

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 3M



ROLL NUMBER

DESCRIPTION

2324

2001 SENATE EDUCATION

SB 2324

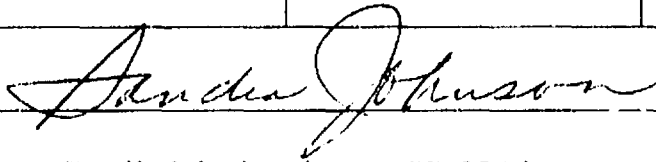
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2324

Senate Education Committee

☐ Conference Committee

Hearing Date 01-30-01

Tape Number	Side A	Side B	Meter #
1	x		29.0 - end
1		x	0 - 5.4
Committee Clerk Signature 			

Minutes:CHAIRMAN FREBORG called the hearing on SB 2324.

**Testimony in support of SB 2324:**

SENATOR KELSH testified as the prime sponsor of the bill. He stated Section I of this bill sets up a core curriculum and Section II offers that the Legislative Council study the delivery of a core curriculum and the funding for its delivery. It does have a fiscal note of \$13.5 million. He asked that Section I of the bill be disregarded because it is restrictive. There should be some flexibility for the local districts in choosing the core curriculum since local dollars go into supporting it. Smaller districts pay the same as the large districts which sometimes is not easy. He further stated he feels the state should help, especially the small school districts. He does request that at least Section II remain so a study can be done on this issue. SENATOR COOK feels the fiscal note is the result of three subjects in the core curriculum as outlined in Section I, philosophy, foreign language, and economics.

PATTY LEWIS, ND Farm Bureau, feels this bill addresses a top priority issue for the Farm Bureau's members and families. The concept of this bill is it allows for a Legislative Council study into the state funding of a core curriculum. One of the most obvious reasons for this legislation is to lower school district's reliance on property taxes for funding. Farm Bureau has long supported the 70% state funding level for education. This is a vehicle that would get closer to that. This bill would serve to equalize school funding and would free up local revenue for other areas such as voc/ed, advanced course offerings, etc. Also allows for local control and choice outside the curriculum established. SENATOR FREBORG stated that in this bill, the cost of implementing the core curriculum would fall upon the districts. Section II calls for the Legislative Council to study implementing core curriculum with total state funding.

BEV NIELSON, ND School Board Assn., supports the option of studying this as a way to pay for and have core curriculum. They would like to see a study so as not to lose the concept. SENATOR WANZEK asked if the aim of the bill is to have the state fund the core curriculum and then have the local districts pay any costs over and above that.

**Testimony in opposition to SB 2324:**

GREG GALLAGHER, Education Improvement Team Leader, DPI, testified in opposition to the bill. (see attached).

JOE WESTBY, NDEA, feels Section II should be first and Section I should be the result of Section II.

CHUCK DeREMÉR, Fargo Public Schools, doesn't like Section I. He does support Section II. He feels the question to be asked is "are kids learning" and "are they learning what they should". He wants to know how the core curriculum would be established and if there would be local control.

Page 3  
Senate Education Committee  
Bill/Resolution Number SB 2324  
Hearing Date 01-30-01

There being no further testimony on SB 2324, the hearing was closed.

SENATOR KELSH moved the amendment to strike Section I from SB 2324. Seconded by  
SENATOR WANZEK. Roll Call Vote: 7 YES. 0 NO. 0 Absent. Amendment Adopted.

SENATOR KELSH moved a DO PASS AS AMENDED. Seconded by SENATOR  
O'CONNELL. Roll Call Vote: 7 YES. 0 NO. 0 Absent. Motion Carried.

Carrier: SENATOR KELSH

## FISCAL NOTE

Requested by Legislative Council

02/02/2001

Bill/Resolution No.:

Amendment to: SB 2324

**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.*

**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.*

Name:	Greg Gallagher	Agency:	Public Instruction
Phone Number:	328-1838	Date Prepared:	02/02/2001

# FISCAL NOTE

Requested by Legislative Council

01/23/2001

Bill/Resolution No.: SB 2324

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	\$13,516,890	\$0	\$0	\$11,549,902

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

SB 2324 defines an elementary and secondary school core curriculum and provides for a legislative council study. The bill outlines at both the elementary and secondary level grade-specific subjects to be taught. Costs associated with core subject areas are generally grouped by (1) impacts on the major/minor law within North Dakota; (2) costs associated with curriculum development; and (3) costs associated with procuring curricular materials.

Curriculum costs at the elementary level are relatively minor since SB 2324 provides for essentially compatible areas of study, although emphasis and focus are redirected from the current law. Because teacher licensure limitations are not encountered and curricular impacts are relatively minor, there is little anticipated fiscal impact at the elementary level.

The fiscal impact at the secondary level is influenced by the need to assure qualified teachers with a major/minor preparation within any new subject areas, the higher costs of developing new subject areas, and the costs of purchasing appropriate textbooks. As such the program requirements at the secondary level carry more likelihood of a significant fiscal impact. For the purposes of developing this fiscal note, attention has been placed on the associated impacts at the secondary level.

I. *New core subjects require assurances of properly licensed teachers.*

North Dakota law requires teachers to teach in their area of major/minor training. SB 2324 requires schools, in order to be approved, to offer courses in economics, world languages, and philosophy/logic. These course offerings are now optional; SB 2324 makes them mandatory. Schools would need to staff teachers with sufficient skills to teach in these areas. It is assumed that not all schools can meet this requirement.

Of the 188 high schools in the state, it is assumed that only the top 15 high schools have the resources currently to offer the full extent of these courses. Therefore, 173 high schools would need to restructure their staffs to lessen the current optional course offerings and to realign them toward the subjects identified within SB 2324. Even with the need to offer economics, world languages, and philosophy, many schools could restructure their staffs to cover most of the new subjects; however, not all subjects, especially economics and philosophy could be covered easily with their current staffs.

It is assumed that the 173 high schools would need to hire an additional teacher to cover some or all of the newly required subjects. Assuming an average salary of \$25,000 plus approximately 25% benefits, a new teacher will cost approximately \$31,000 at each of the 173 high schools. This would amount to \$5,363,000 in the first year of the biennium and \$5,523,890 in the second year of the biennium, assuming a 3% increase in associated costs.

Therefore, the anticipated cost within the biennium for new teachers will total \$10,886,890. This would be a local expense.

*II. New core subjects require additional curriculum development costs.* If economics, world languages, and philosophy are identified as new subject areas, their curriculum would require development. Again, it is assumed that the top 15 high schools can absorb this activity into their current offerings without inordinate costs.

During the interim Education Finance Committee hearings on curriculum development, three local curriculum development specialists testified that it costs approximately \$5000 per subject area to develop a general curriculum across all grades. It is assumed here that at the high school level this development cost would be approximately 40% of that figure, or \$2000. If 173 high schools develop five subject units (four in philosophy and one in economics/world languages are anticipated to remain within their current forms), it would cost approximately \$10,000 per school to develop curriculum. Because these activities are development related and not sustained over time, these costs would be incurred in the first year of the biennium only.

Therefore, the anticipated cost within the biennium for curriculum development will total \$1,730,000. This would be a local expense.

*III. New core subjects will require new textbooks.*

It is assumed that in order to teach the new courses in economics, world languages, and philosophy, additional textbooks would be required. Estimating the impacts related to economics and philosophy throughout the four years of high school, philosophy will require four years of



textbooks for all students (36,000 students per year) and one year of economics (9,000 students per year). It is anticipated that the cost of supplying 45,000 total textbooks at \$20/text will total \$900,000. This cost would be incurred during the first year of the biennium only.

Therefore, the cost of supplying textbooks to meet the economics and philosophy requirements will total \$900,000. This would be a local expense.

#### IV. Summary of fiscal impacts.

The combined total impact during the 2001-03 biennium to define core subjects as outlined in SB 2324 will amount to the following:

- |                            |              |
|----------------------------|--------------|
| 1. Salary and benefits:    | \$10,886,890 |
| 2. Curriculum Development: | \$ 1,730,000 |
| 3. Textbooks:              | \$ 900,000   |

Total: \$13,516,890

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.*

Name:	Greg Gallagher	Agency:	Public Instruction
Phone Number:	328-1838	Date Prepared:	01/29/2001

Date: 1-30-01  
Roll Call Vote #: 2324

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

Senate Education Committee

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

Legislative Council Amendment Number

Action Taken amendment adopted

Motion Made By Sen. Hulsh Seconded By Sen. Wangk

[illegible]

Total (Yes) 7 No 0

Absent /

### Floor Assignment

If the vote is on an amendment, briefly indicate intent: *remove Section 1 of bill  
thus eliminating fiscal note*

Date: 1-30-01  
Roll Call Vote #: 2324

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

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

Legislative Council Amendment Number

Action Taken *NP as Amended*

Motion Made By Sen. Kilch Seconded By Sen. O'Connell

[illegible]

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Kirsch

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

**REPORT OF STANDING COMMITTEE**

**SB 2324: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2324 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "relating to the development and the delivery of an elementary and a high"

Page 1, line 2, remove "school core curriculum; and"

Page 1, remove lines 4 through 23

Page 2, remove lines 1 through 22

Renumber accordingly

2001 HOUSE EDUCATION

SB 2324

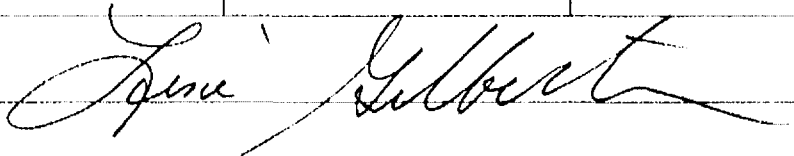
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2324

House Education Committee

☐ Conference Committee

Hearing Date 03/05/01

Tape Number	Side A	Side B	Meter #
#1	X		3763 to 5630
#2		X	2410 to 2530
Committee Clerk Signature 			

Minutes:

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

Chairman Kelsch: We will open the hearing on SB2324.

Sen. O'Connell: (District 26) This bill was amended by the Senate as just a study resolution for the legislative council to study the delivery and paying for core curriculum for elementary and high school in the state; the feasibility of doing that. The bill started out listing what had to be taught in each grade, and there was a tremendous fiscal note involved with that. We need to determine what the core curriculum is. There's lots of different ideas on that, and then, probably we should be paying for. Some of the other things then, maybe should be borne by the district. First, we need to know what we want our students to know, we need to know what courses it takes to get them to know that, and we need to know whether that's what we should pay for.

Patty Lewis: (ND Farm Bureau) SB2324 really addresses a top priority issue for our organizations. The concept of this bill is fairly straightforward, because it allows for legislative council to study into the funding into the core curriculum. One of the obviously reasons for this is to lower school districts reliance on property tax for funding. Secondly the bill would serve to equalize school funding. It would allow for full funding of necessary classes while freeing up local revenues for other areas such as vocational education, advanced course offerings, summer school offerings and athletics. Minimum curriculum requirements as established in state law, serve as a benchmark for school accreditation standards. In that same vein, the base core curriculum that is funded entirely through foundation aid can be a real benefit to school district if all of those involved can agree on a core curriculum.

Rep. Nottestad: A core curriculum, in many cases, is in the eyes of the holder. A parent of a child who is going into music would look at a core curriculum one way. A parent of a child who is going into ag. would look at it another way. A parent of a child going to be a doctor would look at it another way. A core curriculum is what the children need. It's very difficult for us on the outside to say this is what a core curriculum would be. It's easier to talk about than to do.

Lewis: I think that's the reason for taking the time to study it. It's my opinion that it's a doable task.

Rep. Thoreson: How would you anticipate how this would work as far as the state paying for teaching this curriculum? Would it be based on per student? Or per class? Because we have some schools that have six kids in a class and some that have thirty?

Lewis: I think that would need to be part of the study as well.

Greg Galleghar: (DPI) The department supports any continuing study of core curriculum and funding, however, this particular resolution is quite deceptive; it appears very simple, but as you look into it, there are many layers. There were two other attempts on the Senate side that did not have the opportunity to cross over to you that related with core curriculum. Ideas of core curriculum as have been identified are talking about what every student should now be able to do. Over the years, there have been many expressions of that. This has two particular components in it that would be worthy of study. The first is related to what should be the core that a student knows and realizing that there are many components and ways in which that can be taught. This particular request is to identify more clearly what should be funded from the state's perspective. The second component: if you look into the wording of this resolution, and important thing emerges. Anytime you talk about core curriculum and making an alignment for payment, we are effectively reassessing foundation aid. It's important to do so, especially if there's consideration for the viability of smaller schools and the importance of making comparable education available to all students.

Bev Nielson: (ND School Board's Association) I think this is an important study to do, and we support this bill.

Dean Bard: (ND Small Organized Schools) We support the bill in its present form. It makes sense that this is an area that should be studied before active action should be taken. Rep. Nottestad made a comment about deciding what is a core curriculum, and of course a study would help to determine that. This is an area which is subject to a lot of input, and sometimes I think that may in the public school arena, we are spending too much time trying to educate kids in specific disciplines for a later entry into college and a professional career, and we would be



better off if we were trying to educate kids by giving them the tools that they need to succeed successfully in life, and this may not necessarily be giving them courses that they would get at a later point in life, in college. If I hear colleges say anything, it's, 'send us students who are well grounded in the necessary requirements to get into college and to do successfully there', and we don't want to spend our time trying to give them remedial work to bring them up to our entry level standards.

Joe Westby: (NDEA) Certainly I cannot oppose a study of any kind of educational issue. If, for no other reason, than, I'd like to know what people think a core curriculum is, because I don't know what one is.

Chairman Kelsch: We will now close the hearing on SB2324.

Chairman Kelsch: We will now take up SB2324. What are the wishes of the committee?

Rep. Brusegaard: I move a DO PASS.

Rep. Nelson: Second.

Chairman Kelsch: Committee discussion.

The motion of a DO PASS passes with 15 YAY 0 NAY 0 ABSENT.

Floor assignment: Rep. Thoreson

Date: 3/6/01  
Roll Call Vote #: /

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2324

House House Education Committee

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

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

Action Taken Do Pass

Motion Made By Rep. Brusegaard Seconded By Rep. Nelson

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) 15 No 0

Absent 0

Floor Assignment Rep. Thoreson

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

**REPORT OF STANDING COMMITTEE (410)**  
**March 5, 2001 12:09 p.m.**

**Module No: HR-37-4809**  
**Carrier: L. Thoreson**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2324, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends**  
**DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2324  
was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

SB 2324

**TESTIMONY ON SB 2324  
SENATE EDUCATION COMMITTEE**

**January 30, 2001**

**By Greg Gallagher, Education Improvement Team Leader  
Department of Public Instruction  
328-1838**

Mr. Chairman and Members of the Senate Education Committee:

I am Greg Gallagher, Education Improvement Team Leader within the Department of Public Instruction. I am here to speak in opposition to SB 2324 and to recommend the reformatting of SB 2324 as a study resolution.

SB 2324 places a prescribed list of core subjects as a requirement for school districts and proposes a legislative council study concerning the complete state funding of core subjects within schools. Although it is laudable that SB 2324 attempts more clearly to specify what core subjects must be available to students and to analyze an alternative approach to foundation aid, the language and approach within SB 2324 move in a different direction than the discussion of content standards within the state.

The Department recommends that SB 2324 be defeated and that attention be placed on core content standards and alignment as addressed within SB 2036, the interim Education Finance Committee's recommendations. SB 2036 is the product of eighteen months of study and reflects the intent to align locally developed curriculum in terms of state content standards. Any effort that defines core subjects without regard to content standards simply begs the issue of true content.

SB 2324 addresses the required subjects that must be available to students at all grade levels. The required subjects also are addressed in other areas of state law: NDCC 15.1-06-06 regarding school approval; NDCC 15-38-07 regarding core subjects (15.1-21-01 within HB 1045); NDCC 15-38-08 regarding the study of the state constitution; NDCC 15-38-09 regarding physical education; NDCC 15-38-10 regarding moral instruction; NDCC 15-38-11 regarding the humane treatment of animals; NDCC 15-41-06 regarding high school requirements (15.1-21-02 and 03 within HB 1045); NDCC 15-41-24 regarding minimum high school units of study (15.1-21-02 within HB 1045); NDCC 15.1-09-33.16 regarding courses of study.

However, SB 2324 neither references these sections nor repeals any sections that are reasonably affected.

SB 2324 redefines the course of study from the current law without offering clarity regarding the *content* of the courses. No reference is made to any state content standards that offer guidance to districts regarding an expected level of content.

Subject areas within SB 2324 are inconsistently developed. For instance, reading is identified within grades one through three, it is omitted by reference in grade four, and then re-emerges in grade five. Additionally, health is conspicuously absent from the list.

SB 2324 prescribes certain instructional requirements such as research papers. This level of curricular activity is more appropriately conducted at the local level and not within state law. It is important to eliminate any references to curriculum that resides properly at the local level. The state develops standards. Districts develop curriculum.

SB 2324 makes implicit requirements in course selection and time. Listed below is a cursory interpretation of the effects of SB 2324 compared to current requirements in the high school curriculum:

Required Subjects Offered by Districts	Current	SB 2324
English	4 units	4 units
Mathematics	3 units	4 units
Science	4 units	3 units
Social Studies	3 units	4 units
Geography	Social studies coverage	1 unit
Health and Physical Education	1	4 units
Music	1	chosen among music, art, and physical education
Optional subjects	6 units chosen among business ed; economics; foreign language, industrial arts; vocational education	0 units
Logic and Philosophy	0 units	4 units
Economics	Optional	1 unit
Foreign language	Optional	4 units
Total	22	29

The fundamental concern of the Department of Public Instruction is the lack of clarity regarding any subjects identified. The Department believes it is in the state's best interest to move toward the clarity of subject matter that content standards offers. SB 2324 makes no such reference and, therefore, offers no such clarity. Without any clarity to subject matter, SB 2324 simply requires new and more categories of instruction without guidance as to their content.

The Department proposes that it is best to not pass SB 2324 and to redirect any efforts at redefining what a student should know and be able to do within SB 2036.

The Department supports an interim study resolution regarding the full funding of core subjects as an element within foundation aid. If SB 2324 moves any discussion along these lines, then SB 2324 has served its purpose well.

Mr. Chairman, this completes my testimony. I am available to any questions from the committee at this time. Thank you.