesterday's hearing a member asked about the fiscal implications of the bill. The response given by Bob Pope indicated that the fiscal note prepared by DPI was that there would be "no fiscal impact."

It is important to state that the referenced fiscal note only applies to DPI's Division of Independent Study.

We feel there are a host of questions that need to be asked regarding the operational costs of creating and running the Council as well as funding a new Council-appointed professional K-12 position titled "Technology Director."

At \$62.50 per day, per member (plus mileage and expenses) provided to at least six of the named ETC members, there is a per meeting potential cost of a thousand dollar expenditure for each meeting held by the Council. This is possible even though the majority of the designated membership serve as employees of other educational organizations, school districts, or special education units. As a fiscal conservative I object to this increased expenditure because at the present time we have reimbursed expenses to our ETC appointed members based on mileage and meals or sub-time only.

We have made our fiscal concerns known to the Legislative Council and they have assured us that they will request a fiscal note from the ITD office detailing the specific and projected ITD expenses.

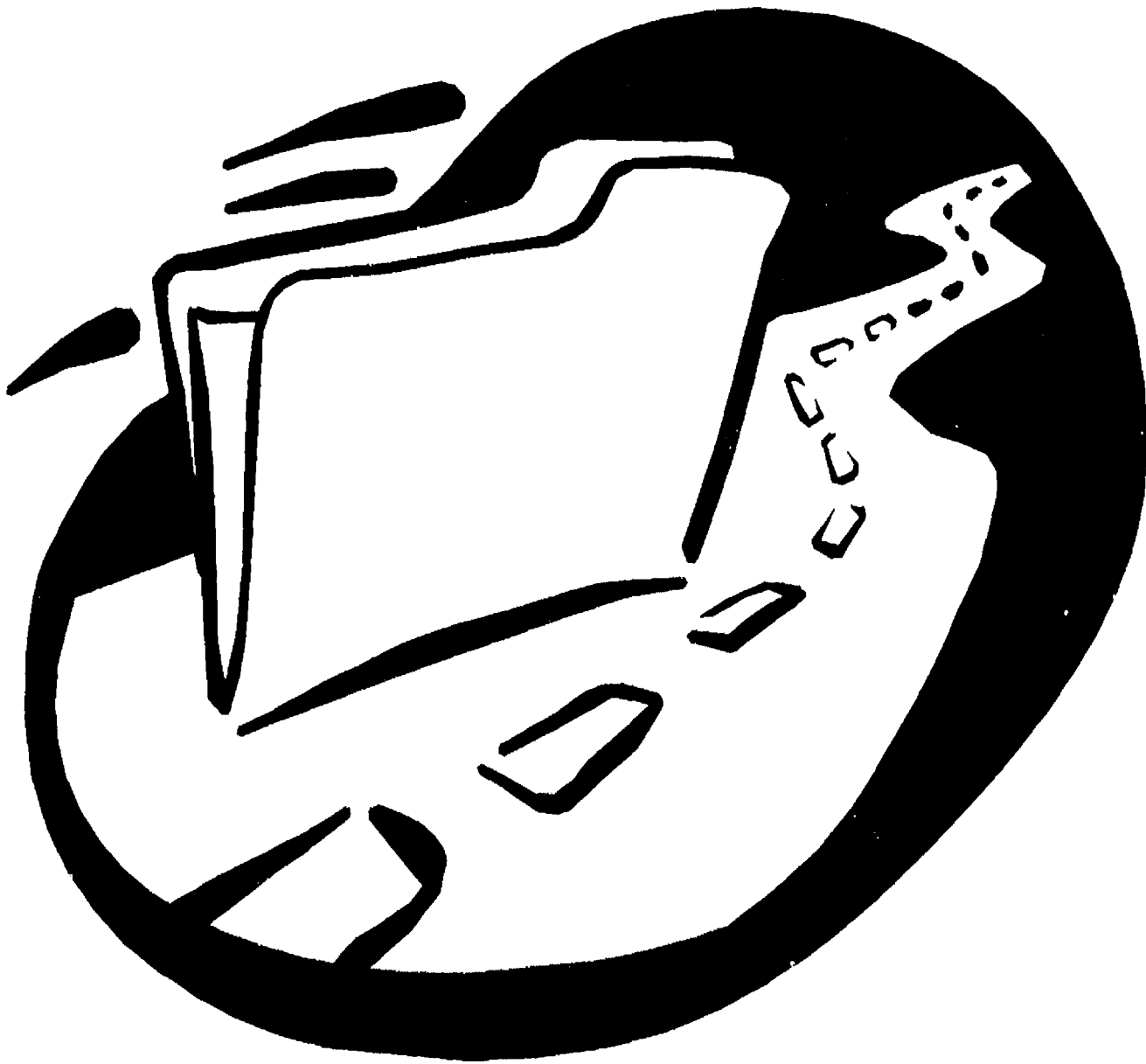
SB2251

# *House Education Committee*

*March 6, 2001*

*Robert Pope*

*Nexus Innovations*



*1110 College Drive, Suite 206  
Bismarck, ND 58501  
701.258.7072*

**Nexus**  
INNOVATIONS  
Linking People with Solutions

**Division of Independent Study**

House Education Committee  
March 6, 2001

Representative Kelsch and Members of the Committee.

My name is Neil Howe and I am the director of the  
Division of Independent Study.

Sixty-six years ago next Wednesday—on March 14,  
1935—the North Dakota Legislative Assembly enacted  
legislation creating the Division of Independent Study  
in order to provide distance education to the North  
Dakota K-12 community. Over these years, the  
Division has grown, prospered, and expanded in order  
to fulfill that mission.

With our own teachers, curriculum, curriculum  
development procedures, related support services, as  
well as state and regional accreditation processes, it is

important for the Committee to know that we are structured and function like any other ND high school.

With that said, the question becomes this: Should our organizational structure within state government not be with the state education department? It is that fundamental question that raises concern regarding the portion of this bill that relates to the Division of Independent Study.

In my 18 months as director, Dr. Sanstead and the Department have been supportive of me, the Division staff, and the program we have successfully provided. The Division has made excellent progress in developing and offering courses online. The only handicap in providing more and better online delivery has been the lack of funds beyond those necessary for regular expenditures, not the lack of Department support.

The staff and I are all proud to be distance educators by profession. It is a unique field. We know and clearly understand the fact that the field of distance education is quickly evolving, and it is evolving because of our technological abilities to deliver content by means other than print-based.

I want to assure this Committee that the Division is very interested in working closely with the K-12 educational technology community. The Committee also needs to know that the Division has the infrastructure, resources, and distance education expertise not currently available through any other state entity.

The Division operates a highly respected, successful, and growing institution. At present, a large portion of the Division's revenues is generated from print-based materials. I am keenly aware, however, that the future

of distance education will not be dependant upon print-based materials, but online delivery of content to small schools, students in isolated geographical localities, and for students choosing to study independently for a variety of reasons.

Again, the issue before us is where the Division best fits in an organizational structure. Since we operate as a school and provide similar services, it strikes me that the state education department more closely relates to the mission and services provided by the Division.

**Conclusion:**

Whatever the result of Committee or Assembly action on this bill, as the director of the Division, I must advocate for our direct involvement as the distance education provider in the overall K-12 technology plan for the state—regardless of the organizational structure. It would not be honest or futuristic for me to advocate otherwise.

Dan Pullen  
SB 225'

**Position Statement: Reorganization of C.I.I. to ND ETC**  
Center for Innovation in Instruction Board  
December 15, 2000

The Center for Innovation in Instruction (C.I.I.) Board supports the concept of coordinating all K-12 educational technology initiatives and projects at the state level. We believe that the reorganization of the North Dakota Educational Telecommunications Council (ND ETC) could be a viable way to accomplish that. The hiring of a state K-12 technology director would support and strengthen the coordination and accountability of such a statewide reorganization.

It is our understanding that in such a reorganization:

- C.I.I.'s mission would remain essentially the same.
- C.I.I. would be expected to work toward accomplishing the goals established by the ND ETC and state K-12 technology director.
- ND ETC and the state director would be able to evaluate how well C.I.I. accomplished its goals and objectives. The ND ETC would report back to the legislature recommending changes in funding or organization based on that evaluation.
- C.I.I. would be expected to continue to seek grants and contracts on a fee for service basis. Such work may expand C.I.I.'s scope beyond state goals and objectives but would not contradict or undermine them.

We believe that:

- Valley City State University should continue to host C.I.I. with a new memorandum of understanding developed between VCSU and the ND ETC. In planning for the future, VCSU and ND ETC may propose changes in that arrangement for the 2003-05 biennium.
- The C.I.I. board should continue to oversee the operation of C.I.I. at least through the 2001-03 biennium.
- During the 2001-03 biennium, C.I.I. employees should continue to be employed by VCSU with the C.I.I. director supervised by the president of VCSU and the C.I.I. staff supervised by the C.I.I. director.
- Because C.I.I. is not fully funded by appropriated general funds, the proposed changes should not limit C.I.I. from securing grants and other contracts for services in order to meet its payroll and other operating expenses.
- To ensure continuation of an opportunity structure that supports pursuit of non-state revenues, VCSU should continue to serve as the fiscal agent for C.I.I.

The C.I.I. Board members are:

- Dr. Ellen Chaffee, President Valley City State University
- Joseph Linnertz, Division Manager, Department of Public Instruction Bismarck
- Arthur Conklin, Superintendent Oakes Public Schools
- Robert Tollefson, Superintendent Washburn Public Schools
- Dr. Donald Lemon, Professor and Chair of Educational Leadership, University of North Dakota
- Wayne Kretzer, State Director, State Board for Vocational and Technical Education
- Pamela Hall, Teacher, Kindred Public School



Jerry Bartholomay, Chairman, North Dakota Educational Telecommunications Council (NDETC)

House of Representatives Education Committee Hearing on SB 2251  
Tuesday, March 6, 2001

I would like to testify in favor of SB 2251.

This is a brief history of (NDETC) and the proposed role for NDETC in implementing the Statewide Network.

Early History: ETC awarded competitive grants for interactive video and various systems that could deliver distance learning.

Last 4 years: ETC has focused on distributing money to all schools on an ADM basis. Those moneys were to assist schools in connecting to the Internet, developing effective LANS, and developing connections within the schools and with other educational agencies and businesses. During the past four years we have distributed state appropriated funds as well as over 8 million dollars in Federal Technology Literacy Challenge Grant funds.

Role for ETC in the new Statewide Network:

Distribute the appropriated dollars to the schools based on their needs for connecting to the Statewide Network. The amount granted to each school would be according to the type of application needed by the students. To serve as coordinator for activities of Sendit, CII and Division of Independent Study, and to report the progress of those activities to the Legislature.

The one gap that we have struggled with during the nearly 10 years that I have worked with NDETC is the lack of central leadership to help us accurately assess the needs of our schools and to identify the appropriate technologies. Some of the early systems that we helped fund would have been less costly and more effective if we would have had central leadership to coordinate statewide efforts. Some of our schools were developing Internet access in 1993, while many of our communities were not connected until the 1999-2000 school year. I am certain that we would have been able to replicate the early success of some of our schools if we would have had a statewide director to guide the process.

Role of the new NDETC Director:

To help ETC assess the needs of each school. ie. Desktop, IP video for small school with 2 Students needing advance math. Classroom video over partial T1 to allow larger schools to share classes when teacher is not available. In-service for staff or technical assistance for schools who have appropriate technology that is not being fully utilized.

To help advice ETC as to the appropriate technology for each school's needs.

To help ETC evaluate how effectively each school uses the funds to deliver services to the students and teachers.

The proposed legislation in SB2251 expands the membership of NDETC and identifies specific duties for NDETC including oversight of SENDIT, CII and the Division of Independent Study. I think that it is critical that we bring these agencies together so that we can better coordinate, monitor and evaluate the many services they offer to our schools.

**Testimony**  
House Education Committee  
Grant Crawford  
March 6, 2001

Madam Chairman, members of the Committee; I am Grant Crawford, the Chief Information Officer for the North Dakota University System. My testimony today is in support of SB2251.

The Educational Telecommunications Council has served the state well over the years. It is because of ETC's past success that it is now time to:

- broaden the committee's role to include all technology issues; because it's not just about wires, it's about the benefits we deliver over those wires
- broaden the committee's membership to represent the major stakeholders who can use technology as both an enabler and as a lever to development; because it's about people, and how technology is applied to improve their lives
- establish a functional CIO for K-12, since the existing committee members are fulfilling that function; albeit with less time than required
- bring together SENDIT, CII, and DIS under one organizational umbrella, because they need to work in concert more now than they ever did
- leverage the opportunity provided by the new state-wide data network; because it has already proven its power as a catalyst for development.

When I meet my colleagues from other states, they are amazed to hear of the cooperation within North Dakota; between state government, higher education, and K-12. Reconstituting the current ETC as the Educational Technology Council strengthens our current bond and provides a change agent in public education that moves at internet speeds.

That concludes my prepared testimony. I am available for questions at the pleasure of the Chair.

Lisa Feldner  
SB2251

**Position Statement: Reorganization of Sendit Technology Services to ND ETC**  
Sendit Technology Services Board  
March 5, 2001

The Sendit Technology Services Board supports the coordination of all K-12 technology initiatives and projects under the proposed Educational Technology Council (ETC). The Board supports the hiring of a state K-12 technology director to support K-12 education and the coordination of technology services across the state.

It is our understanding that in the reorganization:

- Sendit Technology Services will work toward accomplishing the goals established by the ETC and the state K-12 technology director.
- ETC and the state director will evaluate Sendit Technology Services' progress on its goals and objectives.
- Sendit Technology Services will provide support to K-12 schools in the area of networks, email, website hosting, and training opportunities.

We believe that:

- North Dakota State University should continue to host Sendit Technology Services with a new memorandum of understanding between NDSU and ETC.
- The Sendit Technology Services Board should continue to assist the staff at Sendit through the transition to the ETC.
- The proposed changes should not limit Sendit Technology Services from seeking grant funds or contracting for services to support itself or K-12 educators in ND.
- The transfer of funds to support Sendit Technology Services from the Department of Public Instruction to the ETC is appropriate.

The Sendit Technology Services Board members are:

- Lisa Feldner, Bismarck Public Schools
- Laurie Haag, Richardton Public Schools
- Robert Marthaller, Harvey Public Schools
- Mike Bitz, Hillsboro Public Schools
- Paul Jensen, Kindred Public Schools
- Joe Lukach, Des Lacs Public Schools
- Craig Nansen, Minot Public Schools
- Bruce Schumacher, Fairmount Public Schools
- Rose Kloberdanz, NDSU ITS

Respectfully submitted,

Lisa Feldner  
Bismarck Public Schools  
(701) 221-3734

March 6, 2001

HOUSE EDUCATION COMMITTEE  
SB 2251

CHAIR KELSCH AND MEMBERS OF THE COMMITTEE:

My name is Tony Weller from the Wheeler Wolf Law Firm. I am appearing today on behalf of the State Association for Non-Public Schools (SANS). SANS represents 62 nonpublic grade schools and high schools throughout North Dakota, with approximately 7,200 students.

We support this bill, but are suggesting an amendment to allow SANS to have a representative on the proposed Education Technology Council.

The council's goal is to coordinate education technology initiatives for elementary and secondary education, and SANS would like to play a role in that initiative. Being a member of the council would better enable the SANS schools and their students to participate in the council's activities and take its recommendations and concerns back to our schools. This would be beneficial to our students, teachers, and administrators.

This is a large council. Adding one more member will not hurt the council's operations.

If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

PROPOSED AMENDMENT TO SENATE BILL NO. 2251

Page 5, after line 24, Insert:

- j. A member appointed by the executive committee of the State Association of Nonpublic Schools.

Renumber accordingly

**TESTIMONY on SB 2251 to the House Education Committee**  
**March 6, 2001**

**By Dr. Wayne G. Sanstead, State Superintendent**  
**328-4572**

**Department of Public Instruction**  
**600 E Boulevard Ave., Bismarck, ND 58505-0440**

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Madame Chairman and members of the committee:

For the record, my name is Dr. Wayne Sanstead and I serve as the State Superintendent for the North Dakota Department of Public Instruction.

The Department of Public Instruction has been involved in utilizing and promoting the expansive use of technology in education since the mid 1980's. The Department made the initial grants, establishing the first interactive television teaching systems and computer networks in the state. The Department organized the first K-12 distance education courses utilizing technology in the nation. Further, the Department played an integral role in the development of the nation's premiere K-12 computer network and in the development of the Center for Innovation in Instruction, which has brought very badly needed technical assistance and professional training to the state's school districts.

In addition, the North Dakota Broadcasting Council and its successor The Educational Telecommunications Council have been administratively supported by the DPI. I might add that none of these leadership activities was mandated by legislation, state or federal and funding was sparse to nonexistent for both program administration and implementation efforts. That means that these successful programs exist through the sheer determination of North Dakotans to make them happen. For the record, the staff of DPI, personnel of the University System and teachers and administrators from North Dakota school districts have my lasting appreciation and commendation for their collaborative and continuing mutual work and successes in the technology expansion underlying educational opportunity for all students; K-graduate school.

You have before you today a legislative bill that would transfer the Educational Telecommunications Council, SEND-IT, CII and the Division of Independent Study to the agency now responsible for state government

technology. The role of that agency is understandably being expanded because of the development of the statewide technological support network.

My purpose here today is not to be critical of administrative arrangements that make fiscal and administrative sense. I want you to know that I believe the portended transfer of the Division of Independent Study does not make sense because the Division functions primarily as an educational institution. It needs to be remembered that the Division is a fully licensed and accredited school under both North Dakota law and the North Central Association accrediting agency.

While the Division of Independent Study awards course credit and diplomas utilizing technology it must be emphasized that it is first and foremost a school and therefore clearly belongs administratively under the direction of the state's educational agency, where as we all know it has operated most successfully now for many years.

I urge you to recognize the continuing expansive role of the Division in our statewide curriculum development efforts by amending out the portions of Sections 1, 2, 3 which removes the administration of the Division of Independent Study from the state superintendent and the state education agency.

I'm pleased that Mr. Neil Howe, Director of the Division of Independent Study is also present to outline his considered objections to such an unwise and potentially harmful move of administrative authority and substantial governmental restructuring envisioned by this bill.