

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1361

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Deanna Hallworth  
Operator's Signature

10/3/03  
Date

2003 HOUSE EDUCATION

HB 1361

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10/3/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1361  
House Education Committee

☐ Conference Committee

Hearing Date February 3, 2003

Tape Number	Side A	Side B	Meter #
1		x	5100-end
2	x		00-3685
Committee Clerk Signature <i>Linda Fiechter</i>			

Minutes: **Chairman Kelsch** opened HB 1361

**Rep. Haas, District 36**

I think that when this issue came up, I felt that it was an issue that needed some consideration by this committee. I think as we go into the future with regards to elementary and secondary education in the state of ND and in view of requirements of NCLB, There are a multitude of reasons I believe that this legislation and this amendment should be considered.

**(5350-end) Marilyn Lestmeister, Halliday, See Attached Testimony**

**packet includes letters from Nancy Bogers, Amy Ferebee, Tim and Roberta Wasem,**

**Sandra Rohde, parents of open enrolled students, Jim and Karol Keller, concerned parents**

**in Halliday, Marolynn Lesmeister, information sheets, Ken and Susi Welsz.**

**filp tape 00 Rep. Williams :** 'That is powerful story. Refer to the Halliday/ Kildeer reorganization failed, When are you planning the next reorganization.

**Lestmeister:** Well the school board has to approve to go through it again in, the whole new school board is against it and wants the school to stay open, at whatever cost to the students.

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10/3/03  
Date

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House Education Committee  
Bill/Resolution Number HB1361  
Hearing Date February 3, 2003

**Rep. Sitte** Section 2, Only if application results in an reduction of the number of students in enrolled in the district by more that 20% of the average daily membership in the previous school year. That leaves me to believe that another 17 can transfer out.

**Lestmeister** That is correct, but my daughter is going to be a sophomore next year she has to wait another year, then what are we going to do. I want her to have the choices now.

**Rep. Sitte** Will that same list students be kept or will you have to sign up again.

**Lestmeister** I 'm not sure how that works, the ones that open enrolled will just move up. But there are still, there are 37 students, it is going to take them three years to get them to a school where they want to be. We feel very strongly about our children's education. We want more than what they are getting. It should be our choice, if you are happy in a small school, stay, but if not don't impose regulations on us by the school board or Legislature saying that we don't have the choice. And Halliday is a very turmoil district right now. The town is divided, people don't talk to one another, boycotting business. It is awful to be in this situation, because you want something better for your children.

**Rep. Herbel** What electives are being taught in Halliday in Math and Science?

**Lestmeister** We have 7 ITV classes, if we would go to a larger school such as Kildeer, they may offer the same classes as we do, but there will actually be a teacher in the classroom. And that is one of our big concerns. As far as the classes, they rotate, one year they will do Geometry and then the next year Algebra II.

**Rep. Herbel** So how much Calculus and advanced math is offered?

**Lestmeister** This year they are offering Geometry, Algebra I ,and Pre-calculus. I lot of times there is a conflict in schedule. Sometimes you don't have a choice.

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House Education Committee  
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Hearing Date February 3, 2003

**Rep. Herbel** How about in the sciences & how many are offered by a teacher in the class room?

**Lestmeister** Physics and Chemistry and advanced Biology, these three are by classroom.

**Rep. Jon Nelson** Has this always been a concern of yours that the school district no longer offer a quality instruction, or was it always there? And if it was, why were you not on the first of the list to open enroll out, prior to the 19 families that beat you.

**Lestmeister** Because I was on the reorganization plan, and I really believed that the school board were doing the right thing for our children. A guess I didn't think it would fail.

**Rep. Williams** You mentioned ITV, refer to emergency teachers, Do you have any

**Lestmeister** Yes, we have 2. They shouldn't be a teacher because they say they have had some classes in the field, there is more to teaching, you need to know how to present the material to the students, how to learn. This is a difficult situation for small school districts.

**Rep. Williams** I understand, sec 2, sec 15.1-31 07, read.

This section is only relating to a reorganization yet on the bottom we are getting rid of the 20% cap, why is this bill only relating to the dissolution?

**Vice Chair Johnson** Tom Decker, will you come forward and address this issue.

**Tom Decker, Department of Public Instruction**

There are two parts to this bill. The first part is what the testimony has been on so far the repeal of the 15.1-31-02. 15.1-31-07 deals with a narrow piece of business you have passed legislation in the past that says when a student is in a district that is reorganized or dissolved, they have a choice of school districts. It is simply a choice not open enrollment. Choice of school of attendance. So that striking the last sentence means that for purposes of determining how many

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House Education Committee  
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students can open enroll, students can choose another district under that provision, aren't counted in average daily membership.

**Rep. Meier** What courses is your daughter taking on ITV?

**Lestmeister** She is taking Art, Chemistry I and Math. It is hard to take Art with no one in the class and do it over a monitor. **Rep. Hanson** This repealer is only the 20%.

**Susi Welsz, Halliday parent, See Attached Testimony, read 1400-1688**

**Tom Decker, Department of Public Instruction**

Open enrollment is ultimate form of local control. It is letting parents make the decision for the best setting for their children's education. When we set up open enrollment in 1993, we put the 20% cap on for pragmatic political reasons to get the bill passed. There should be no limit on open enrollment, if we believe in the concept of letting parent make the choice, any cap is artificial. Over the history of open enrollment, after the first year very few school where it rose to the 20% cap. The first year we had a back log of student who were in other school districts on tuition agreements or waivers. They converted to open enrollment that was about 1/2 of the number the 1st year. Every year we have one or two situations where this cap has been a crisis, where parents have been put in a position of having to make difficult decisions about the education because of the 20% cap existed. If we believe in open enrollment, if we believe it is important for parents to choose where their students will get the best education, we should remove the cap. It will have very little effect on the vast majority of schools in ND. I should point out that any school board in ND is free to go beyond the 20%. I have talked with a lot of school board members personally, if you want to live there you don't vote to beyond the 20% cap. We support removing this cap.

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Hearing Date February 3, 2003

**Rep. Williams** many of us felt for a long time we need more consolidations in the state. yet we run into local control issue. If this bill passes, and take the cap off, will this force some to consolidate due to loss of numbers?

**Decker:** I don't think that in the history of open enrollment that would indicate that is the case. We have had any instances where numbers exceed the 20% cap want to open enroll out in any given year. There is a steady pattern of increasing numbers of students open enrolling. Overall direction is smaller to larger districts. More districts, regardless or weather we act here to mandate or speed up consolidation, will be going out business, because of declining enrollment. This is really a chicken or egg argument. The pattern that we see is that as districts numbers get smaller and if there is any discussion of consolidation, open enrollment immediately increases. In any case, it is in this circumstance that parents need the choice most.

**Rep. Sitte** Can students open enroll for just a few classes, example for the vo-tech classes.

**Decker:** we have provisions in ND law to pay prorated foundation aid, for any student who want to attend a public school on a part time basis. It is also allowed under ND law, that school districts can reduce there scope of k-12 to k-6 or 8, and tuition there students out. Practically speaking in rural ND, the kind of course work that students want to go to another school for, may not be available. In much of ND we do not have good access to vocational programing and AP and high end course work.

**Vice Chair Johnson** If we were to remove caps and school boards doesn't agree to reorganization, how are they going to address the open enrollments when they come in, will they eliminate teachers?

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**Decker:** Right now the 20% cap the district of residence has no choice in whether or not they let students go. If you remove the cap they will have no choice, in the number of student, as long as the student apply for open enrollment through the correct process by the deadline. It will make them rethink their staffing. We have set the timelines so that they can plan for that through the spring.

**Rep. Williams** Is optional for school districts to participate in open enrollment?

**Decker:** It is optional on the receiving end. They may still choose not to take in students who are open enrolling. If they take in they need to establish a policy, class size, program size criteria, and how many they take based on that criteria.

**Rep. Jon Nelson** How many cases has there been where the 20% cap a problem:

**Decker:** A print out, it is a very small number, some as small as 20% of 6 students.

**Rep. Jon Nelson** The 20% rule as a tool is turning into a weapon in some cases.

**Decker:** Who is holding who hostage, School boards can deal with this before it gets to this level.

#### **OPPOSITION**

**(2890) Dean Bard, Association of Small Organized Schools**

When open enrollment first came into being back 8 years ago, we did not oppose the open enrollment concept because there were certain safe guards built in at that time, one being that there is a deadline only one time in the year. And then 20% requirement so that a district could not be drained to where it would make it difficult to function. I sympathize with this situation that is occurring. By in large it is not a good idea to pass legislation because of one situation. There are avenues available for pupil movement from one district to another.

#### **NEUTRAL**

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**(3159) Larry Klundt, ND Council of Education Leaders**

I think Mr. Bard is right, when he said the reason that our association didn't oppose open enrollment was because of the cap, timelines and things of that sort. Times change and sometimes change. I would like to point out some things that may be helpful here. I have analyzed this situation, it really gives credence to concept that I have been telling you for some time, that consolidation in ND is an extremely emotional issue. It is not a logical issue. But when it comes to matters of the heart, difficult to fix the heart and appease the brain. Currently as it stands, the people voted. Eleven more people voted to not consolidate in Halliday than voted to. If we remove the cap and we allow the people to open enroll, then we have disenfranchised the majority of the people, because the effect of that is to close the school and get what was wanted in the first place by the people who voted for the reorganization. On the other hand we also have this serious dilemma about the people who have kids in school and their concern to provide a quality education that they think is appropriate for their children. Mr. Clark proposed and amendment to remove the cap when a reorganization is involved. What if we were to look at this situation from the same point of view and said if the reorganization is NOT successful, only for those districts where you have a failure in the reorganization or a successful reorganization where there is a period of time where the 20% cap would not affect them. It appears a way to solve the issue to keep the 20% cap in place across the state, but in those unique situations it gives people some options.

**Rep. Herbel** Would you be in favor that being retroactive then?

**Klundt:** No problem with it.

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2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1361  
House Education Committee

☐ Conference Committee

Hearing Date February 11, 2003

Tape Number	Side A	Side B	Meter #
1		x	2450-4050
2	x		723-880
Committee Clerk Signature <i>Linda Fiechter</i>			

Minutes: **Chairman Kelsch** opened HB 1361

**Chairman Kelsch** recapped the bill, passed out the amendments, 30607.0101

**Rep. Haas** moved to accept the amendments, **Rep. Hawken** second.

**Rep. Mueller** Can we make it simpler, the to say "approved reorganization plan" and then end it.

**Chairman Kelsch** Because the way the current law is right now, if there is a reorganization and you are not pleased, you can opt to open enroll your student. And then this would be regardless.

**Rep. Haas** I think it was worded this way by council because of the provision in 15.1-31.07.

**Rep. Hunskor** So students in Halliday who were concerned about the 20% cap can get out.

**Chairman Kelsch** yes

**Rep. Herbel** I think at the same time, testimony indicated that this has not been a problem in exceeding the 20%

**Rep. Haas** this (Open enrollment/out of district) document prepared by Decker, Department of Public Instruction and Jerry Coleman, This is two years of data on this report. The far right hand column, out %, is a cumulative total. So that is not what happened in one year. There are some %

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House Education Committee  
Bill/Resolution Number HB1361  
Hearing Date February 11, 2003

that are higher than 20%. The column that is important here is, looking at the 20% limit, 2001, 2002. Based on the previous years ADM. And then you can see the number of schools enrolled out. There is currently nothing in statute that prevents a board from approving greater than 20%, but they are not required to by statute. I think this reinforces the committee discussion that we had earlier, on making it a blanket policy when there has not been a problem statewide. That is the rationale for the amendment and having it be consistent with any vote on reorganization.

**Rep. Mueller** When you talk the 20%, does that take into account that coming into schools. You could have a situation where you took in more than 20%.

**Rep. Haas:** there is no restriction that a district can accept, only that the statute requires that they have a policy for the criteria for which they accept. There is no limit. If they are willing to accept them they take them. The 20% is only on the leaving a district.

**Rep. Williams** Districts developed criteria and a policy on receiving enrollment based on the amount of room and teachers that they have to handle the additional students. Their applications can be denied based on the criteria. The school board association and Gary Thune's office helped them develop the policies.

**Rep. Haas** Section 15.1-31-06, the standard that must be established by a school board for the acceptance or rejection of an application.

**Rep. Norland** 20% in 20% out, Right now it reads that you have to apply for it in the previous year by Jan 31. So all schools know who is leaving and who is coming in.

**Question call for. Passed by Voice Vote**

**(Tape 2 side A, 723) Rep. Herbel moved a DO PASS as amended, Rep. Hawken seconded.**

**Roll vote: 10-4-0 passed, Rep. Hawken will carry the bill to the floor.**

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10/3/03  
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**FISCAL NOTE**  
Requested by Legislative Council  
01/20/2003

Bill/Resolution No.: HB 1361

**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.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 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.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 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.*

This bill will have no identifiable fiscal impact.

**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.*

N/A

**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.*

N/A

**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.*

N/A

<b>Name:</b>	Tom Decker	<b>Agency:</b>	Public Instruction
<b>Phone Number:</b>	328-2267	<b>Date Prepared:</b>	01/22/2003

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10/3/03  
Date

30607.0101  
Title.0200

Prepared by the Legislative Council staff for  
Representative Haas  
February 3, 2003

VR  
2/12/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1361 EDU 2-12-03

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 15.1-31-02 of the North Dakota Century Code, relating to grounds for the denial of open enrollment applications; and to declare an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 15.1-31-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-31-02. Open enrollment - Grounds for denial - Exception.**

1. Except as provided in section 15.1-31-04, the board of a student's school district of residence may deny an application under section 15.1-31-01 only if the application will result in a reduction of the number of students enrolled in the district by more than twenty percent of the average daily membership the previous school year. ~~However, if denying an~~
2. Notwithstanding the provisions of subsection 1, the board of a school district may not deny an application for open enrollment if:
  - a. Denying the application would result in the enrollment of children from the same nuclear family in different school districts, the school board of the district of residence may not deny the application; or
  - b. The application for open enrollment is filed on behalf of a student whose district of residence took part in an election to approve a reorganization plan and if the reorganization plan was rejected under section 15.1-12-11.

**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Deanna Hallmark  
Operator's Signature

10/3/03  
Date

Date: 2/11/03  
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1361

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30607.0101  
amendments

Action Taken \_\_\_\_\_

Motion Made By Haas Seconded By Hawken

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunsakor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

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Dennis Hall 10/3/03  
Operator's Signature Date

Date: 2/11/03  
Roll Call Vote #: 2

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1321**

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30607.0101

Action Taken Do Pass as amended.

Motion Made By Herbal Seconded By Hawken

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓				
Rep. Johnson		✓			
Rep. Nelson		✓			
Rep. Haas	✓				
Rep. Hawken	✓				
Rep. Herbel	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte		✓			
Rep. Hanson	✓				
Rep. Hunsakor	✓				
Rep. Mueller	✓				
Rep. Solberg		✓			
Rep. Williams	✓				

Total (Yes) 10 No 4

Absent 0

Floor Assignment Hawken

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

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REPORT OF STANDING COMMITTEE (410)  
February 12, 2003 2:55 p.m.

Module No: HR-27-2461  
Carrier: Hawken  
Insert LC: 30607.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HB 1361: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1361 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 15.1-31-02 of the North Dakota Century Code, relating to grounds for the denial of open enrollment applications; and to declare an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 15.1-31-02 of the North Dakota Century Code is amended and reenacted as follows:

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  - b. The application for open enrollment is filed on behalf of a student whose district of residence took part in an election to approve a reorganization plan and if the reorganization plan was rejected under section 15.1-12-11.

**SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

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2003 SENATE EDUCATION

HB 1361

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10/3/03  
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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Engrossed HB 1361

Senate Education Committee

☐ Conference Committee

Hearing Date 3-17-03

Tape Number	Side A	Side B	Meter #
1	x		27.2 - end
1		x	0 - 44.6
Committee Clerk Signature <i>Sandra Johnson</i>			

Minutes: CHAIRMAN FREBORG called the committee to order. Roll Call was taken with all (6) members present.

CHARIMAN FREBORG opened the hearing on Engrossed HB 1361 which relates to grounds for the denial of open enrollment applications.

**Testimony in support of Eng. HB 1361:**

REPRESENTATIVE C.B. HAAS, Dist. 36, testified in support of the bill. He stated the legislature should not be in the business of guaranteeing districts but should guarantee quality education for our students. ND is losing about 2000 students per year. We should try to do what is best for the students. He feels we can do better than capping the reduction of students at 20% of the average daily membership the previous school year in the open enrollment policy. If two schools pass a reorganization plan, the 20% cap is off. This bill also eliminates the 20% cap if the reorganization plan fails.

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*Dorinda Hallmark*  
Operator's Signature

10/3/03  
Date

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Senate Education Committee  
Bill/Resolution Number Eng. HB 1361  
Hearing Date 3-17-03

SENATOR LEE asked if this impairs the democratic process. REP. HAAS stated no. There are already other options, tuition waivers, etc., and the appeal process if needed.

SENATOR FLAKOLL asked if this would allow for failed reorganization plans to be retroactive. REP. HAAS does not think so. He would prefer a proactive approach.

SENATOR COOK asked if there were any other instances with over 20% exit enrollment. REP. HAAS stated very few.

SENATOR FREBORG stated that if these course offerings with minimum standards to meet were passed, every student would have an equal opportunity. Are we now eliminating this?

REP. HAAS feels this is more about a quality education than course offerings. There is a difference in how courses are taught. He feels there are stress points out there with some people..

MAROLYNN LESMEISTER presented testimony in support of the bill. (see attached)

ROBERT FEREBEE testified in support of the bill. (see Attachment A). His best guess as to the number of students next year is there would be 25 students in the Halliday school.

SENATOR CHIRSTENSON, asked which teachers aren't qualified. MR. FEREBEE replied that two are not teaching with certificates. They are on emergency credentials.

KENNY WEISZ testified and expressed his concern with what the future will bring. (He is also a signatory on Attachment A). He has three areas of concern with one of his children. One class she is the only student and it is offered only over ITV. One class she is with all senior students and must strive to keep up to their level. The other concern is in music where he feels she is playing below her level. He stated his family has open enrolled to another school but fell below the 20% cap.

**Testimony in opposition to Eng. HB 1361:**

*Dan Halliday*  
Operator's Signature

10/3/03  
Date

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BEV NIELSON, NDSBA, stated this bill removes the 20% cap and doesn't require a timely enrollment process. They understand it is the state's obligation to provide a statewide system of education with reasonable parental choice. They believe there should be parameters set. They feel that this situation should not be compared to a reorganized district's situation since they are very different. They further believe this bill came from a volatile situation which has been addressed and resolved fairly well. There will always be a district that offers something your own doesn't. The Engrossed bill is more palatable to NDSBA. She also believes the situation from which this bill came is now being solved locally and that is how it should be.

SENATOR COOK asked whether mandates or local control are used, or NCLB from the Feds, is she not now saying that local control (parental wishes) is not being considered. MS. NIELSON stated that she does advocate local control by the school boards to determine the operation of their districts. She does not advocate wholesale parental choice all over the state, as there are too many issues, and the education system would not function well if that were the case. SENATOR COOK stated that if we are to support local control, do we not have to support control by the parent. MS. NIELSON stated that is not how things work in our system. All taxpayers vote, not just parents of youth attending school.

SENATOR COOK has concerns over the 20% cap.

DEAN BARD, ND Small Organized Schools, stated their concern is in the repealing of the 20% cap. He stated the Engrossed bill is better. He wonders if the decision by a school district would be to not allow open enrollment, that this legislation would override that.

DEB BIFFERT, presented testimony. (see attached) She also presented testimony from PATRICK AND CHERYL KLEE. (see attached).

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SENATOR TAYLOR asked what is being done to remedy the situation between Halliday and Killdeer. MS. BIFFERT would not expound on that because she was not in attendance at the last school board meeting and deferred the question to the school board president, Lynnette Frafford.

SENATOR COOK asked if the 20% cap applies to parents who want to home school or enroll their students in a private school. She is not sure, but thought it applied to public school.

QUINTANA BIFFERT, student, presented testimony from herself and SHAUN KLEE. (see attached)

LYNNETTE FRAFFORD, Halliday School Board President, presented testimony. (see attached)

SENATOR COOK asked if the legislature could have done something two years ago to avert this problem, or can they do something now. MS. FRAFFORD feels the criteria for reorganization should be given a longer time frame. They were only given five months to do it. With a longer time frame, the schools would be able to address all issues involved. It could take two to three years.

**Hearing no further testimony, the hearing was closed on Eng. HB 1361.**

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Deanna Halliday  
Operator's Signature

10/3/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Engrossed HB 1361

Senate Education Committee

☐ Conference Committee

Hearing Date 3-24-03

Tape Number	Side A	Side B	Meter #
2		x	2.9 - 16.5
Committee Clerk Signature <i>Andrea Johnson</i>			

Minutes: CHAIRMAN FREBORG called the committee to order with all members present.

SENATOR COOK asked when open enrollment was created, why was the 20% cap put on in the first place. What was the justification for it. SENATOR FREBORG answered it was to prevent reorganization without a vote. SENATOR COOK would like to amend this bill to remove the 20% cap. SENATOR FREBORG asked why the cap should be taken off for "one specific situation".

There was discussion on other "open enrollments". What would be the reason to "open enroll".

Would "troubled" students be the ones to go to another school. Is there a need for this bill. Is the legislature addressing this issue with other legislation.

SENATOR COOK moved an amendment. At the end of page 1, line 19 add, "The 20% enrollment cap does not apply if the home district does not have the required core curriculum and a live body in the classroom. Seconded by SENATOR CHRISTENSON.

Roll Call Vote: 3 YES. 3 NO. 0 Absent. MOTION FAILS.

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*Donna Hallworth*  
Operator's Signature

10/3/03  
Date

Page 2  
Senate Education Committee  
Bill/Resolution Number Eng. HB 1361  
Hearing Date 3-24-03

SENATOR LEE asked if this is only for high school. SENATOR COOK said YES. He feels there is not a problem with elementary students traveling the extra distance.

SENATOR COOK moved a DO PASS. Motion Failed for lack of a Second.

SENATOR TAYLOR moved a DO NOT PASS. Seconded by SENATOR LEE.

Roll Call Vote: 5 YES. 1 NO. 0 Absent. Motion Carried.

Carrier: SENATOR TAYLOR.

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Dennis Halliwell  
Operator's Signature

10/3/03  
Date

Date: 3/24/03  
Roll Call Vote #: /

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. Eng. HB 1361

Senate EDUCATION Committee

☐ Check here for Conference Committee

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

Action Taken move amendment

Motion Made By Sen Cook Seconded By Sen Christenson

Senators	Yes	No	Senators	Yes	No
LAYTON FREBORG, CHAIR.		✓	LINDA CHRISTENSON	✓	
GARY A. LEE, V. CHAIR.		✓	RYAN M. TAYLOR		✓
DWIGHT COOK	✓				
TIM FLAKOLL	✓				

Total (Yes) 3 No 3

Absent \_\_\_\_\_

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

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

Motion fails

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Deanna Hallmark  
Operator's Signature

10/3/03  
Date



Date: 3/24/03

Roll Call Vote #: 2

## 2003 SENATE STANDING COMMITTEE ROLL CALL VOTES

**Senate      EDUCATION**

## Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

### Action Taken

**Motion Made By**

**Seconded By**

[illegible]

**Total (Yes)**

No

**Absent**

## Floor Assignment

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

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**Operator's Signature**

10/3/03  
Date

REPORT OF STANDING COMMITTEE (410)  
March 25, 2003 1:33 p.m.

Module No: SR-53-5685  
Carrier: Taylor  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
HB 1361, as reengrossed: Education Committee (Sen. Freborg, Chairman) recommends  
DO NOT PASS (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Reengrossed  
HB 1361 was placed on the Fourteenth order on the calendar.

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2003 TESTIMONY

HB 1361

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Deanna Hall  
Operator's Signature

10/3/03  
Date

# New standards set for North Dakota teachers

GRAND FORKS (AP) — North Dakota's teacher licensing agency has set new standards for educators that will require such things as skills testing and the compiling of portfolios to demonstrate proficiency.

The purpose of the standards set by the North Dakota Education Standards and Practices Board is to comply with the "No Child Left Behind" act that President Bush signed in January.

"These new standards will have a profound effect on teachers and teachers-in-training," said board member Chris Douthit, a teacher at Schroeder Middle School in Grand Forks.

The national education reform law that took effect in the current school year aims to broaden academic testing, increase spending for literacy programs and help children escape America's worst public schools.

It requires teachers to fulfill certain standards to be considered highly qualified. The deadline under federal rules is June 2006.

The standards set by the state board list requirements for new teachers and describe how experienced teachers who do not fulfill those requirements can become qualified.

New elementary school teachers applying for their initial license must pass a subject

**"These new standards will have a profound effect on teachers and teachers-in-training."**

*Chris Douthit, teacher*

knowledge and teaching skills test.

New teachers in grades 7-12 must have a bachelor's degree with a major or what is known as a professional education sequence in the subject they teach.

They also can fulfill a major equivalency by earning a minor and then completing a test; earning a minor and completing a skills portfolio; taking a national board exam for teaching the subject; or completing coursework equivalent to the major.

Future teachers will know quickly what the new policy is about and should have little trouble fulfilling the education requirements, Douthit said. However, teachers who have been working for years, many of whom have switched subjects once or twice, might have a harder time.

Board members said they are worried that some experienced teachers will retire or leave the profession rather than complete

the requirements.

"A seasoned teacher brings so much to a school," Douthit said. "We don't want any of our experienced teachers to feel as though they can't become qualified."

The board also has drafted a proposal for teachers who have experience in an academic field but do not hold a major or minor in the subject they are teaching. Those educators would be considered highly qualified after completing a portfolio demonstrating their understanding of the subject, or by taking a test on the subject matter.

The standards are necessary for the state to receive federal funding after 2006.

Some educators said North Dakota already has a high standard of teaching.

"We have to have faith in our own system because we already hold ourselves to high standards," said Peggy Shaeffer, director of teaching education at the University of North Dakota.

Dear rural and city patrons of Halliday Public School District,

The Halliday Public School Board reorganization vote is being held on Tuesday, November 12, 2002. One of the reasons I ran for the school board in July was to work for the patrons that wanted the process to slow down, and to take time to consider all options and resources available to us, which we can do with a majority of our patrons choosing to vote NO.

I am enclosing this cover letter along with a letter from patrons who want to keep the Halliday Public School open. Dennis and I, as parents of four children, with two in the Halliday Public School and two in college, along with other parents, are concerned about all children and their future. Let the majority of us who believe in our teachers abilities, who want our school to strive and thrive, who don't want our students to be on a bus longer than necessary, and who believe in our rural life and our community and our business leaders, have a chance to work for options that don't give everything away. Once the school is closed we can't get it back. We have the funds to draw from, due to frugal past board members, so it isn't going to cost you extra, but gives us time to check other options. ~~We don't like to see anyone go elsewhere but there is the~~ option of open enrollment, for those who want to leave. Let's not trade a school, jobs, and our community to ~~Kinder~~ for in-yard bussing.

You patrons in our rural and city community have been positive role models and mentors, through your hard work and dedication to keep going, even when times are tough. We are proud of the community of Halliday. Halliday is connected to the Southwest Water Pipeline. We have great volunteer Fire Department and Ambulance Squads. There is a lot of potential over the next few years with tourists passing through our town, because of the Lewis and Clark Trail, and Highway 1806 being part of that route, but again we need to have a school in our community for people to be interested in living here and bringing business here.

I am still opposed to the reorganization plan as the Halliday School District gives up too much!  
Gone will be the:

Valuable education our students receive in Halliday.

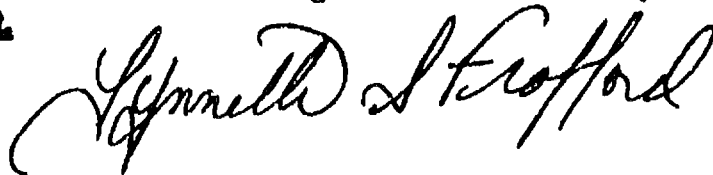
The jobs that the school offers, and the potential for more people to move here.

The control over the school building and contents, property, mineral acres, land and tax base.

The interim funds in CD's in the bank, and the reserve fund in Manning.

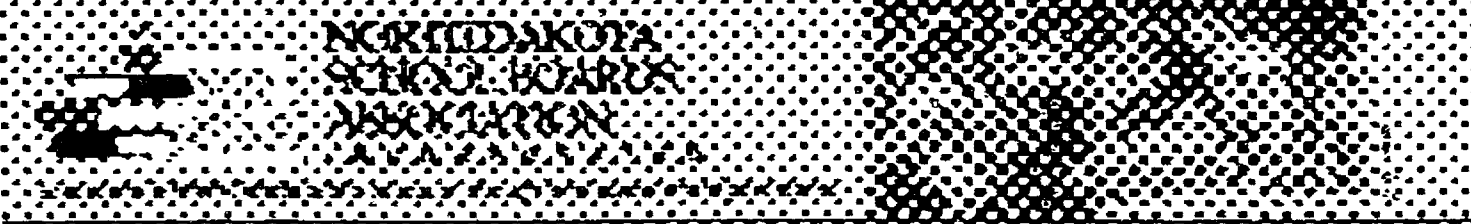
And yes, we don't even have say over our trophies and pictures as some have noticed. And yes, the property values will drop in Halliday. The economics of this plan isn't there. We have tried to bring up all of the unknowns in the reorganization plan, but were told it didn't matter, because if the vote went through, the new board can change the plan immediately if they want. So as you can see there are no guarantees in this plan. The plan had to go through the formality of the county and state vote, showing it met certain criteria, but that didn't mean it's a good plan. Now it's to the community vote, and we need to vote NO to this plan. It's important that we all remember to vote in Halliday on Tuesday, November 12. If you can't make it, our Halliday Public School District Business Manager said you could call her home at 938-4672 to get an absentee ballot, as there is no school Friday or Monday.

I wanted to keep this letter short, but it was hard to do, when you are talking about a way of life and a special community. I thank you all for your support and suggestions over the past few months. Let's continue to work together as a community. It's better to face a challenge, than to run from it.



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Operator's Signature D. Halliday Date 10/3/03



**STAY INFORMED! LEGISLATIVE INFORMATION UPDATED EVERY FRIDAY!**

**NEGOTIATIONS SEMINAR AND NONRENEWAL SESSION**  
**FEBRUARY 27-MARCH 1, 2003**  
**RAMKOTA HOTEL, BISMARCK**

*Halliday is a member!*

It is the philosophy of the North Dakota School Boards Association that boards and board members are first and foremost concerned about the quality of education that the young people of North Dakota receive through the public elementary and secondary school under their governance.

North Dakota School Boards Association  
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## OPEN ENROLLMENT CENTURY CODE GUIDELINES

### 15.1-31-01

2. By March 1 of the year preceding the year of enrollment, the school board of the student's residence shall act on the application, notify the parent of the board's decision within five days.
5. All applicant's must be reviewed in the order they are received.

### 15.1-31-02

Grounds for denial- Exception. Except as provided in section 15.1-31-04, the board of a student's school district of residence may deny an application under section 15.1-31-01 only if the application will result in a reduction of the number of students enrolled in the district by more than twenty percent of the average daily membership the previous school year. However, if denying an application would result in the enrollment of children from the same nuclear family in different school districts, the school board of the district of residence may not deny the application.

### 15.1-31-05

Transportation. A school district of residence may provide transportation to a student participating in open enrollment. If a district of residence does not provide transportation to a student participating in open enrollment, transportation may be provided by the admitting district, and the admitting district is then entitled to state payments for the transportation of that student.

### 15.1-31-06

School Boards - Standards. The board of each school district shall set standards for the acceptance and denial of applications for admittance under open enrollment as provided in section 15.1-31-01. The standards may address the capacity of a program, class, grade level, or school building. The standards may not address previous academic achievement, participation in extracurricular activities, disabilities, English language proficiency, or previous disciplinary proceedings.

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Dennis Halliwell  
Operator's Signature

10/3/03  
Date

North Dakota State Assessments - March, 2002  
 ND Dept. Public Instruction Test Results  
 Halliday/ Killdeer

	Math Summary Report				Reading Summary Report			
	A	P	PP	N	A	P	PP	N
Grade Four								
Halliday-2 students tested	100	0	0	0	100	0	0	0
Killdeer-16 students tested	24	59	18	0	24	53	18	6
State Averages	19	38	29	14	21	53	18	8
Grade Eight								
Halliday-4 students tested	0	50	25	25	25	75	0	0
Killdeer-37 students tested	16	55	21	8	5	42	39	13
State Average	10	32	45	12	16	50	20	13
Grade Twelve								
Halliday-11 students tested	9	9	55	9	18	55	9	9
Killdeer-33 students tested	22	56	16	6	19	22	47	13
State Average	13	20	41	25	19	31	26	22

A - Advanced  
 P - Proficient  
 PP - Partial Proficient  
 N - Novice

*I am not concerned about the test scores themselves.*

*Look at the number of children tested!*

*We have no kindergarten students next year.*  
*Marolynn Lesmeister*

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*Dennis Halliday*  
 Operator's Signature

*10/3/03*  
 Date



# ND School District Profile Facts - January 2002

## Special Education and Counselor Staff FTE

Killdeer		Halliday	
Title I Reading K-6	1.00	Title I	.50
Title I Math K-6	.40	Special Ed -CM	.30
Speech and Lang.	1.00	Speech Ed	.30
Speech Ed	.16	Counselor 7-12	.20
Special Ed K-12	1.00	Counselor K-6	.15
Special Ed /PE K-6	1.00	Paraprofessionals:	
Special Ed K-6	.50	Title I Aide	.62
Counselor K-12	1.00	Spec Ed Aide	.95
Voc. Counselor 7-12	.20	Spec Ed Aide	.95
Paraprofessional SE	.88		
Paraprofessional SE	.88		
Paraprofessional SE	.62		
Paraprofessional CP	.50		

## Extra-Curricular Activities

Killdeer	Halliday
Student Council	Student Council
Track- Co-op K/H	Track - Co-op K/H
Cross Country Track - Co-op K/H	Cross Country - Co-op K/H
Boys Basketball - Co-op K/H	Boys Basketball-Co-op K/H
Girls Basketball	Girls Basketball -Co-op GV
Girls Volleyball - Co-op K/H	Girls Volleyball-Co-op K/H
Wrestling - Co-op K/H	Wrestling-Co-op K/H
Football - Co-op K/H	Football-Co-op K/H
Rodeo Club	Rodeo Club
Drama	Drama
Speech	Yearbook
Yearbook	FFA
FFA	Math Counts
FBLA	Spelling Bee
FCCLA	Geography Bee
Pep Band	Acalympics
Klassics - Cheerleading	Cheerleading
Math Counts	
Spelling Bee	
Acalympics	
Student Newspaper	

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10/3/03  
Date

Killdeer classes offered grades 9-12 2002-2003  
44 classes offered

Family Consumer Science I	World History	Vo Ag I
Independent Living	U S History	Vo Ag II
Creative Foods	U S Government	Vo Ag III
Textiles	PE 9	Vo Ag IV
Foods	PE 10-12	Sociology
English I	Accounting	Psychology
English II	Applied Math	Biology
English Literature	Algebra I	Adv Biology
American Literature	Algebra II	Physics
Speech	Geometry	Chemistry
Creative Writing	Pre Calculus	Life Science
Advanced Communications	Bus. Communications	Phys. Science
Business Applications I	Business Applications II	Spanish I
Explornet Computers	Multimedia Computers	Spanish II
Keyboarding	Band /Choir	H S Library

Halliday classes offered grades 9-12 2002-2003  
34 classes offered

English 9	Vo Ag 10-11	Accounting - ITV
English 10	Vo Ag 12	Algebra I - 9
English 11	Vo Ag 10-11-12	Geometry -10-11
English 12	Welding 9-12	Pre-Calculus 12
Speech - ITV	Ag Mech 9-12	Business Math
Phy-Ed 9	Computer Lit 9	Physical Science 9
World History 10	Computer 12	Biology 10
U S History 11	Telecommunications 11	Advance ' Biology
Government 12	Advanced Computers	Anatomy 11-12
Spanish I - ITV	Psychology- ITV	Chemistry 11-12
Spanish II - ITV	Sociology - ITV	HS Library
Art - ITV	Band /Choir	

Halliday Library is open two periods a day. Otherwise the room is locked. Elementary and the high school each has one period a day to be able to use the library. Killdeer has a separate high school and a separate grade school library. It is open all the time. The Killdeer library is open for the public to use also .

Halliday has seven classes offered over the ITV network with no direct supervision in these classrooms.

Killdeer has no ITV classes. They have teachers and supervision in every classroom. They do not combine their classes. Grades 7 and 8 are separate classes and not combined in Killdeer as they are in some classes in Halliday.

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*Deanna Halliday*  
Operator's Signature

10/3/03  
Date

ND DPI School District Profile Facts - January 2002

Fact	Halliday	Killdeer	State Avg.
Enrollment	75	359	455.5
Open Enrolled In	5.9	1.1	-----
Open Enrolled Out	8.2	1.1	-----
Syr Enrollment Trend	- 30.4	- 10.7	-9.1
Instructional Costs	7,573	5,286	5,270
Transportation Costs	607	331	281
Student/ Classroom Teacher Ratio	7.0	16.7	17.1
Student Computer Ratio	1.9	2.8	3.4
Staff With Master Ed or Higher	9.1	12.5	27.7
Full Time Ed. Staff	13.39	32.86	
Courses Offered-High School (9-12)	35	44	
ITV - classes offered	7	0	

Halliday ITV Courses cause a conflicting schedule with required classes.

ITV Course: Speech same time as English 12  
 Psych/Sociology same time as Computer Twelve  
 Art I same time as Vo-ag 12  
 Accounting same time as Welding\Bus. Math/Band-Chorus  
 Spanish I same time as Advanced Computers  
 Spanish II same time as Chemistry

Killdeer offers 20 of their classes twice in the day. This helps eliminate conflicting course scheduling. As you can see the Halliday Seniors have some major course conflicts!!!!

Halliday has 7 courses offered on ITV. All these same classes are also offered in Killdeer, but with a teacher actually in the room. These same teachers are also available at other times if a student has questions or needs help on a class assignment. Grade K-8 are not combined and taught as separate classes. Larger classroom size. Small is not always better, especially if you have to share a teacher as they do in Halliday's combined classrooms.

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Dennis Halliday  
 Operator's Signature

10/3/03  
 Date

# BIGMAC TRIGONE

December 31, 2002 • Bismarck, ND • PopWeather

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**December 28, 2002**

## School is for the good of kids, not town

**By MAROLYNN LESMEISTER, Halliday**

**I write to express my personal concerns about North Dakota's open-enrollment law. It needs to be changed, and quickly! Having a 20-percent cap on open enrollment from one school district to another is totally unfair to those of us who want a better education for our children.**

The school district of Halliday is a prime example. We just went through a reorganization vote in November. It failed by a narrow margin. The Klildeer school district was wonderful in helping us with the reorganization plan.

**Our No. 1 concern was always the best education for the children! The people campaigning against reorganization said closing our school would be against the economic development of Halliday, would take away jobs and that the town would die. Does it say anywhere in the North Dakota Century Code that a school has to stay open for the benefit of a town? It is for educational purposes only, to benefit our students!**

**We parents who want a better education for our students would not give up. We have open-enrolled our children to Killedeer. The problem is, there are way more parents who want the best educational opportunities than state law allows. We have at least 14 kids beyond the 20-percent level allowed to go.**

My daughter, unfortunately, is one of the casualties. She will be a sophomore in high school next year. She is very bright, and wants more advanced classes than Halliday can offer. With the open-enrollment children leaving Halliday, she may be the only one left in her class. No education and no social opportunities.

My other daughter is a senior this year, thank goodness! To fulfill her 20 credits needed to graduate, she is in an ITV class by herself, taking one class by independent study herself and in one math class by herself. Luckily, she is bright and can do this. For the average or below-average student, this might not have been possible.

**My younger daughter refuses to go to school here next year. Is my only alternative to move to another town? Where's the economic development in that?**

The town is now at war. Those of us who want a better education for our children are being run down with verbal abuse. The school board is facing threats of recalls and virtually being forced to resign.

**We need to change the law. Do away with the 20-percent cap on open enrollments. If we want a better education for our children, let us go. Those who want to stay in a small school can. My daughter doesn't have the luxury of time.**

## Christmas in his heart

**By PRESTON and BARB NIEUWSMA, Pollock, S.D.**

**While shopping in Bismarck recently, we had a heartwarming experience.**

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Deanna Hall Smith  
Operator's Signature

10/3/03  
Date

Jan. 17, 2003

ND House and Senate Education Comm. Members  
ND's 58<sup>th</sup> Legislative Session  
600 E. Boulevard Avenue- ND State Capitol  
Bismarck, ND 58501

Dear Education Members,

I am writing to you in support of House Bill 1361 concerning open enrollment ceilings. Having a 20% ceiling on those who want to open enroll to other schools is totally unfair to those of us who want a better education for our children. I do hope you will vote in favor of this bill. Or at least make it possible for schools with less than 100 enrolled students.

The school district of Halliday is a prime example. We just went through a reorganization vote this past November. It failed by a very narrow margin. Killdeer school district has been wonderful to us working on the reorganization plan, of which I was a member. The people campaigning against it, used a platform of closing the school would be against economic development of Halliday, take away jobs, and the town would die. Does it say anywhere in the ND Century Code that a school has to stay open for the benefit of a town? It is for educational purposes, to benefit our students, only!

Those of us parents, who want a better education for our students, would not give up. We have open enrolled our children to Killdeer. The problem is: There are way more parents that want to get the best educational opportunities than the ND State law allows. We have at least 12 more kids beyond the 20% level allowed to go. My daughter is unfortunately one of the casualties. She will be a sophomore in high school next year. Is very bright and wants more advanced classes than Halliday can offer. With the open enrollment children leaving Halliday, she may be the only one left in her class. No education and no social opportunities. My other daughter is a senior this year. Thank Goodness! In order to fulfill her 20 needed credits to graduate, she is in an ITV class by herself, taking one class by independent study herself, and also in one math class by herself. Luckily she is bright and can do this. For the average or below student this may not have been possible.

My daughter refuses to go to school here next year. Is my only alternative to move to another town? Where's the economic development in this?

We now have a town torn apart. Those who want to live in the past and those of us who are looking at the future of our children. We want the same opportunities for our children that the larger schools offer. A wide variety of class course offerings. Being able to choose classes that fit our children's future goals. Not being forced to take a class just because there is nothing else offered. We want teachers in the classrooms and not TV

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*Deanna Halliday*  
Operator's Signature

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monitors. We want teachers available when our children need help after the class period ends. We want qualified teachers who actually are teaching in their majors and have had education classes. We do not want combined classes. We want classes that are based on abilities and not economic restraints. Now our lower classes are all combined and yet have only 5-6 students. You don't even have enough children in phy-ed classes to divide into teams for a sport. If we have to travel 25 miles to another school, we are willing to make that sacrifice for a quality education for our children. These small high schools do not adequately prepare our children to enter the large colleges. Being an A student in a class of 5 is way different than in a class of 40.

Right now more than one-third of our state's schools have enrollments of less than 100. Fewer districts would reduce administrative expenses, allowing more money to expand curriculums and hire more teachers. Are these small districts really in the best interest of the children? Some parents may like small schools. Others may prefer home schooling. Please don't force restrictions on those of us that don't. Let us make the choice for our children. Don't hold our children captives, in a school where they don't want to be. Most of all don't make them feel they are responsible for their town's economic survival by keeping a school's doors open.

We need to change the laws. Do away with the 20% open enrollment ceiling. If we want a better education for our children, let us go.

Those who want stay in a small school can. My daughter will be a sophomore next year and doesn't have the luxury of time.

If I can be any assistance on this matter please let me know. I want a better educational future for our children.

You can contact me at: Marolynn Lesmeister, PO Box 435, Halliday, ND 58636  
701-938-4730 e-mail mlesmeister@hotmail.com

Sincerely,

*Marolynn Lesmeister*

Marolynn Lesmeister

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*Dennis Halliday*  
Operator's Signature

10/3/03  
Date

DEC. 13. 2002 2:24PM

NO. 0004 P. 2



## Department of Public Instruction

600 E Boulevard Ave., Dept. 201, Bismarck, ND 58505-0440  
(701) 328-2260 Fax - (701) 328-2481  
<http://www.dpi.state.nd.us>

Dr. Wayne G. Sanstead  
State Superintendent

### MEMO

To: Wayne Stenehjem  
Attorney General

From: Dr. Wayne G. Sanstead  
State Superintendent

Date: December 13, 2002

Re: Interpretation and application of North Dakota Century Code 15.1-29-03

North Dakota Century Code 15.1-29-03 subsection 1 states, "After taking into account the best interests of all affected parties, the board of a school district may elect to send its students to another school district. In this instance, the board may pay tuition for the students. The board may arrange, and when petitioned to do so by qualified electors of the district equal in number to at least a majority of those who voted in the most recent annual school district election shall arrange, with other boards to send students to the other districts and to pay for their tuition and transportation." This section of the law has not been applied in a North Dakota school district but may well be applied in the next few months.

The issues or questions relate to circumstances in which the electors of the district would petition the school board to make arrangement for students to attend in other districts. The language of the section states that at least a majority of those who voted in the most recent annual school district election would be needed as signatories on the petition. Does that mean 50% of those who voted in the last election plus one in order to submit a valid petition? Is the election on which the number of petitioners based the annual spring school board election, not a special election such as a consolidation election?

If the board is petitioned by electors as required in the section, how many students would be covered by the petition? Would the district have to make arrangements to send all of its public school students to other districts or only those whose parents specifically requested such arrangements? If the interpretation were that the district would only be required to send those students whose parents requested attendance in another district, would the district still be allowed to operate a public school? If the district is required to make arrangements to send all of their students to other districts when the required petition is submitted, would the district move into non-operating status and fall under the statutory provision which allows them one year to dissolve?

School for the Deaf  
Devils Lake, ND  
(701) 863-0000

School for the Blind  
Grand Forks, ND  
(701) 785-2700

State Library  
Bismarck, ND  
(701) 328-2482

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10/3/03

(4) If electors petition the board is there any alternative to the board's paying tuition and transportation as indicated by the section? Would it be possible for the board to negotiate tuition free agreements for the students who are attending out of district as a consequence of the petition?

When a school board receives a petition under this section of code what is the time frame (5) in which the board must make a decision? Presumably their decision must fit a timeframe in which the involved parents could make necessary arrangements to enroll their students in neighboring school districts. If as a result of the petition the school district continues to operate a school while sending some number of students to other districts as the petitioners requested is there any timeline on the effect of the petition or would those students who are attending out of district as a result of the petition be presumed to be in attendance in their chosen district as long as they or their parents wanted that circumstance to continue? If a petition is filed by the required number of electors under this section of the code, would a subsequent petition from another group of electors asking the board not to send students out of the district have any impact or standing.

In the circumstances in question the expectation is that the school board will receive a petition under this section of the code in January and be expected to act on it in February. Therefore, we request that you provide an opinion within a timeframe that will allow students in the affected district will be able to determine their school attendance location next year in a timely fashion.

If you need additional information please feel free to call.

NO. 8712 F. 2

# N AND RECIPROCTY

15.1-29-05

## 15.1-29-03. Education of students in other districts -- Payment of tuition.

1. After taking into account the best interests of all affected parties, the board of a school district may elect to send its students to another school district. In this instance, the board may pay tuition for the students. The board may arrange, and when petitioned to do so by qualified electors of the district equal in number to at least a majority of those who voted in the most recent annual school district election shall arrange with other boards to send students to the other districts and to pay for their tuition and transportation.

*Dennis Hall*  
Operator's Signature

10/3/03  
Date



Open Enrollment 2001

CODIST DNAME	Dtype	Fall 2001 K-12 Enr	2000-01 ADM	*20% Limit	2001 Students OpenEnroll ed Out
01013 Hettinger 13	1		403.28	81	-
02002 Valley City 2	1		1,272.88	255	20
02013 Oriska 13	2		60.82	13	-
02062 Litchville 52	2		97.69	20	4
02085 N Central 65	1		183.00	37	1
02082 Wimbledon-C	1		172.70	35	1
03006 Minnewaukan	1		139.43	28	-
03006 Leeds 6	1		201.27	41	-
03009 Maddock 9	1		235.77	48	7
03016 Oberon 16	2		43.25	9	-
03029 Warwick 29	1		222.86	45	-
03030 Ft Totten 30	1		169.12	34	-
04001 Billings Co 1	2		76.72	16	1
05001 Bottineau 1	1		799.20	160	6
05013 Willow City 13	1		85.89	18	1
05017 Westhope 17	1		171.67	35	1
05035 Lansford 35	2		35.92	8	-
05054 Newburg-Unit	1		84.05	17	3
06001 Bowman 1	1		445.03	90	3
06017 Rhame 17	1		94.20	19	2
06033 Scranton 33	1		186.44	38	1
07014 Bowbells 14	1		114.00	23	-
07027 Powers Lake	1		126.42	26	-
07036 Burke Central	1		113.99	23	-
08001 Bismarck 1	1		10,426.08	2,086	68
08002 Regan 2	2		12.31	3	-
08025 Naughton 25	3		4.63	1	1
08028 Wing 28	1		80.43	17	5
08029 Baldwin 29	2		13.52	3	5
08033 Menoken 33	2		30.82	7	2
08035 Sterling 35	2		35.16	8	-
08039 Apple Creek	2		44.44	9	3
08045 Manning 45	3		10.00	2	-
09001 Fargo 1	1		11,388.10	2,278	1
09002 Kindred 2	1		720.47	145	2
09004 Maple Valley	1		211.20	43	1
09006 West Fargo 6	1		5,043.00	1,009	-
09007 Mapleton 7	2		112.64	23	-
09017 Central Cass	1		836.68	168	9
09080 Page 80	2		146.59	30	1
09097 Northern Cas	1		484.83	97	9
10014 Border Centre	1		31.75	7	-
10019 Munich 19	1		156.00	32	2
10023 Langdon Area	1		617.21	124	1
11040 Ellendale 40	1		379.08	76	1
11041 Oakes 41	1		561.61	113	5
12001 Divide County	1		332.26	67	-
13008 Dodge 8	2		51.04	11	-

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Deanna Hallen  
Operator's Signature

10/3/03  
Date

Open Enrollment 2001

CODIST DNAME	Dtype	Fall 2001 K-12 Enr	2000-01 ADM	*20% Limit	2001 Students OpenEnroll ed Out
13016 Killdeer 18	1		361.86	73	1
13019 Halliday 19	1		92.09	19	1
13037 Twin Buttes 3	2		50.94	11	-
14001 New Rockfort	1		376.06	76	-
14012 Sheyenne 12	1		144.77	29	6
15006 Hazelton-Moh	1		156.26	32	3
15010 Bakker 10	2		10.52	3	-
15012 Union 12	3		5.00	1	-
15015 Strasburg 15	1		231.98	47	2
15036 Linton 36	1		379.40	76	6
16010 Carrington 10	1		697.56	140	9
17003 Beach 3	1		361.75	73	2
17006 Lone Tree 6	2		52.94	11	-
18001 Grand Forks	1		8,226.24	1,646	49
18044 Larimore 44	1		574.88	115	7
18061 Thompson 61	1		514.29	103	3
18125 Marvel 125	2		186.60	38	5
18127 Emerado 127	2		112.35	23	-
18128 Midway 128	1		294.56	59	1
18129 Northwood 12	1		356.38	72	11
19018 Roosevelt 18	1		140.39	29	-
19049 Elgin-New Lei	1		250.23	51	1
20007 Midkota 7	1		206.88	42	1
20018 Gripps Count	1		353.28	71	4
21001 Mott-Regent	1		330.44	67	3
21009 New England	1		228.05	46	4
22011 Pettibone-Tut	2		23.32	5	1
22014 Robinson 14	2		12.52	3	-
22020 Tuttle-Pettibo	1		72.99	15	-
22026 Steele-Dawson	1		253.42	51	8
22028 Tappen 28	1		112.40	23	5
23003 Edgeley 3	1		275.86	56	3
23007 Kulm 7	1		157.23	32	10
23008 LaMoure 8	1		391.82	79	-
23009 Marlon 9	1		112.32	23	4
23011 Verona 11	1		72.50	15	3
24002 Napoleon 2	1		261.82	53	-
24056 Gackle 14	1		175.20	36	-
25001 Velva 1	1		454.63	91	9
25014 Anamoose 14	1		88.03	18	-
25057 Drake 57	1		144.38	29	-
25060 TGU 60	1		396.56	80	1
26004 Zeeland 4	1		65.00	13	-
26009 Ashley 9	1		200.14	41	2
26019 Wishek 19	1		262.18	53	2
27001 McKenzie Co	1		637.20	128	11
27002 Alexander 2	1		101.88	21	1
27014 Yellowstone 1	2		74.53	15	-

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*Dennis Haller*  
Operator's Signature

10/3/03  
Date

Open Enrollment 2001

CODIST DNAME	Dtype	Fall 2001 K-12 Enr	2000-01 ADM	*20% Limit	2001 Students OpenEnroll ed Out
27018 Earl 18	3		9.78	2	-
27019 Bowline Butte	3		2.00	1	-
27032 Horse Creek	3		4.00	1	-
27036 Mandaree 36	1		224.84	45	-
28001 Montefiore 1	1		230.14	47	7
28004 Washburn 4	1		410.05	83	4
28008 Underwood 8	1		275.10	56	-
28050 Max 50	1		167.39	34	-
28051 Garrison 51	1		367.23	74	4
28072 Turtle Lake-M	1		205.37	42	-
28085 White Shield	1		152.33	31	-
29003 Hazen 3	1		809.82	162	16
29020 Golden Valley	1		72.48	15	1
29022 Stanton 22	1		87.30	18	6
29027 Beulah 27	1		1,010.81	203	-
30001 Mandan 1	1		3,481.81	697	14
30004 Little Heart 4	2		28.00	6	-
30007 New Salem 7	1		394.18	79	5
30008 Sims 8	2		29.00	6	-
30013 Hebron 13	1		193.20	39	1
30017 Sweet Briar 1	3		7.00	2	1
30039 Flasher 39	1		242.56	49	2
30048 Glen Ullin 48	1		234.42	47	-
31001 New Town 1	1		734.27	147	5
31002 Stanley 2	1		423.16	85	6
31003 Parshall 3	1		328.33	66	-
31137 Plaza 137	2		25.15	6	-
32001 Dakota Prairie	1		393.14	79	1
32066 Lakota 66	1		287.15	58	10
33018 Center 18	1		276.91	56	2
34001 Pembina 1	1		153.66	31	-
34008 Cavalier 6	1		603.62	121	7
34012 Valley 12	1		162.76	33	2
34019 Drayton 19	1		233.28	47	-
34027 Walhalla 27	1		299.20	60	3
34043 St Thomas 43	1		127.68	26	-
34055 Neche 55	1		116.34	24	-
35001 WOLFORD 1	1		65.65	14	4
35005 Rugby 5	1		668.43	134	-
36001 Devils Lake 1	1		2,022.97	405	-
36002 Edmore 2	1		120.15	25	2
36044 Starkweather	1		116.59	24	1
37002 Sheldon 2	2		44.14	9	-
37006 Ft Ransom 6	2		23.28	5	-
37010 Salund 10	3		6.00	2	-
37019 Lisbon 19	1		690.35	139	8
37022 Enderlin 22	1		344.06	69	6
38002 Sherwood 2	1		128.87	26	-

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*Deanna Hall*  
Operator's Signature

10/3/03  
Date

Open Enrollment 2001

CODIST DNAME	Dtype	Fall 2001 K-12 Enr	2000-01 ADM	*20% Limit	2001 Students OpenEnroll ed Out
38009 Mohall 9	1		278.81	56	7
38026 Glenburn 26	1		319.00	64	19
39005 Mantador 5	2		22.00	5	-
39008 Hankinson 8	1		323.11	65	-
39018 Fairmount 18	1		136.04	28	-
39028 Lidgerwood 2	1		243.05	49	2
39037 Wahpeton 37	1		1,581.68	317	8
39042 Wyndmere 42	1		303.70	61	-
39044 Richland 44	1		317.33	64	2
40001 Dunselth 1	1		707.86	142	-
40003 St John 3	1		275.79	56	2
40004 Mt Pleasant 4	1		358.14	72	6
40007 Belcourt 7	1		1,757.68	352	-
40029 Rolette 29	1		219.88	44	-
41002 Milnor 2	1		326.19	66	3
41003 N Sargent 3	1		185.74	38	-
41006 Sargent Cent	1		339.40	68	4
42016 Goodrich 16	1		59.97	12	-
42019 McClusky 19	1		133.47	27	-
43003 Solen 3	1		193.90	39	-
43004 Ft Yates 4	1		206.61	42	1
43008 Selfridge 8	1		74.96	15	3
44012 Marmarth 12	2		13.44	3	-
44014 Sheets 14	3		9.00	2	1
44032 Central Elem	2		10.20	3	-
45001 Dickinson 1	1		2,876.52	576	8
45009 South Heart E	1		269.30	54	2
45013 Belfield 13	1		296.72	60	8
45034 Richardson-T	1		315.24	64	7
46010 Hope 10	1		150.47	31	-
46019 Finley-Sharor	1		176.14	36	1
47001 Jamestown 1	1		2,663.31	533	10
47003 Medina 3	1		168.64	34	-
47010 Pingree-Buch	1		159.51	32	10
47014 Montpelier 14	1		115.76	24	4
47019 Kensal 19	1		88.43	18	-
47026 Spiritwood 26	2		12.92	3	-
48002 Bisbee-Egela	1		106.69	22	-
48008 Southern 8	1		308.65	62	5
48028 North Central	1		78.24	16	-
49003 Central Valley	1		304.23	61	-
49007 Hatton 7	1		272.40	55	2
49009 Hillsboro 9	1		478.92	96	3
49014 May-Port CG	1		662.35	133	4
50003 Grafton 3	1		985.95	198	-
50020 Minto 20	1		260.93	53	5
50039 Lankin 39	2		63.18	13	3
50051 Nash 51	2		27.65	6	3

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*Deanna Hall*  
Operator's Signature

10/3/03  
Date

Open Enrollment 2001

CODIST DNAME	Dtype	Fall 2001 K-12 Enr	2000-01 ADM	*20% Limit	2001 Students OpenEnroll ed Out
50078 Park River 78	1		442.15	89	4
50079 Fordville 79	1		94.38	19	-
50106 Edinburg 106	1		143.48	29	14
50128 Adarns 128	2		103.64	21	5
51001 Minot 1	1		7,155.47	1,432	-
51004 Nedrose 4	2		239.40	48	7
51007 United 7	1		664.27	133	9
51010 Bell 10	2		129.62	26	7
51016 Sawyer 16	1		161.43	33	3
51019 Eureka 19	2		14.81	3	-
51028 Kenmare 28	1		366.77	74	1
51041 Surrey 41	1		443.28	89	14
51054 Berthold 54	1		212.10	43	4
51070 S Prairie 70	2		134.85	27	15
51158 N Shore 158	1		118.26	24	3
52025 Fessenden-B	1		266.50	54	5
52035 Pleasant Vall	2		24.83	5	-
52038 Harvey 38	1		560.57	113	3
52039 Sykes 39	1		67.41	14	-
53001 Williston 1	1		2,463.28	493	10
53002 Nesson 2	1		196.31	40	8
53006 Eight Mile 6	1		211.04	43	7
53008 New 8	2		218.52	44	11
53015 Tioga 15	1		311.10	63	3
53091 Wildrose-Alar	1		60.60	13	1
53099 Grenora 99	1		77.91	16	-
			107,462.07		730

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*Deanna Hallen*  
Operator's Signature

10/3/03  
Date

Open Enrollment Out of District  
2002-03 School Year (January 2003)

CODIST DNAME	Dtype	Fall 2002 K-12 Enr	2001-02 ADM	*20% Limit	2002 Students OpenEnroll d Out	IN	OUT	In Percent	Out Percent
01013 Hettinger 13	1	364	360	73	1	5	3	1%	1%
02002 Valley City 2	1	1,211	1,219	244	9	61	23	5%	2%
02013 Oriska 13	2	68	70	15	4	5	34	5%	33%
02052 Litchville 52	2	89	95	20	4	9	13	9%	13%
02065 N Central 65	1	158	172	35	2	5	18	3%	10%
02082 Wimbledon-Courtenay 82	1	163	166	34	1	13	2	8%	1%
03005 Minnewaukan 5	1	117	129	26	14	3	26	2%	18%
03006 Leeds 6	1	188	187	38	2	11	8	6%	4%
03009 Maddock 9	1	228	217	44	-	39	4	17%	2%
03016 Oberon 16	2	50	55	12	4	-	9	0%	15%
03029 Warwick 29	1	203	203	41	2	3	17	1%	8%
03030 Ft Totten 30	1	185	148	30	-	-	2	0%	1%
04001 Billings Co 1	2	73	73	15	2	3	12	4%	14%
05001 Bottineau 1	1	797	795	159	-	39	-	5%	0%
05013 Willow City 13	1	52	71	15	13	2	22	3%	30%
05017 Westhope 17	1	151	164	33	6	7	6	4%	4%
05035 Lansford 35	2	32	35	8	4	1	8	3%	20%
05054 Newburg-United 54	1	79	81	17	3	7	16	7%	17%
06001 Bowman 1	1	425	421	85	1	16	3	4%	1%
06017 Rhame 17	1	80	86	18	1	1	2	1%	2%
06033 Scranton 33	1	176	189	38	2	5	5	3%	3%
07014 Bowbells 14	1	102	107	22	-	3	3	3%	3%
07027 Powers Lake 27	1	118	120	25	1	2	6	2%	5%
07036 Burke Central 36	1	108	103	21	-	-	3	0%	3%
08001 Bismarck 1	1	10,399	10,378	2,076	8	155	33	1%	0%
08002 Regan 2	2	9	13	3	3	-	6	0%	40%
08025 Naughton 25	3	5	5	1	1	3	5	30%	50%
08028 Wing 28	1	77	74	15	-	12	-	16%	0%
08029 Baldwin 29	2	22	17	4	2	6	15	16%	41%
08033 Menoken 33	2	21	30	6	10	2	25	4%	54%
08035 Sterling 35	2	43	37	8	3	2	10	4%	19%
08039 Apple Creek 39	2	49	44	9	10	10	25	14%	34%
08045 Manning 45	3	4	5	1	3	-	7	0%	64%
09001 Fargo 1	1	11,095	11,270	2,254	2	2	9	0%	0%
09002 Kindred 2	1	712	703	141	2	20	11	3%	2%

1-HS  
2-graded Elem  
3-Kindred K-8/K-6

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Operator's Signature Diana Shultz Date 10/3/03

Open Enrollment (Out of District)  
2002-03 School (January 2003)

CODIST DNAME	Dtype	Fall 2002 K-12 Enr	2001-02 ADM	*20% Limit	2002 Students OpenEnrolle	d Out	IN	OUT	In Percent	Out Percent
09004 Maple Valley 4	1	199	193	39	10	4	25		2%	11%
09006 West Fargo 6	1	5,207	5,101	1,021	4	-	17		0%	0%
09007 Mapleton 7	2	105	109	22	1	-	13		0%	11%
09017 Central Cass 17	1	841	856	172	-	29	2		3%	0%
09080 Page 80	2	129	133	27	3	15	12		11%	9%
09097 Northern Cass	1	457	461	93	-	33	12		7%	3%
10014 Border Central 14	1	33	29	6	-	-	7		0%	18%
10019 Munich 19	1	126	134	27	-	11	2		9%	2%
10023 Langdon Area 23	1	548	548	110	2	2	25		0%	4%
11040 Ellendale 40	1	374	381	77	1	4	11		1%	3%
11041 Oakes 41	1	519	536	108	-	15	2		3%	0%
12001 Divide County 1	1	302	311	63	1	-	1		0%	0%
13008 Dodge 6	2	47	54	11	-	3	3		6%	6%
13016 Kildeer 16	1	365	362	73	-	9	3		2%	1%
13019 Halliday 19	1	79	75	15	5	8	10		9%	11%
13037 Twin Buttes 37	2	46	56	12	4	-	8		0%	15%
14001 New Rockford 1	1	397	376	76	-	25	2		6%	1%
14012 Sheyenne 12	1	115	132	27	8	8	21		6%	15%
15006 Hazellon-Moffit-Braddock 6	1	142	143	29	8	6	13		4%	8%
15010 Bakker 10	2	8	7	2	1	-	9		0%	53%
15012 Union 12	3	5	6	2	-	-	3		0%	38%
15015 Strasburg 15	1	207	227	46	2	11	8		5%	4%
15036 Linton 36	1	377	374	75	1	14	5		4%	1%
16010 Carrington 10	1	651	674	135	2	36	4		5%	1%
17003 Beach 3	1	341	330	66	1	2	4		1%	1%
17006 Lone Tree 6	2	51	53	11	-	1	-		2%	0%
18001 Grand Forks 1	1	8,008	8,099	1,620	4	114	8		1%	0%
18044 Larimore 44	1	573	571	115	9	17	12		3%	2%
18051 Thompson 61	1	481	492	99	9	28	55		5%	10%
18125 Marvel 125	2	176	175	36	6	-	18		0%	9%
18127 Emerado 127	2	98	102	21	20	5	33		4%	25%
18128 Midway 128	1	323	288	58	6	5	18		1%	5%
18129 Northwood 129	1	315	332	67	3	43	17		13%	5%
18140 Grand Forks AFB 1	4	-	-	-	-	-	-			
19018 Roosevelt 18	1	124	135	28	5	1	12		1%	9%

NDDPI

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Operator's Signature Danette Shultz Date 10/3/03

Open Enrollment (Out of District)  
2002-03 School (January 2003)

CODIST DNAME	Dtype	Fall 2002 K-12 Enr	2001-02 ADM	*20% Limit	2002 Students		IN	OUT	In Percent	Out Percent
					OpenEnrolle	d Out				
19049 Elgin-New Leipzig 49	1	244	257	52	1	9	5		4%	2%
20007 Midkota 7	1	168	179	36	3	4	28		2%	15%
20018 Griggs County Central 18	1	341	344	69	-	8	2		2%	1%
21001 Mott-Regent 1	1	294	313	63	5	5	13		2%	4%
21009 New England 9	1	199	224	45	8	13	15		6%	7%
22011 Pettibone-Tuttle 11	2	18	22	5	4	-	12		0%	40%
22014 Robinson 14	2	10	12	3	2	-	6		0%	38%
22020 Tuttle-Pettibone 20	1	58	63	13	2	-	2		0%	3%
22026 Steele-Dawson 26	1	274	267	54	-	32	1		13%	0%
22028 Tappen 28	1	110	110	22	7	10	22		8%	18%
23003 Edgeley 3	1	260	269	54	4	11	18		4%	7%
23007 Kulm 7	1	131	151	31	1	8	8		6%	6%
23008 LaMoure 8	1	363	373	75	1	22	2		6%	1%
23009 Marion 9	1	108	116	24	4	7	15		6%	13%
23011 Verona 11	1	50	60	12	-	1	9		2%	16%
24002 Napoleon 2	1	244	251	51	-	2	5		1%	2%
24056 Gackle 14	1	153	164	33	1	6	10		4%	6%
25001 Velva 1	1	454	433	87	2	30	2		7%	0%
25014 Anamoose 14	1	83	85	17	2	-	2		0%	2%
25057 Drake 57	1	141	150	31	-	2	1		1%	1%
25060 TGU 60	1	373	366	74	4	14	35		4%	9%
26004 Zeeland 4	1	60	54	11	-	1	-		2%	0%
26009 Ashley 9	1	185	186	38	-	2	-		1%	0%
26019 Wishek 19	1	266	266	54	3	7	5		3%	2%
27001 McKenzie Co 1	1	617	637	128	-	21	5		3%	1%
27002 Alexander 2	1	80	86	18	2	2	2		3%	3%
27014 Yellowstone 14	2	54	60	13	-	-	-		0%	0%
27018 Earl 18	3	7	6	2	-	-	-		0%	0%
27019 Bowline Butte 19	3	6	4	1	4	-	6		0%	50%
27032 Horse Creek 32	3	10	10	2	-	-	-		0%	0%
27036 Mandaree 36	1	190	221	45	4	-	17		0%	8%
28001 Montefiore 1	1	218	225	46	3	11	11		5%	5%
28004 Washburn 4	1	375	382	77	-	11	1		3%	0%
28008 Underwood 8	1	230	254	51	4	-	17		0%	7%
28050 Max 50	1	179	178	36	4	8	8		4%	4%

NDOP1

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Operator's signature Dr. David J. Smith 10/3/03  
Date



Open Enrollment Out of District  
2002-03 School January 2003)

CODIST DNAME	Dtype	Fall 2002 K-12 Enr	2001-02 ADM	*20% Limit	2002 Students OpenEnrolle			IN	OUT	In Percent	Out Percent
					d	Out					
28051 Garrison 51	1	369	372	75	2	13	7			4%	2%
28062 Butte 62	4	-	-	-	-	-	-				
28072 Turtle Lake-Mercer 72	1	200	202	41	1	1	4			0%	2%
28085 White Shield 85	1	145	137	28	3	10	3			7%	2%
29003 Hazen 3	1	769	815	163	-	35	11			5%	1%
29020 Golden Valley 20	1	55	58	12	5	3	5			5%	9%
29022 Stanton 22	1	87	88	18	1	9	16			10%	17%
29027 Beulah 27	1	915	972	195	1	8	7			1%	1%
30001 Mandan 1	1	3,351	3,428	686	37	26	85			1%	2%
30004 Little Heart 4	2	32	26	6	-	5	6			15%	18%
30007 New Salem 7	1	354	374	75	-	10	2			3%	1%
30008 Sims 8	2	39	36	8	-	-	7			0%	15%
30013 Hebron 13	1	171	182	37	5	6	11			3%	6%
30017 Sweet Briar 17	3	12	10	2	-	8	5			89%	56%
30039 Flasher 39	1	231	232	47	1	22	1			10%	0%
30048 Glen Ullin 48	1	210	215	43	3	-	8			0%	4%
31001 New Town 1	1	761	739	148	7	15	25			2%	3%
31002 Stanley 2	1	376	409	82	3	32	4			9%	1%
31003 Parshall 3	1	302	285	58	2	8	18			3%	6%
31137 Plaza 137	2	26	25	6	9	-	18			0%	41%
32001 Dakota Prairie 1	1	324	345	70	8	20	67			5%	22%
32066 Lakota 66	1	264	267	54	-	49	3			22%	1%
33018 Center 18	1	248	260	53	1	6	17			2%	7%
34001 Pembina 1	1	149	146	30	-	5	3			3%	2%
34006 Cavalier 6	1	555	581	117	1	27	3			5%	1%
34012 Valley 12	1	158	157	32	-	3	3			2%	2%
34019 Drayton 19	1	209	211	43	1	-	2			0%	1%
34027 Waltham 27	1	314	304	61	3	11	17			3%	5%
34043 St Thomas 43	1	141	134	27	-	3	3			2%	2%
34055 Neche 55	1	102	99	20	4	3	20			3%	17%
35001 Wolford 1	1	60	67	14	1	11	1			22%	2%
35005 Rugby 5	1	605	633	127	3	-	8			0%	1%
36001 Devils Lake 1	1	1,906	1,941	389	-	-	25			0%	1%
36002 Edmore 2	1	101	110	23	1	1	4			1%	4%
36044 Starkweather 44	1	113	108	22	-	6	2			6%	2%

NDDPI

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OpenEnr InOut 2.xls jac 1/31/2003

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Operator's Signature Shawn Smith Date 10/3/03

Open Enrollment Out of District  
2002-03 School Year (January 2003)

CODIST DNAME	Dtype	Fall 2002 K-12 Enr	2001-02 ADM	*20% Limit	2002 Students		IN	OUT	In Percent	Out Percent
					OpenEnrolle	d Out				
37002 Sheldon 2	2	40	42	9	2	-	4	0%	9%	
37006 Ft Ransom 6	2	20	18	4	-	4	4	20%	20%	
37010 Salund 10	4	-	4	1	-	-	-			
37019 Lisbon 19	1	662	659	132	3	37	11	6%	2%	
37022 Enderlin 22	1	339	342	69	2	20	19	6%	6%	
38002 Sherwood 2	1	106	117	24	2	7	3	7%	3%	
38009 Mohall 9	1	248	267	54	1	8	6	3%	2%	
38026 Glenburn 26	1	302	292	59	1	75	3	33%	1%	
39005 Mantador 5	2	11	18	4	1	-	1	0%	8%	
39008 Hankinson 8	1	328	324	65	3	1	4	0%	1%	
39018 Fairmount 18	1	126	128	26	3	2	6	2%	5%	
39028 Lidgerwood 28	1	236	235	48	4	1	7	0%	3%	
39037 Wahpeton 37	1	1,519	1,512	303	1	20	3	1%	0%	
39042 Wyndmere 42	1	280	292	59	8	5	20	2%	7%	
39044 Richland 44	1	309	310	62	3	22	6	8%	2%	
40001 Dunseith 1	1	523	581	137	11	-	32	0%	6%	
40003 St John 3	1	294	289	58	-	8	3	3%	1%	
40004 Mt Pleasant 4	1	331	340	69	4	19	4	6%	1%	
40007 Belcourt 7	1	1,763	1,725	346	4	-	4	0%	0%	
40029 Rolette 29	1	192	215	44	1	7	3	4%	2%	
41002 Milnor 2	1	294	298	60	-	6	4	2%	1%	
41003 N Sargent 3	1	198	190	38	-	3	3	2%	2%	
41006 Sargent Central 6	1	321	332	67	2	3	6	1%	2%	
42016 Goodrich 16	1	55	54	11	1	2	1	4%	2%	
42019 McClusky 19	1	113	117	24	-	-	2	0%	2%	
43003 Solen 3	1	153	108	22	3	-	22	0%	13%	
43004 Ft Yates 4	1	136	188	38	11	1	14	1%	9%	
43008 Selfridge 8	1	58	65	13	-	16	-	38%	0%	
44012 Marmarth 12	2	10	9	2	-	-	1	0%	9%	
44014 Sheets 14	3	6	5	1	1	2	4	25%	50%	
44032 Central Elementary 32	2	11	10	2	2	-	7	0%	39%	
45001 Dickinson 1	1	2,717	2,738	543	15	44	27	2%	1%	
45009 South Heart 9	1	257	266	54	8	10	27	4%	10%	
45013 Belfield 13	1	258	265	54	-	10	5	4%	2%	
45034 Richardson-Taylor 34	1	301	307	62	-	32	1	12%	0%	

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OpenEnr InOut 2.xls jac 1/31/2003

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Operator's Signature: Dan Sheldon  
Date: 10/3/03

Open Enrollment Out of District  
2002-03 School (January 2003)

CODIST DNAME	Dtype	Fall 2002 K-12 Enr	2001-02 ADM	*20% Limit	2002 Students OpenEnrolle d Out	IN	OUT	In Percent	Out Percent
46010 Hope 10	1	145	147	30	2	22	6	17%	5%
46019 Finley-Sharon 19	1	164	173	35	1	2	15	1%	8%
47001 Jamestown 1	1	2,542	2,584	517	14	24	62	1%	2%
47003 Medina 3	1	151	162	33	1	14	8	10%	6%
47010 Pingree-Buchanan	1	156	160	33	4	36	5	29%	4%
47014 Montpelier 14	1	116	104	21	5	26	27	22%	23%
47019 Kensal 19	1	66	78	16	-	-	1	0%	1%
47026 Spiritwood 26	2	11	14	3	-	-	1	0%	8%
48002 Bisbee-Egeland 2	1	93	95	20	2	3	11	3%	11%
48008 Southern 8	1	278	294	59	4	5	7	2%	3%
48028 North Central 28	1	69	70	14	-	2	16	2%	19%
49003 Central Valley 3	1	288	302	61	9	3	25	1%	8%
49007 Halton 7	1	257	249	50	1	1	7	0%	3%
49009 Hillsboro 9	1	426	439	88	8	21	14	5%	3%
49014 May-Port CG 14	1	618	625	125	10	13	50	2%	8%
50003 Grafton 3	1	911	924	185	5	11	16	1%	2%
50020 Minio 20	1	238	228	46	3	16	6	7%	3%
50039 Lankin 39	2	56	57	12	-	11	1	24%	2%
50051 Nash 51	2	25	23	5	3	6	3	27%	14%
50078 Park River 78	1	429	430	86	3	11	11	3%	3%
50079 Fordville 79	1	86	92	19	-	8	5	10%	6%
50106 Edinburg 106	1	138	143	29	-	24	2	21%	2%
50128 Adams 128	2	91	90	19	1	8	3	9%	3%
51001 Minot 1	1	6,905	6,947	1,390	66	45	130	1%	2%
51004 Nedrose 4	2	246	238	48	9	43	20	19%	9%
51007 United 7	1	618	666	134	17	28	30	5%	5%
51010 Bell 10	2	142	140	29	7	18	19	13%	13%
51016 Sawyer 16	1	152	151	31	6	6	33	3%	18%
51019 Eureka 19	2	21	13	3	2	1	3	4%	13%
51028 Kenmare 28	1	318	340	69	-	6	-	2%	0%
51041 Surrey 41	1	419	435	88	11	49	23	12%	6%
51054 Berthold 54	1	215	218	44	1	15	1	7%	0%
51070 S Prairie 70	2	154	140	29	3	48	4	44%	4%
51158 N Shore 158	1	112	111	23	-	13	-	13%	0%
51160 Minot AFB 160	4	-	-	-	23	-	52	-	-

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Operator's signature Diana M. Smith 10/3/03  
Date

Open Enrollment Out of District  
2002-03 School (January 2003)

CODIST DNAME	Dtype	Fall 2002 K-12 Enr	2001-02 ADM	*20% Limit	2002 Students		IN	OUT	In Percent	Out Percent
					OpenEnrolle	d Out				
52025 Fessenden-Bowdon 25	1	237	246	50	2	4	13		2%	5%
52035 Pleasant Valley 3	2	17	22	5	3	1	5		5%	24%
52038 Harvey 38	1	517	527	106	1	11	3		2%	1%
52039 Sykes 39	1	79	78	16	-	4	8		5%	10%
53001 Williston 1	1	2,345	2,379	476	24	22	56		1%	2%
53002 Nesson 2	1	179	189	38	4	3	8		2%	4%
53006 Eight Mile 6	1	219	218	44	1	31	3		16%	2%
53008 New 8	2	224	214	43	11	47	41		22%	19%
53015 Tioga 15	1	280	300	61	1	7	9		2%	3%
53091 Wildrose-Alamo 91	1	49	54	11	-	4	-		9%	0%
53099 Grenora 99	1	65	72	15	-	-	-		0%	0%
99000 Statewide		103,013	104,387		779	2542	2,542		2.4%	2.4%

\* 20% Limit = a resident district may not deny open enrollment applications up to and including this number.

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Operator's signature Deanna J. Smith Date 1/3/03

HB1361

House of Education Committee

2/3/03

this is a request to remove the 20% cap on the open enrollment law. Our school was recently involved in a consolidation process in which the plan was voted down. There are alot of parents and children that already have decided to open enroll to another school and the number of children involved exceeds the 20% limit that is allowed, our children are some of these that are over the 20%. Here are some of the reasons we feel our children would benefit from going to a different school.

1. Presently our daughter is taking a spanish class from the ITV system and she is the only one in the classroom, therefore there is no one else to participate in a classroom discussion with her. She is also in a computer class which the rest of her classmates are seniors and she is a sophomore. The reason she took the class is because there wasn't any other class option for her in that class period. She is very musicaly talented and would like to further her music education at the college level, but in order to do that she should be getting as much training as possible now at the high school level. She is capable of not only playing college level music on her instrument, but in her singing ability, also. Instead of working with music that she is capable of doing, our music program in school is demoting her to having to play 6<sup>th</sup> and 7<sup>th</sup> grade music. How can she have any benefit from this for her future education.

Donna Halliwell  
Operator's Signature

10/3/03  
Date

2. One of sons is in an EIP plan and needs alot of one on one time with the teacher and would not be able to participate in an I TV class. There is the possibility he might be 1 of only 2 students in his entire class.

3. ~~on~~ There is a real possibility that our other son would be in the 7<sup>th</sup> grade class all by himself. How can a child be expected to have a decent education in a class all by himself?

By changing the 20% enrollment cap, it would allow our children many more educational benefits and class options than what they would have otherwise. Thanks you for your consideration in this matter.

Ken and Lucille

Donna Hall  
Operator's Signature

10/3/03  
Date

Feb. 3, 2003

The Bismarck Tribune  
707 E. Front Avenue  
Bismarck, ND 58501

Dear Sheena Dooley,

I am writing to you in reference to the interview I did with you.

You know that in referring to the quality of the teachers at Halliday, I was referring to the two teachers hired on an emergency basis to teach. I still stand behind my statement that they are not qualified to teach my children. Yes, the law states they may do this, but I want more. I will testify to this fact on Mon. Feb 3, 2003 open-enrollment hearings.

Maybe Shelley Flaget should have stated the entire story.

Per DPI State Licensing Board of ND. This is Public record open to anyone.

Re: Ned Akin

Emergency License issued from Dec. 21, 2001 till Dec, 21, 2002.

Between Dec. 21, 2002 and Jan. 16, 2003 he had no license at all and was still in the classroom teaching, but did have a certified teacher with him.

He was given a certain number of credit hours to get his Level II license. He did not do this within a year's time, so he again renewed 2nd emergency license. This license is again only for one year from Jan. 16, 2003 to Jan. 16, 2004.

He is currently not a certified Level II teacher. But licensed under the Interim/ Emergency (one-year) License. How many years do I have to put up with him teaching my child on an emergency basis before he gets a Level II License?

I checked on the classes that he needs. He has completed the core curriculum classes, but has not completed the teaching sequences classes. Just because a person has core curriculum classes does not make him a teacher. You need to know how to present the information so that the children can learn.

The other vo-ag teacher is in the same situation. I do not have a problem with the rest of the teachers.

As far as the "7" children in Amy's class. I was referring to the "4" that will be left after the allowed open enrollments. *Up until this year, Amy's class years 1-8 had only 4 students.*

Yes, the science teacher was hired in the fall of 2001. I referred to this as "last fall."

*Dorinda Halliday*  
Operator's Signature

*10/3/03*  
Date

He was hurt about stating that he was a former janitor. It sure didn't seem like it when he had an article printed about him on Dec. 16, 2001 in the Bismarck Tribune. You may want to look this up in the archives.

I am enclosing my testimony to the senate Education Committee.

The newly appointed school board member stated at the last school board meeting that the actions of the open enrolled parents were stupid and idiotic. We were acting like spoiled little kids stomping our feet when we didn't get something we want. That means anyone who fights for the best educational opportunities for their children are stupid and idiotic.

You do not have permission to print any of this letter or the testimony, but I did want to clarify my statements. This situation is very ugly.

Sincerely,

*Marolynn Lesmeister*

Marolynn Lesmeister  
P O Box 435  
Halliday, ND 58636  
701-938-4730  
E-mail [mlesmeister@hotmail.com](mailto:mlesmeister@hotmail.com)

cc: Julie Bechtel  
Publisher of the Bismarck Tribune

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*Donna Hallquist*  
Operator's Signature

10/3/03  
Date



## Weeklies

## Oregon officials interested in Beach case

Compiled by  
LAUREN DONOVAN  
Bismarck Tribune

Oregon officials are paying attention to the fate of a Beach man, arrested three weeks ago on charges that he stole nearly \$200,000 from his insurance and investment clients.

Steve Hill also is wanted in Oregon on charges that he stole a man's identity to get a car loan and max out a credit card.

Hill, who's scheduled for a preliminary hearing Feb. 27 in Beach on the North Dakota charges, was working as an agent for Allstate Insurance in McMinnville, Ore., and apparently got to the personal information of another Steve Hill. That occurred in April 2000 and Hill left the state a short time later.

He told the Oregon Insurance Division he was moving to New Jersey and received a letter of clearance, which he presented to North Dakota insurance officials instead. Allstate investigators began looking into Hill's dealings after he left the state.

In Beach, Hill joined the

established insurance firm of Al Ueckert, who died a few months ago at the age of 93.

When the North Dakota Insurance Department was tipped about problems with Hill's Beach clients, Hill caught wind of the investigation and called the department from the top of nearby Sentinel Butte, inebriated and threatening suicide.

He was admitted to a Dickinson hospital and charged on the four felony theft charges when released.

He probably won't be returned to Oregon to face local charges until his North Dakota case is resolved.

— News-Register  
(McMinnville, Ore.)

## Kids leaving

Grassy Butte in McKenzie County is at a crossroads.

It's on Highway 85, just a few miles north of Highway 200.

And Highway 200 is a nice black stretch to Killdeer, about 20 miles east.

It turns out that nine students will be traveling that highway next school year, leaving the

Grassy Butte school behind.

That will leave only six kids at Grassy. There'll be one each in second and fourth grade and four in sixth grade.

"What do we do with the future of Grassy Butte school?" asked superintendent Kevin Keenaghan.

That's the million-dollar question.

Grassy Butte is an elementary operation that gives families in and around the town an option in the biggest school district in North Dakota.

The school board members will review its options when it meets in February.

— McKenzie County Farmer

## Great for Great River

The telephones to Great River Energy have been buzzing and callers want to know more about the company's grant-winning project.

Great River, which is pioneering the technology to dry lignite coal before it's dumped into the huge boilers at the power plant, recently secured an \$11 million grant from the Department of

Energy.

North Dakota's lignite has more water than harder coals and is less marketable because it doesn't burn as efficiently.

The new project at Great River seeks to reduce that liability by reducing the water in coal by 25 percent.

"This would level the playing field," said Charlie Bullinger, lead engineer at the plant.

The project has created a buzz in the industry because of its implications both for coal and the environment. Using dried coal will reduce the amount of carbon dioxide in the plant's emission stream, plus reduce operational costs by 70 cents a megawatt hour.

The grant money will allow Great River to build a one-tenth scale prototype that will dry three tons of coal an hour. The plant burns 450 tons an hour in each of the two units.

Great River is conducting the coal drying experiment at its Coal Creek Station at Underwood. It also operates the Stanton Station plant.

— Leader-News

2 ★ Dunn County HERALD ★ January 31, 2003

## COMMUNITY BRIEFS

## Grassy Butte students opt for Killdeer

The McKenzie County Public School District No. 1 allowed nine Grassy Butte students to go to the Killdeer Public School next year.

At the school meeting last week, the board approved the nine applications.

Killdeer's gain, however, is the Grassy Butte Elementary School's

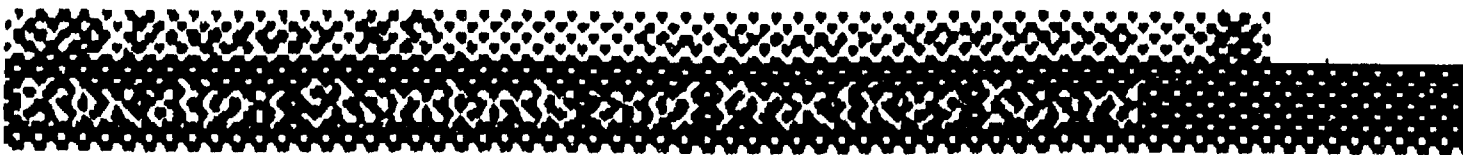
loss.

Only six students will be attending the school next year, but the school doesn't plan to close yet.

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Operator's Signature

Date



## Types of Licenses

Credential Information  
First-time Applicant  
How Do I Apply?  
License Renewal  
Licensing Fees  
New Licensure Model  
Testing Information  
Types of Licenses  
Endorsements  
Multicultural Education & Native  
American Studies Standard

*"Assuring highly qualified professional educators for North Dakota Students"*

### North Dakota Century Code Authority

A person must hold a valid North Dakota license issued by the North Dakota Education Standards and Practices Board in order to be permitted or employed to teach in a public school in this state. No teacher is entitled to receive any compensation for time the teacher teaches in a public school without a license to teach which is lawfully issued and in force in the county in which the school is taught. Prior to receiving a salary for the first month taught in a school district, a teacher must exhibit the teaching license to the business manager of the school district (NDCC 15-36-11 and NDC 38-12). Non-public schools must employ licensed teachers to be approved and in compliance with compulsory attendance laws.

### Licensure Level

**Level I** indicates that the individual still has educational or employment requirements to meet before receiving the regular Level II license, or that they are not currently maintaining contracted employment. (Further explanation is provided under titles of licensure.) \*Note: Life Certificates will appear as a Level I since they do not report status thru renewals. **Level I** indicates that the individual still has educational or employment requirements to meet before receiving the regular Level II license, or they are not currently maintaining contracted employment. (Further explanation is provided under titles of licensure.) \*Note: Life Certificates will appear as a Level I since they do not report their status thru renewals. **Level I** indicates that the individual still has educational or employment requirements to meet before receiving the regular Level II license, or that they are not currently maintaining contracted employment. (Further explanation is provided under titles of licensure.) \*Note: Life Certificates will appear as a Level I since they do not report their status thru renewals.

**Level II** indicates that the individual has met all of the basic requirements for a regular North Dakota Educators' Professional License. Full text of the rules and standards available from the office of the Education Standards and Practices Board (ESPB). **Level II** indicates that the individual has met all of the basic requirements for a regular North Dakota Educators' Professional License. Full text of the rules and standards are available from the office of the Education Standards and Practices Board (ESPB). **Level II** indicates that the individual has met all of the basic requirements for a regular North Dakota Educators' Professional License. Full text of the rules and standards available from the office of the Education Standards and Practices Board (ESPB).

**Level III** indicates that the individual has earned advanced degrees beyond the bachelors level (masters, specialist, or doctoral), or National Board for Professional Teaching Standards (NBPTS) advanced licensure. **Level III** indicates that the individual has earned advanced degrees beyond the bachelors level (masters, specialist, or doctoral), or National Board for Professional Teaching Standards (NBPTS) advanced licensure. **Level III** indicates that the individual has earned advanced degrees beyond the bachelors level (masters, specialist, or doctoral), or National Board for Professional Teaching Standards (NBPTS) advanced licensure.

### Types of Educator's Licenses and Procedures

1. **40-DAY PROVISIONAL:** Issued to applicants who have been offered a job have completed the entire application process with the exception of the background investigation. A letter from the school administrator indicating the

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*Deanna Hallmark*  
Operator's Signature

10/3/03  
Date

desire to issue a contract without the background investigation being completed and a letter from the applicant indicating their criminal background history is needed by the ESPB prior to issuing this license.

2. **INITIAL LICENSE (TWO-YEAR):** Issued to first-time applicants who have all of the ND requirements for licensure but have not taught or been under contract for 18 months. The requirements include the completed application form, official transcripts showing a bachelor of science degree in education, recommendation by the college of education, three signed recommendation completed fingerprint cards and all fees.
3. **REGULAR (FIVE-YEAR):** Issued to individuals who have met all of the requirements for a ND Educator's Professional License and have successfully taught 18 months (full-time equivalent) in the state of North Dakota. Individual must be under contract at least thirty days of the five-year period and complete four semester hours of re-education.
4. **INTERIM/EMERGENCY (ONE-YEAR):** Issued in a documented shortage a License is initiated by a letter from the local school administrator indicating search for a qualified applicant and the desire for this license to be issued. Requirements include the completed application as per number 2 above, a bachelor of arts degree in a content area, and a plan of study from the college of education where the applicant will complete eight semester hours each year toward the teaching degree.
5. **INTERIM/SUBSTITUTE (ONE-YEAR):** Issued in a documented shortage a to individuals with a bachelor of arts degree. License is initiated by local school administrator letter and a letter from applicant indicating they will not sign a contract and are only filling in during shortage.
6. **INTERIM RECIPROCAL (TWO-YEARS):** Issued to individuals who hold a license from another state but have not met the ND standards and rules. A plan of study is developed for each individual indicating the coursework needed. Individual has a total of four years to complete all requirements.
7. **RE-ENTRY (TWO-YEARS):** Issued to individuals who have been out of the teaching field for more than five years, or to out of state applicants who have completed at least four semester hours of reeducation credit within the past years. Eight semester hours of reeducation is required if the applicant signs contract during the license period.
8. **PROBATIONARY (TWO-YEARS):** Issued to individuals who have not completed the reeducation requirements for the five year or reentry license. Only one probationary license is issued.
9. **MINOR EQUIVALENCY ENDORSEMENT: ME 16 or ME 24** in content area. ME 16 requires 16 semester hours in a specific content area. ME 16 is good for five years. Coursework to complete ME 24 must be completed within five year period. This endorsement can not be used if someone wants to change from elementary to secondary education or vice versa. Requirements must be completed prior to entering classroom.
10. **MIDDLE SCHOOL ENDORSEMENT:** Educator has two years while in classroom to complete ten semester hours in middle school philosophy, curriculum, adolescent psychology and middle school strategies and foundations. No student teaching is required.
11. **ELEMENTARY REEDUCATION ENDORSEMENT:** Educator has two year while in classroom to complete requirements including five areas of elementary methods. Five weeks of student teaching at the elementary level is required.

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Dorinda Hall Smith  
Operator's Signature

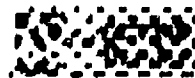
10/3/03  
Date

12. **KINDERGARTEN ENDORSEMENT:** Educator has two years to complete semester hours and student teaching while in the classroom. One full year experience can be used in lieu of student teaching.

13. **WAIVERS:**

- **FEEs:** Out-of state transcript review fee waived until substitute signs contr. Fee waiver must be requested by school with documented shortage of substitutes.
- **REEDUCATION CREDITS:** waived if the teacher is not under contract. On contract is signed, the reeducation credits are due.

14. **INTERIM/EMERGENCY CLINICAL PRACTICE PLAN OPTION:** Applicant who have entered the profession of teaching through interim/emergency lic trade, industry, technical or health occupations interim licensure; or applica who have an elementary education degree with a transcribed minor and ar seeking to compete the requirements for regular licensure may meet the st teaching requirements through a supervised clinical practice option. Applic must meet all of the requirements as outlined in ESPB Administrative Rule 02-04-07. Applicants must submit the completed form SEN 52862 to the off of the Education Standards and Practices Board prior to beginning their cli practice, along with a plan outlining how they intend to complete the other professional education requirements for regular licensure.



Send mail to [ghen@state.nd.us](mailto:ghen@state.nd.us) if you have any questions or comments.  
North Dakota Education Standards and Practices Board 2001  
800 E. Boulevard Avenue  
Bismarck, North Dakota 58505

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Danica Hallmark  
Operator's Signature

10/3/03  
Date

Dec. 19, 2002

Halliday School Board  
P O Box 188  
Halliday, ND 58636

Dear Halliday School Board Members,

Attached you will find a tuition agreement form. I am asking the Halliday School Board to pay Amy's tuition to attend the 2003-2004 school year in Killdeer School District. I am concerned about the education that Amy may receive in the Halliday School District next year. With the allowed open enrollments for the school year of 2003-04, Amy maybe the only one left in her class. Attending school in Killdeer will allow Amy more educational opportunities, classroom interaction, and socialization. I want more classes than Halliday can offer, I want a teacher in the classroom and not an ITV monitor. I want a teacher to be readily available if Amy should have any questions on classroom assignments. By being in a school system with more than one student in a class, she can be in a classroom split into sections based on abilities and not economic restraints.

In the past, the school board has always made decisions for my family that was always in their best educational interest. In 1999-00 you approved a tuition-free agreement for Ashley to Golden Valley. In Ashley's best educational interest, we agreed, and you provided an education for Ashley that was home-based. This was in the best interest of Ashley and the Halliday School at that time. In 2000-01 you approved open enrollment applications for Anthony and Ashley to Golden Valley School District.

I am asking you to again put aside all personal preferences, public pressure, economic development, and the school district finances. Look only at the best educational interest of Amy. With the students allowed to open enroll next year, she may well be the only one left in her class. For a child's emotional welfare, they need comradeship and competition. If they didn't, why is the school involved in and sponsoring extracurricular activities such as FFA, and sports? Amy needs this. She is a very outgoing person. Don't punish her by putting her in a class by herself, just so the Halliday School will remain open. Don't let her lose scholarship opportunities that she needs to prepare for now. She doesn't have the luxury of time.

It's not fair to ask any school district to take a student tuition free, if they are providing that education for the student. I pay taxes to educate my children and those taxes should be allowed to follow them to the school they choose. I am either asking you to provide a tuition paid agreement for Amy to the Killdeer School district or to approve her open - enrollment application.

Sincerely,

*Marolynn Lesmeister*

Marolynn Lesmeister  
Mother of Amy Lesmeister  
P O Box 435 Halliday, ND 58636  
701-938-4730

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*Dorinda Halliday*  
Operator's Signature

10/3/03  
Date

Dec. 30, 2002

ND Legislative District Four  
Rep. Kenton Onstad  
Rep. John Warner  
Senator Ron Nichols

Dear Sirs,

We are parents who are concerned about the education that our children are receiving in the Halliday School District. We are not saying that our children are not receiving a good education, but attending school elsewhere would provide more educational opportunities and more socialization for our children. Next year some of our children maybe the only ones in their classes. We want more classes than Halliday can offer. We want teachers in the classrooms and not a TV monitor over ITV. By having more students in the classrooms, they can be split into sections based on abilities and not economic restraints. Our lower grades are all in combined classrooms. Some of our high school children are in classes by themselves.

We would like you to sponsor and ask the legislative council to write a bill dealing with the 20% cap on open enrollment to other school districts. Do away with the cap. Let those of us who want better educational opportunities for our children go and not be stopped by the laws.

We have tried reorganization and consolidation with the Killdeer School District. It was voted down by a narrow margin. It seems a quote from the editor of the Fargo Forum on Dec. 29, 2002 is appropriate: "Rural school patrons who resist consolidation cling to their past rather than work for the good future of their children and grandchildren. But if the goal is to provide children with the best possible education, rural districts would be scrambling to find any and all ways to consolidate, save money, maybe reduce taxes and certainly provide better schools."

We hope you will consider our request. We would be happy to meet with you sometime to discuss this further.

Sincerely,

Concerned parents in Halliday

Jim & Ruth Wason 8730 1<sup>st</sup> St SW Halliday ND 58636 938-4376  
 Jim & Carol Keller 47 Hwy 8 Halliday ND 58636 938-4336  
 Robert & Amy Fink 8447 2nd St SW Halliday ND 58636 938-4772  
 Jay & Nancy Rogers 219 2nd St SE, Halliday, ND 58636 938-4616  
 Julie & Martin Dahlen 8717 Hwy 200 Halliday, ND 58636 938-4444  
 Stern & Ann Marguash 130 4<sup>th</sup> St. S.W. Halliday N.D. 58636 938-4633  
 Dutch & Peggy Orskov 227 1st Street SW Halliday ND 58636 938-4747  
 Mark Schaper 8659 3rd St NW Halliday ND 58636 938-4489  
 Kenneth and Julie Wang 8089 Hwy 1806 Halliday, N.D. 938-4723  
 Jim & Lynn Schaper 277 Hwy 8 N Halliday, ND 938-4431  
 Marilyn & Jim Lesmeister P.O. Box 435 Halliday, ND 938-4723  
 Sandra & Eldon Rohde 910 91<sup>st</sup> Ave SW Halliday ND 938-4354  
 Julie Walker P.O. Box 1162 Halliday ND 58636 938-3214  
 Blair & Dee Sell 244 1st Ave SW Halliday, ND 938-4441  
 Christy Fay 264 Halliday, ND 58636

Parent's reasons for open-rollment of Halliday Students.

The number one reason: OUR CHILDREN! We want to make the choices for our children.

More educational opportunities. A larger variety of courses to choose from.

We want teachers in the classrooms and not TV monitors.

Not all children can work from a TV monitor. They need direct teacher contact to support and encourage them.

ITV classrooms are not directly supervised. No adult in classroom.

We want teachers available after the class is over if help is needed for homework. This is not possible with the ITV teachers.

ITV scheduling conflicts with other class scheduling.

We do not want combined classrooms.

We want our children split into classes because of abilities and not because of economic reasons.

We want our children to have a full day of teaching-not the half day they get with combined teachers. They deserve a full time teacher to give them the full time attention that they deserve.

We do not want distractions in the classroom when the other class is being taught. How can this be possible in a combined classroom?

We want enough children in a classroom for activities. Classroom discussions, and interaction.

We want our children in high school not to have to take classes alone. Where is the classroom discussion and interaction?

We want larger classes for socialization. Some classes have only had 2 children. One boy and one girl. Is that fair to them? Small is not necessarily always better!

We want qualified teachers who are actually teaching in their majors and have had corresponding educational sequence classes. We now have two teachers who are not teaching in their majors nor had educational sequence classes. They are currently



studying to be certified teachers. They were hired on an emergency basis just to say we had teachers. Is this fair to the children? Learning on the job?

Killdeer offers 20 classes that are scheduled twice a day. This helps to eliminate class-scheduling conflicts.

Killdeer has no ITV Classes. Each course is taught by a classroom teacher. An adult supervises their classes at all times.

Killdeer's teachers are available after class is over for help if needed, not like the ITV courses.

Killdeer does not have combined classrooms. More classroom interaction.

Killdeer's library is open all the time and not locked like Halliday's.

Killdeer has a much larger class course offering.

Killdeer has more varied extracurricular activities for the children to pursue outside interests.

Killdeer has more full-time teachers.

Killdeer has a higher computer per student ratio.

Killdeer has more qualified special education teachers.

We want to make the choices for our children. We are looking at our children's futures. We don't want our children to feel responsible for our towns economic survival by keeping the schools doors open.  
Don't put our children in the middle of a town's conflict.

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Dorinda Halliday  
Operator's Signature

10/3/03  
Date

KELLER

January 15, 2003

Halliday School Board Members:

We have been concerned with the lack of curriculum choices open to the upper grades in our school system. We hesitated to enroll our children in another school because we liked the convenience of having a school close to our home, preferred to support our local school district, and hoped that somehow more choices could be offered "next year". It has become clear with the declining student numbers that our local school can no longer offer many choices in addition to the basic courses, and would now like to open enroll Josh with the Killdeer school district next year. Josh has two years left in high school and was limited with the choices of Vn Ag classes offered because one of the classes would have been a repetition of last year's class. He is now enrolled in an accounting class thru the ITV and while this situation keeps him out of another study hall, it does not offer him a course with a teacher in the room during the class period. ITV can offer classes for one or two students that are not usually included in small high school curriculums, but they do not offer an ideal learning situation for all students. Some students need a teacher in the room with them during the class time allowed and not one who is accessible only thru a screen.

We are also concerned about the size of Josh's junior class next year and would prefer that he be in a class with more than four classmates. At the present time his class of eight (total) will decrease again next year by another three students open enrolling in another district. He has lost two classmates in previous years to other schools, and we would like him to be in a larger classroom situation. Classroom discussions and class projects are difficult enough with less than a dozen students, and Josh's class next year could be down possibly to three students. A combined classroom with older students is not necessarily a good solution either. As a freshman Josh was in a welding class, which included freshman thru seniors. Any high school teacher will tell you a class with that much range in age is not an ideal situation either.

Josh has the ability to learn easily with little effort on his part and has been on the honor roll every quarter since seventh grade. We would like him to have the opportunity to learn with a larger base of classmates to strengthen his study skills, push his abilities in the classroom for learning, and provide competition in learning and discussion. We hope you will allow him to open enroll in a larger school system which will offer more choices in curriculum and extra curricular activities.

Sincerely,

From Jim and Karol Keller

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Operator's Signature

Date

10/3/03

February 1, 2003

Halliday School Board  
Halliday, ND 58636

Dear School Board Members:

Due to the restructure of the school board, you are now faced with an unenviable job. We would like to ask you to keep in mind when making decisions that you represent all the patrons in the district and not just those who share your ideals.

The ND School Board's Association, of which Halliday is a member, states:

"It is the philosophy of the NDSBA that boards and board members are **first and foremost** concerned about the quality of education that the young people of North Dakota receive through the public elementary and secondary school under their governance."

Soon you will be faced with deciding the fate of the open enrollments of our children. When you are making decisions about our children's future, please remember that we want the best educational opportunities for our children. We do not want our children to feel responsible for our town's economic survival. Don't put our children in the middle of a town's conflict. Your decisions on this issue will possibly determine the future course of our community. We are asking you to please allow these children to go. To force them to stay in this district will only create more hostility and tension among parents, patrons, and sadly, the students themselves. Hasn't the community suffered enough?

It is our parental responsibility and right to choose what is best for our children. We want more! Our children deserve all of the advantages that a larger school environment can offer. Enough students in a classroom for discussion and interaction to do projects, to strengthen their study skills, provide competition in learning and push their abilities for learning in the classroom. They want and deserve more social interaction than they are getting.

By approving all of the filed open enrollments, this school does not have to close, as there are ample reserves on hand. This will allow those that want to stay, the right to stay and those that want to go, the right to go.

Sincerely,

Parents of open enrolled students

Lynn Schaper	Jim Schaper	Edison Rohde
Nancy Bogers	Danah Rohde	Julius Weber
Judy Bogers	Dan Magnus	Mark Schaper
Robert A. Waseem	Stu Magnus	Paul Dahl
Joel Selb	Ken and Susie Waseem	Marilyn Lemeister
Karol Keller	Beth and Peggy Dittus	Glenn Murray
Lois Murray	Robert Amy Stuber	John Waseem
Tracy Siegi	Blair Kell	Ken Keller
	Tom J. J. J. J.	

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Deanna Halliday  
Operator's Signature

10/3/03  
Date

February 2<sup>nd</sup>, 2002

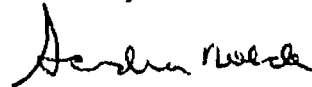
Dear Legislators:

I am writing in regards to the House Bill 1361 that will be presented on removing the 20 percent cap on open enrollments for children to another school district. I am a parent with children in the Halliday School district, and currently there are 37 students from our district open enrolled to another district for the 2003-2004 school year. My children are in the 20 percent that will be allowed to go, but there are 18 other students that did not make the 20 percent. Just like myself these parents would like the right to send their children to another school. As you may know, a consolidation plan was developed between the Halliday School District and the Killdeer School District, but in November of 2002, the plan was defeated in a special election by a very narrow margin of 11 Votes. Of the voters that voted in the election the vast majority did not have children attending school. From the number of children opened enrolled, you can see that the majority of parents with children in the Halliday School supported the consolidation.

If parents want to send their children to another school where their children will have more opportunities, I believe that they should be allowed to do this. The Board members of the School should not have the burden of making the decision on who should be allowed to leave and who should have to stay back. We can not hold our children to our school just to save the town. Our children's education should be our number one priority. I would also like my children to be able to attend a school where there is positive attitude among all the school board members. Recently at a special school board meeting that I attended, one of the new school board members addressed some of the patrons, including myself, on how we needed to grow up and quit acting like babies, and how stupid we were, I was appalled at the comments of this school board member. From the actions at that meeting I feel the new appointed board will not consider letting those students that did not make the 20 percent go. It should be every parents right to send their children to whatever school district they may choose.

Thank you for considering this bill, our children's educational future depends on its outcome.

Sincerely



Sandra Rohde  
Halliday ND

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10/3/03  
Date

Rae Ann Kelsch, Chairman  
ND House Education Committee

February 2, 2003

RE: House Bill 1361

Ms. Kelsch

We are testifying in favor of HB 1361. Our district recently went through a reorganization vote that was defeated by a narrow margin. The opposition chose economic development over the future educational needs of our students. Patrons supporting the reorganization plan did so out of concern in some of the following areas:

1. Increasing difficulty in recruiting and retaining qualified teachers
2. Declining enrollment (We currently have a K-12 enrollment of 76)
3. More educational opportunities for our students
4. Larger class sizes with single classroom settings allowing more student interaction, classroom discussion and competition (Grade school classes are now combined)
5. Lower mill levy thus reducing school taxes

As parents we felt, and still do, the reorganization would provide all of these advantages, therefore we have open enrolled our child to a district that can provide these opportunities. Unfortunately, she and several others are above the 20% cap and would need board approval to leave. At this time we do not feel the board will approve the balance of open enrollments. We feel it is a parent's decision, not the school board's, to decide what is in our child's best interest. We strongly urge you to approve HB 1361 so our children will not have to stay in a district that promotes economic development over educational needs.

Sincerely,

*Tim Wasem*  
*Roberta Wasem*

Tim and Roberta Wasem  
8730 1st St. SW  
Halliday ND 58636  
(701) 938-4376  
email@wasemrch@pop.ctctel.com

*Deanna Halliday*  
Operator's Signature

10/3/03  
Date

February 2, 2003

Dear Legislators,

I am asking that you approve the bill to allow more than the 20% of students in a school district to open enroll.

I am from Halliday, and as you probably all know, we have been through quite a lot of turmoil. A plan was put together that would have secured the future for our school district for quite some time. Due to many circumstances, the plan did not pass in our district. However, out of the 77 students that we began the school year with, 37 of those have now filed for open enrollment, that does not include the six seniors that are graduating and the fact that we have no kindergarten students coming in next year. The other factor that we have is that a number of our students come from Twin Buttes. Many of those have also indicated they plan to go elsewhere next year which will lower the enrollment even more. The plan did not pass in the community, but as you can see from the number of open enrollments, it is what the majority of the parents wanted for their children.

As the population declines in these rural areas, we are faced with this fact that parents are not allowed to decide what is best for their children. The consolidation vote had a large turn-out of voters however, very few of those voters actually had children in school or were directly effected by the outcome.

We cannot expect the school to keep the town alive. We cannot put that burden on the children and expect them to be prepared educationally and socially to go off to college if they do not have the variety of classes to choose from and are forced into classes they are not interested in just to put them somewhere.

I also feel, as a past board member, that is it a huge burden to place on the board to have to make a decision of who gets to go and who doesn't. My children are fortunate enough to have made the 20%, but is it fair to tell those who didn't, who want to go for the same reasons I do, that they cannot because they did not rush in soon enough to sign up?

I ask again, that you please pass this bill, our children's futures do not have time to wait, they only have four years of high school to prepare them for their futures and with the laws that are being implemented such as the No Child Left Behind Act, we cannot afford to not give those who want more for their children the opportunities they deserve. If a family is willing to make the sacrifices to go to another school, that should be their choice.

Thank you.

Sincerely,

*Amy Ferebee*  
Amy Ferebee  
Halliday, ND

# School Board members resign

Our Halliday School board members cite conflicts of interest

By RICHARD VOLINSKY

St. Dickinson Press

HALLIDAY — A wave of resignations left the Halliday School District without a functioning School Board. Board President Jim Schaper and

Board Members Nancy Rogers and Amy Furebee turned in resignation letters on Friday. The resignations took effect immediately.

Board Member Tim Waseem said Saturday that he mailed his resignation to the school district Friday night. His resignation is also immediate.

The resignations relate to the November failure of a proposal to merge the Halliday and Kildeer school districts. Halliday voters defeated the merger by a vote of 169 to 133.

Waseem and the board members who

have resigned supported the merger. "I don't like the path the community is taking for the district," Waseem said, while explaining his resignation. "I don't think it's in the best interests of the students."

Proponents of the merger had argued that it would have improved the educational system and would have reduced the Halliday district's property taxes. Classes would have included more students because they would have been combined with Kildeer.

Board Member Lynnette Frafford,

who opposed the merger, is not resigning.

Since Frafford is the only board member left, the board is without a quorum and therefore cannot hold meetings or pay the district's bills.

The State Board of Public School Education will have to appoint two new members to create a quorum, according to North Dakota law. The remaining two vacancies will then be filled by the Halliday School Board.

The resignations aren't the only prob-

See Page A2 on Page A2

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From: Dickinson Press

## SCHOOL BOARD from Page 1

lem facing the school district. There's a pending exodus of as much as 40 percent of the school's 77 students.

Prior to the election, the parents of 21 Halliday students submitted open enrollment applications which asked that their children attend the Killdeer School. The parents of 10 more students have since indicated that they want to switch schools, said Bogers.

Also, a number of Twin Buttes students that attend classes in Halliday are reportedly considering going to school elsewhere next year.

At a Dec. 11 Halliday board meeting, resident Clayton Neurohr, speaking for a group of patrons, suggested that the board develop a new plan for the school's future.

But the merger plan had been the best option, according to board members such as Bogers.

"In my heart, I don't feel like going back to the drawing board," Bogers said, while explaining her resignation.

The issue of open enrollment strikes very close to home for Bogers, Ferebee, Schaper and Wasem. All four of them have open enrollment applications for their own children pending. Neurohr, on Dec. 11, suggested that they resign if they felt they couldn't work for the district, and if they sent their children to

**“ ”**  
*In my heart, I don't feel like going back to the drawing board.*

**Nancy Bogers**

Former Halliday School Board member

Killdeer.

Halliday will lose state financial aid for every student that goes to Killdeer, therefore damaging Halliday's finances. According to open enrollment limits set by state law, it appears the Halliday board will have to allow the departure of at least 19 students who are named in the first set of applications. The other applications can be rejected by the board.

But doing so would have placed board members such as Ferebee in an odd situation. "I can't be involved in curriculum planning when my own kids are open enrolled," said Ferebee.

If board members rejected the additional applications, then they would be going against the wishes of many parents. If the applications were approved, the board would be putting the district's finances in peril.

"If I let them out it would be detrimental for the school district - it would destroy the school district," explained

Ferebee. "Your job is to protect the district and to represent the patrons, and so we just couldn't win either way. I feel all students who want to leave the school should be allowed..."

Ferebee said she didn't recall hearing any school patron say that the Halliday children weren't receiving a good education. But attending school in Killdeer would provide more educational opportunities and more socialization, she said. "I have a son who is in a class with one classmate. I just wanted more for him."

Frafford opposed the merger plan because she said it lacked details regarding what would happen to the Halliday district's buildings in the event of a consolidation. Opponents also feared the consolidated district's board would close the Halliday School.

The loss of students won't cause the closure of the Halliday School, Frafford said.

"We'll still have a viable district for (next) year," said Frafford.

ford. The district expects to have about \$400,000 in interim and reserve funds which can be used to keep the school operating.

"We hate to see anyone leave," Frafford said of her former board members. "I feel we should have been able to sit down at the table and discuss this more."

The two board members who are appointed by the State Board of Public School Education may have the positions only for a short time.

Once the Halliday board has a quorum, the members who were appointed by the state board have to resign, according to North Dakota law. The Halliday board would then fill those vacancies through appointments or with a special election.

Dawn Marquardt, a parent and Halliday city's auditor, wonders if the state board will be able to find any unbiased appointees. "I don't know if you could find someone like that here," she said.

Discussions regarding the future of Halliday's school and the merger have been swirling for about a year.

"The more it goes on the more hard feelings there are," said Marquardt. "It's really torn the community apart."

Schaper couldn't be reached for comment.



House Education Committee  
February 3, 2003

I am writing to ask for your support for HB1361 and to applaud those that are sponsoring this bill. I am from the community of Halliday and as you all know our community voted down a reorganization plan with the Killdeer School District this past November. I was a member of the Halliday School Board until my resignation on 12/20/02. It was with very mixed emotions that I resigned. I believed very strongly in the consolidation plan that had been worked on and truly believed we were doing what would have benefited the students **first and foremost**. I felt that I as a board member could not do anything more proactive for the district and when pressured to choose between my duties as a board member and my role as a parent, I chose my role as a parent.

I witnessed with horror as one of the newly appointed school board members lashed out at a special meeting on 1/29/03 to the parents who have open enrolled by calling their actions (filing open enrollments) stupid and idiotic. He went on to say that this is a democracy and those who lost need to accept it and not stomp their feet and act like spoiled brats. Most of the open enrollments had been filed long before the consolidation vote ever took place. These were not filed in retaliation to the defeat of the plan; however they were filed because the parents felt so strongly about their children's rights to receive more opportunities. I do not believe the original intent behind the present law Section 15.1-31-02 was to force students to stay in a school that does not provide them with the choices they are entitled to. Yes this is a democracy.....and those parents should have the right to decide what is in the best interest of their child. By repealing this section of the NDCC you will be allowing parents to exercise that right. No child should be held hostage within a school district to ensure its school stays open or for the economic benefit of a community.

I am privileged to be a parent to 3 children. One son recently finished college, a daughter that will graduate in May and a son that is a freshman this year. They are all good students, but have not had the opportunities they should have. Our school did not have Vo-Ag for 2 years when my oldest son was in school and as a result he was stuck in some other classes that he had no interest in. This was not fair to him or to the students that did want to be in there. As a junior my daughter FINALLY was able to take an entry level computer literacy class as we did not have a technology teacher when she was a freshman and a required course was scheduled at the same time as computer literacy when she was a sophomore. We now had a Vo-Ag teacher so she ended up having to take that to fill her course load. She is going to attend Minot State University next year to pursue a degree in Communication Disorders and did not need to learn how to weld, wire outlets, plumb, etc. She needed the computer courses or other courses more suited to her field. I feel the time is right for my son who is a freshman to open enroll to Killdeer so that he will not have to face what my other 2 children did. He is within the 20%; however, it does not deter my feelings about the rights of **all** parents to decide where their children attend school and their children's right to receive the best education possible.

I strongly urge you to support this bill and I thank you for your time.

Nancy Bogers  
Halliday, ND



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10/3/03  
Date

Feb. 3, 2003

ND House Education Committee Hearings  
ND State Capitol

To ND Education Committee Members:

Good Morning, my name is Marolynn Lesmeister of Halliday. I would like to thank you for giving me this opportunity to speak on behalf of my daughter Amy and 36 other open-enrolled children from the Halliday School District.

I am requesting you to vote favorably for bill 1361 to drop the 20% ceiling on open enrollments allowed by a local school board. Please allow us as parents the right to hold our own children's educational futures in our hands where it belongs. Let us be allowed to give them the same opportunities that children at larger schools receive. Yes, it does mean more time on the school bus, but we are willing to make that sacrifice. We want a wider variety of class offerings, to be able to choose classes that fit our children's future goals and not just to take a class because there simply is no other choice. We want teachers in the classrooms and not ITV monitors. To have teachers readily available for homework and not to have to wait for an e-mail or make a long distant phone call when help is needed. We do not want combined classrooms in which 2 grades share the same teacher. They deserve a full time education with minimal distractions. We want our children in classes based on their abilities and not economic restraints and class size numbers. Enough children in a classroom for discussion and interaction to do projects, provide competition in learning, and push their abilities for learning in the classroom. You can not do this with 1 or 2 students in a classroom. My daughter is a senior in high school this year. She has been taking three classes by herself - one independent study, one ITV, and one math class by herself. I don't want my other daughter who is a freshman this year to have to go through the same thing. She has open-enrolled to a larger school, but is not in the 20% allowed to go. She may be the only one left in her class next year if not allowed to go.

Right now we are seeing many of our children entering into college. We see how some of our children are struggling at the college level. They are limited in lab areas and courses such as advanced sciences and maths. Adjusting to classes with 100 or more students is very difficult after being in a class of 4 or 5. Getting an A in a class of 5 is much easier than a class of 30. I know this for a fact, as my son is in college right now and so are many of my friend's children.

We want teachers who have level II or III licenses and not ones with emergency licenses who are learning on the job while they are teaching our children, because there are no other teachers available. Just because someone has the content courses does not make him or her a teacher. The new Leave No Child Behind Act is going to make this very difficult.

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Marolynn Lesmeister  
Operator's Signature

10/3/03  
Date

Our children are being put in the middle of small town's economic conflict. Saying a school consolidation may take away jobs, businesses would close, and the town would die. Is it fair to make our children feel responsible for a town's economic survival and sacrifice the educational opportunities that they deserve?

At the present time my daughter's education is in the hands of a school board who had a member state that the actions of the parents of open enrolled school children are stupid and idiotic, acting like little kids stomping their feet because they didn't get what they wanted. This may not be an exact quote, but the meaning is there. He was referring to the failure of the Halliday/Killdeer reorganization plan in Nov. and the parents who had open enrolled as a result. Killdeer overwhelming voted to accept the plan by 84% and in Halliday it was narrowly defeated by 11 votes. Of the 327 votes in Halliday, only 72 people who voted actually had children in the Halliday School. Now out of 75 children 37 have open enrolled and that does not include those open enrolled from the Twin Buttes School District, who do not have a high school to attend in their district. We have 6 students graduating and no kindergartners next year. Maybe we should be listening to the parents with children in school and not the entire community.

I know that open enrollments cost dollars to school districts. There must be a way to make districts more equitable in funding other than forcing a child to stay where he doesn't want to be. Right now more than one third of our state's schools have enrollments of less than 100. Fewer districts would reduce administrative expenses, allowing more money to expand curriculums and hire more teachers. Are these small districts really in the best interest of the children? Some parent's may like small schools, others may prefer home schooling, but please doesn't force restrictions on those of us that don't. Let us make the choice for our children. Don't force them to stay in a school where they don't want to be. Our children have personally requested this from us.

We have 37 open enrolled children. Nineteen will be allowed to go because they happened to be the 1st in line. Is that fair?

By lifting the 20% ceiling, the schools will not have to close, as in a consolidation. Those that want to stay can, and those that want to leave will have the right to go.

Now remember you are placing my daughter's and that of 36 other open enrolled children into the hands of a school board member who stated that our wanting the best educational opportunities for our children is idiotic and stupid.

Please vote yes on House Bill 1361 to drop the 20% ceiling on open enrollments. We need this law in effect as soon as possible under emergency legislation to help our children this year. It is our parental right and responsibility to choose what is best for our children's future. Thank You.

Marilyn Lesmeister  
Halliday, ND  
938-4730

Feb 3, 2003

Dear Rep. Keloch,

I, on behalf of all the open-enrolled students from the Halliday School district, I am providing you information in favor of HB 1361.

Our #1 reason to support this:  
"OUR CHILDREN!"

Thank you for realizing the importance of a quality education for all children by sponsoring this Bill.

Please share this information with as many people as possible.

Our gratitude,  
37 open-enrolled children  
& their parents

Marilynn Lesmeister

February 8, 2003

Madam Chairman, and Committee Members:

Unfortunately we were unable to attend the hearing on House Bill 1361. Still, we would like to express our testimony against this bill.

We are in complete opposition to removing the 20 % cap on open enrollment, or any amendment attached to it. For obvious reason it WILL damage our district as well as many small districts throughout the state.

The 20 % cap was made law to protect a district from being closed through open enrollment. This was told to us personally by Tom Decker. Patrons of Halliday voted NO because they were in opposition to the way the consolidation plan was written. In effect, removal of the 20% cap will impress on a Democratic society that maybe their vote does not always count anyway. This bill also appears to be very stifling to local school boards who will be trying to make decisions in the best interest of their entire district.

We have an excellent school in Halliday and are proud of our children as well as all the children who attend our school. We are an approved and accredited facility.

It is sad that one schools failed consolidation plan is used as an example to change a vital law such as this.

Please leave the 20% cap on open enrollment as it is, with no changes or amendments added to the current law. It is one of the few protections that small schools and school districts have.

Sincerely,

*Patrick Klee*  
*Cheryl Klee*  
Patrick and Cheryl Klee  
Halliday, ND

Testimony of Lynnette Frafford

HOUSE BILL NO. 1361

March 17, 2003

Chairman Layton Freborg, and Senate Education Committee members:

My name is Lynnette Frafford, School Board President and parent from Halliday, ND., and I am providing testimony against House Bill No. 1361.

I find it hard to believe that due to a reorganization vote not passing, a bill could be introduced to change a law because of the agenda of a few people. I am opposed to House Bill 1361 as it undermines the decision of the voters, which consisted of all taxpayers in the district. It also penalizes current school board members and what they have to work with, even though there may have been other board members on at the time of the reorganization vote. This bill is narrow, targeting one issue because of one situation. Common sense needs to come to the forefront, and we need to look at the havoc this would cause for all future reorganization plans. This bill would mean that it doesn't make any difference what taxpaying patrons believe, as their vote wouldn't count. When did our state come to this conclusion? The change needs to come in the criteria for reorganization, but that's another issue which I won't even address for now.

We, the school board at Halliday, did not approve open enrollment applications over the 20% cap because we felt the law on open enrollment is a good law and it has certain safeguards built into it. It allows districts the time to plan for a certain number of students leaving, or entering a district, when they are working on finances and plans for their districts. Imagine the confusion if you lift the cap.

However, there are other avenues for students to move from district to district. There are No Charge agreements, and we as a board did approve No Charge agreements, (or Tuition Waiver agreements as some call them), which a neighboring district had signed, for the remaining students above the 20% cap. So, the issue has been taken care of. Other avenues are District Paid Tuition agreements, or Parent Paid Tuition agreements. The legislature has been protective of local control for School Boards, and most school boards will make decisions based on their area and most of the time the issue will take care of itself, rather than changing a law that could prove detrimental for other schools in the state.

Contrary to testimony that was given in the House, I need to leave you with correct information, about our school in Halliday. Halliday is an accredited and approved school and always has been. Our CTBS scores are as high, or higher than National and State averages. We offer a core curriculum, and electives, and they are taught by qualified certified teachers. We support our teachers, and did give them the monies that the state allocated for teachers salaries two years ago. We were futuristic in joining the Great Western Interactive Video Network several years ago, which is a boon for districts that have it, as it offers more choice for extra curricular courses, than districts around us can. Through ITV students can take extra curricular classes offered by Bismarck Public Schools and other schools. Halliday Public School District has great students, parents, and taxpayers that believe in our school and want to continue to educate our children in Halliday, rather than put them on buses for up to three hours per day, as it would be for some students. The district is financially sound, and the board plans to be involved and responsible.

As a parent and Halliday School Board President, I urge a **DO NOT PASS** on House Bill No. 1361.

Are there any questions?  
Thank you.

Lynnette Frafford  
Operator's Signature

10/3/03  
Date

**House Bill 1361 Testimony  
Shaun Klee and Quintana Biffert**

~~Dear~~ Mr. Chairman and Committee Members:

This testimony is that of Shaun Klee, a seventh grader at Halliday Public School, and my friend, Quintana Biffert, a fourth grader at Halliday Public School. Both of us were going to try to be here today, but unfortunately, I cannot. Quintana is representing both of us and we are both opposed to HB 1361.

Quintana and I were both present at the House vote on House Bill 1361 on February 17, 2003. I was a guest of Representative Kenton Onstad, and Quintana was a guest of Representative Frank Wald.

Quintana and I thought the debate on the bills were healthy until statements made by a Representative in reference to House Bill 1361.

This Representative said that "the students of the Halliday Public School unfortunately were not getting a good education," and also used Halliday as a pawn to get this bill to pass.

We were both shocked and hurt! How could this Representative make statements about a city and a school that this person has never been to nor probably will never go to?

We both like the smaller classrooms and the individual attention afforded to each student, and believe small school districts and small schools should be given the same consideration as the larger ones. Thank-you.



Shaun Klee  
701-938-4718

*Quintana Biffert*  
Quintana Biffert  
701-938-4341

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## HOUSE BILL 1361 TESTIMONY

MR. CHAIRMAN AND COMMITTEE MEMBERS:

We are writing this testimony in opposition to House Bill 1361. In passing this bill it would ultimately be taking away control of all school boards. It also eliminates the rights of voters who may or may not be in favor of a consolidation.

Should not one tax payers voting opinion be worth as much as anyone else's? Whether you are from a large school district or a small one you should have the same rights as anyone else.

We have heard different Representatives state that "the people of Halliday should not hold their children hostage to the community". To us this is a ridiculous statement, because the children who live in Halliday do not view themselves as being held hostage! It is our opinion that it is a select group of parents who feel this way.

The 20% cap was put in the North Dakota Century Code to protect all school districts from being forced to close at any particular time through open enrollment. This should not be any different for a school district if a consolidation fails.

People should have an option to vote either for or against a consolidation. If the plan is not put forth to the public to meet every aspect of the consolidation process then the voters should have the right to say no towards the plan as we did in Halliday. Voters in any one district should not be penalized for the faults of those who do not take the time to check into things before they are finalized. Consolidations may or may not be good for any one school district, but those who are in charge of the process should take into consideration time and concerns of everyone in the districts.

Please remember that we live in a place where we have the right to vote either yes or no on any one issue that is put before the voters. So we urge you not to pass House Bill 1361.

Patrick Klee  
Cheryl Klee  
938-4178

*Pat Klee*  
*Cheryl Klee*

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*Danna Halliday*  
Operator's Signature

*10/3/03*  
Date



**Testimony of Jonas and Debra Biffert**

**House Bill 1361**

**March 17, 2003**

Mr. Chairman, Senate Education Members: My name is Debi Biffert. I live in rural Halliday and here to testify in behalf of my husband and myself against House Bill 1361 that would remove the twenty percent enrollment cap for school districts.

For the past few weeks, Halliday has received unwarranted negative publicity regarding a failed proposed consolidation plan developed between the Halliday and Killdeer School districts. The vote in November reflected that the majority wanted Halliday School to remain as is. We wanted our school to share resources with 2 schools in close proximity, rather than consolidate with a school 22 miles from Halliday.

When the plan failed, proponents began contacting patrons, convincing them to open enroll by telling them there would be no school in Halliday. Or, they told them, with this many students open enrolling, your child will be the only one in his/her class. Scare tactics were and continue to be used to get their way simply because they could not accept the vote. We know this was happening because many who had been approached told us of the comments said to them.

Proponents of this bill have said that Halliday is not offering the required curricula. False. We offer all that any school district offers to their students, except Family and Consumer Science (FCS). We are an approved and accredited school and could offer FCS by sharing services with other schools. HB 1361 came into existence due to a few who are angered over the failed vote, not because the quality of education in Halliday is poor.

Should this bill pass, it allows opportunity for anyone with an ax to grind to try to close a school. I don't believe the legislature nor this committee is in favor of hampering all ND schools and pass a bill based on our situation in Halliday.

Contrary to what you have been told, we are not trying to place the burden of keeping a school and community on the students. It's just common sense that economic development and closure of schools do not go hand in hand. Beside the fact that we provide a good education, if this bill passes, then we lose sight of the future and the possibility of those moving to our community. People will not move to a community where there is no school.

Proponents have said, "We cannot expect the school to keep the town alive. We cannot put that burden on the children and expect them to be prepared educationally and socially to go to college if they do not have the variety of classes to choose from and are forced into classes they are not interested in just to put them somewhere."

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Debra Biffert  
Operator's Signature

10/3/03  
Date

To counter this, we submit to you that if there was so much dissatisfaction with the availability of classes, why did these parents not go to their elected school board? Why didn't they choose to work with the administration regarding available classes rather than look to consolidation as an out? The individual who made the above statement in written testimony is a former school board member with open enrolled children, who resigned in December 2002. That member was someone with the ability to make changes.

Early in January and February of 2002, three out the five former board members filed open enrollment papers for their children, yet remained on the board. In November 2002, it was suggested to them that they resign if they felt that it would be a conflict of interest to work for the school and community. Four of the five school board members resigned on December 20, 2002.

Is this what we truly want to teach to our students as well as demonstrate to the state of North Dakota, that if we do not get our way, then out of spite or because we don't like certain individuals that we run away from our problems rather than face them and find a fair solution?

Our new school board is working hard to salvage this school and community, to bring back the positive, to raise the morale of the staff and patrons, and to continue to provide a quality education to those who wish to remain in Halliday. However, if this bill passes, then we lose our local control and the state is then dictating what a school can and cannot do.

Passage of HB 1361 with the current amendment penalizes a district considering consolidation in the future, if the majority vote no on a proposed consolidation plan. Why tell a district to develop a plan, take it to a vote of the people, and then allow all who wish, to open enroll if it fails? Where is the democracy in this bill? If the locals don't like certain components of a plan and wish to vote it down, the vote should stand. Passage of HB 1361 undermines the will of the people.

Had the consolidation plan passed, our elementary school was to have remained open for three years. Just about every parent who has open enrolled since the vote failed, seemed perfectly content to leave their child in the elementary with the proposed consolidation plan. However, since it failed, it appears our elementary is not good enough for their child. We have the same good teachers after the vote as we did before the vote. Nothing has changed. It is just sour grapes.

We have a group in Halliday working hard to bring tourism dollars here in the next few years in relation to Lewis and Clark. While we struggle to bring people to the south shore of Lake Sakakawea, it appears we have those who are also working hard to close our schools.

We respectfully request that you allow our new board to work towards keeping our school open, rather than passing this bill and allowing those with an agenda to close a viable school. We need a school between Killdeer and Beulah.

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Dennis Halliday  
Operator's Signature

10/3/03  
Date

In conclusion, it is no longer necessary to pass this bill based on "No Child Left Behind" (NCLB) Act. In recent news reports, a halt has been put on NCLB by Sen. Dorgan until changes are made in the guidelines for schools and teachers, and money is given for the project.

Talk to those in our community who can give you a positive report on our school. We respectfully ask that you recommend a "Do Not Pass" on HB 1361. Thank-you.

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Deanna Hallworth  
Operator's Signature

10/3/03  
Date

## HB 1361 Testimony

Mr. Chairman and Senate Education Committee Members,

We as residents and patrons of the Halliday School District are opposed to House Bill 1361 because:

Contrary to media reports and Tom Decker with DPI, this bill is not the ultimate form of local control. In reality, it actually usurps the control of our local school board.

It allows those with an agenda to undermine the local school board and taxpayers' wishes. Parents have always had the right to a say in the education of their children in Halliday. In addition, our students have the same opportunity for a high quality education as any school in this state.

The only elective we do not have is "Family and Consumer Science". The absence of this elective could easily be remedied by sharing services with other schools through the "Joint Powers Agreement".

Halliday School is an approved and accredited school that offers 35 subjects which includes the core curricula.

Many of the small schools in our state would be affected by this bill to the point of possibly having to close.

We the undersigned urge a "DO NOT PASS" for HB 1361 or any amended version of same bill.

Thank-you.

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Dorinda Halliday  
Operator's Signature

10/3/03  
Date

3096

Jenne Biffert - 17 - Halliday Senior  
Quotana Biffert - 10/4<sup>th</sup> grade - Halliday  
Vivian Biffert - Halliday  
Lillian Reiche - Halliday - mother to a 4<sup>th</sup> grader  
Christina Burr - Halliday - mother  
William White Owl - 10/4<sup>th</sup> grade  
Eugene White Owl - 12/5<sup>th</sup> grade  
Dorcas LeChemin - 10/4<sup>th</sup> grade  
Clayton LeChemin - 10/4<sup>th</sup> grade  
Jesse LeChemin - 8/8<sup>th</sup> grade  
Fred LeChemin - 10/4<sup>th</sup> grade  
Reba Biffert - Halliday - mother of 3 Halliday students  
Becky J. Biffert - 15 - Halliday Synagogue  
Florence Biffert - Halliday N.D.  
Gina Baker - Halliday N.D.  
David McMillan - Halliday N.D.  
Sandra McMillan - Halliday N.D.  
Clementine - 14 - Halliday N.D. 58636  
Ignace M. Kline - 14 - Halliday N.D. 58636  
Karl Reiche M.D. - Halliday N.D. 58636  
Jonas Biffert - Halliday N.D. 58636  
Dorcas Reiche - 9 - 4<sup>th</sup> grade  
Irene Fagene - 10/4<sup>th</sup> grade  
Alma Reiche - Halliday N.D. 58636  
Charles Jones - Halliday N.D. 58636  
Shirley Jones - Halliday N.D. 58636  
Bert Jones - Halliday N.D. 58636  
Loni Jones - Halliday N.D. 58636  
Adeline McMillan - Halliday N.D. 58636  
Vester LeChemin - Halliday N.D. 58636  
Margaret Gleich - Halliday N.D. 58636  
David LeChemin - Halliday N.D. 58636  
Edward LeChemin - Halliday N.D. 58636  
Olga Mann - Halliday N.D. 58636

4 of 6

Marion Zaffner P.O. Box 84 Halliday ND  
 Leonard Zaffner 731-86<sup>th</sup> Ave SW Halliday ND  
 Gerald Zaffner 731-86<sup>th</sup> Ave SW Halliday ND  
 Cora Fisher 850-86<sup>th</sup> Ave SW Halliday  
 George Fisher Halliday  
 Norman Buffett 8609 15<sup>th</sup> SW Halliday ND 58636  
 Judy Buffett 8827 15<sup>th</sup> SW Halliday ND 58636  
 Mary Jane Carlson 8380 Hwy 300 Halliday ND 58636  
 Bernard Kolbe 775 Highway 8 S Halliday ND 58636  
 David Wolff 775 Highway 8 S Halliday ND 58636  
 Donald B. Schuler 1547 Hwy 8 South Halliday ND 58636  
 Mary Schuler 1547 Hwy 8 South Halliday ND 58636  
 Norman Schuler 1547 Hwy 8 South Halliday ND 58636  
 Don Schuler 1547 Hwy 8 South Halliday ND 58636  
 Steve Schuler 1547 Hwy 8 South Halliday ND 58636  
 Christine Frappier 1062 86<sup>th</sup> Ave SW Halliday ND 58636  
 Shelia Frappier 1041 88<sup>th</sup> Ave SW Halliday ND 58636  
 Linda Frappier 1062 86<sup>th</sup> Ave SW Halliday ND 58636  
 Courtney Frappier 1041 88<sup>th</sup> Ave SW Halliday ND 58636

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Deanna Halliday  
Operator's Signature

10/3/03  
Date

David Swenson 8630 12th St SW Halliday, ND 58636  
 Philip Swenson 23 1st St SW Halliday, ND 58636  
 Albert Swenson 232 1st NW Halliday, ND 58636  
 Oliver Swenson 429-79th Ave SW Halliday, ND 58636  
 Robert Swenson 429-79th Ave SW Halliday, ND 58636  
 Alison Swenson 8680 12th St SW Halliday, ND 58636  
 Eileen Swenson 8680 12th St SW Halliday, ND 58636  
 Dennis Crawford 1062 86th Ave SW Halliday, ND 58636  
 Patricia Ziegler 1041 88th Ave SW Halliday, ND 58636  
 Sydney Crawford 1062 86th Ave SW Halliday, ND 58636  
 Cheryl Klu 1041 88th Ave SW Halliday, ND 58636

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Dennis Halliday  
 Operator's Signature

10/3/03  
 Date

Attachment A

February 24, 2003

Dear Senator:

We are asking for your support of HB 1361. This bill would remove the 20% open enrollment cap for a district that went through a reorganization vote and the vote failed, thereby allowing parents the right to send their children elsewhere.

We are from the town of Halliday and things are a real mess here. Last November, an election was held on whether to consolidate our school with Killdeer, our neighbor to the west. The vote was defeated by a mere 11 votes. 158 - 169. Of the total 327 votes, only 72 actually represented parents with children in the school system.

The main drive behind the opposition to the reorganization was the economic impact this could have on the community. 158 voters went to the polls with one main focus - the educational benefit to the student with the financial benefit to the taxpayers. We live in a democratic society and while there were questions surrounding the legality of all the absentee ballots, the voters accepted the final vote. The parents however, are now asking to be allowed to have their children attend the Killdeer Public School by filing open enrollments. The vast majority of these open enrollments had been filed long before the vote ever took place. The 20% cap had already been met by 3/8/02, 8 whole months prior to the election. Early on, it was evident the opposition would work diligently to defeat the consolidation and parents signed up early to guarantee their children would receive more opportunities. Following the vote, there were 15 open enrollments filed by parents who were convinced the reorganization plan would pass. After the plan failed, they too realized their only option for their children to receive more educational opportunities was through the open enrollment process.

The N.D.C.C. has a provision for students if a reorganization vote is successful; however, there are none if a reorganization vote fails. This bill would provide equity to all students involved in a reorganization - pass or fail, all students would have the same opportunity to attend a school of their choosing. This bill is not only about open enrollments, but a parent's right to decide what is in the best educational interest for their children.

It may seem like HB 1361 is focusing only on Halliday. But, as the enrollments continue to decline in other North Dakota schools, many more may be faced with this same dilemma. By passing this bill, a lot of heartache can be avoided for others. Unfortunately for Halliday, things may never be the same.

Thank you for your consideration on this important piece of legislation.

Sincerely,

*Robert J. Bogers*

*Nancy Bogers*

Robert & Nancy Bogers  
Parents of Bethanie & Reid

*Randall Dressler*

*Peggy Dressler*  
Randall & Peggy Dressler  
Parents of Trevor

*Chris & Tracy Fläget*

Chris & Tracy Fläget  
Parents of Brady, Nicholas & Gabrielle

*Martin & Julie Dahlen*

Martin & Julie Dahlen  
Parents of Megan

*Robert & Amy Ferebee*

Robert & Amy Ferebee  
Parents of Quinten, Kyle, Clay & Brock

*Jeremy & Lori Hausauer*

Jeremy & Lori Hausauer  
Parents of Zachary & Savannah

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*Deanna Halliday*  
Operator's Signature

10/3/03  
Date



1361

ND Senator Letter cont.  
February 24, 2003

*Karol Keller*  
*Jim Keller*  
Jim & Karol Keller  
Parents of Joshua

*Steven Marquardt*  
*Dawn Marquardt*  
Steven & Dawn Marquardt  
Parents of Alec & Morgan

*Eldon Rohde*  
*Sandra Rohde*  
Eldon & Sandra Rohde  
Parents of Elizabeth, Luke, Carl, Riley & Tanner

*Jim & Lynn Schaper*  
Jim & Lynn Schaper  
Parents of Zanna, Ashley, Skye & Logan

*Tim & Roberta Wasem*  
Tim & Roberta Wasem  
Parents of Kaitlin

*Ken & Susie Weisz*  
Ken & Susie Weisz  
Parents of Carrie, Daniel & Aaron

*Wayne Gilge*  
Wayne Gilge

*Linda Gietzen*  
Linda Gietzen

*Paul A. Rohde*  
Paul A. Rohde

*Brenda Ferebee*  
Brenda Ferebee  
*Karen L. Forster*  
Karen L. Forster

*John Rohde*  
John Rohde!

*Dieb E. Fyfe*

*Glenn R. Gietzen*  
Glenn R. Gietzen  
*Brent Thomsen*

*Jim & Marolynn Lesmeister*  
Jim & Marolynn Lesmeister  
Parents of Ashley & Amy

*Glenn & Coven Murray*  
Glenn & Coven Murray  
Parents of Jurnee, Trae & Rowyn

*Mark Schaper*  
Mark Schaper  
Parent of Shannea

*Blair & Lori Selle*  
Blair & Lori Selle  
Parents of Brooke

*Mike & Julie Weber*  
Mike & Julie Weber  
Parents of Nick & Chris

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*Donna Hallmark*  
Operator's Signature

10/3/03  
Date

1361

## Halliday School Board Election Facts from June 1998 to Nov. 2002

June 9, 1998  
4 people filed for 2 positions  
219 voters

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June 8, 1999  
3 people filed for 2 positions  
168 voters

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June 6, 2000  
1 person filed  
38 voters

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June 2001  
4 people filed for 2 positions  
154 voters

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June 11, 2002  
3 people filed for 2 positions  
227 voters

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Nov 12, 2002  
Special Reorganization Election  
327 voters \ 158 for \ 169 against  
Of these actual voters only 72 that voted actually had children in school.

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Deanna Halliday  
Operator's Signature

10/3/03  
Date

March 17, 2003  
ND Senate Education Committee Hearing  
House Bill 1361

To ND Senate Education Committee Members:

Good Morning, my name is Marolynn Lesmeister. I would like to thank you for giving me the opportunity to speak to you on behalf of 39 students and their parents from Halliday.

We feel very strongly about our children's education. We want them to be able to have equal opportunities at the best education that she/he can. Not to have this right taken away because of economics, demographics, and population loss. We don't want them to feel responsible for a town's economic survival and sacrifice the educational opportunities that they deserve.

We want the right to choose our children's futures. Not to have their futures in the hands of a school board only concerned about keeping a school open as long as possible, even if it is not offering what the children really need. Let us be allowed to give them the same opportunities that the larger schools offer. Yes it does mean more time on the school bus, but we are willing to make this sacrifice. We want a wider variety of classes. To be able choose classes that fit our children's future goals and not just to take a class because there simply is no other choice. We want teachers in the classrooms and not TV monitors, we don't want combined classrooms in which two grades have to share one teacher. They deserve a full time education with minimal distractions. We want our children in classrooms based on their abilities and not economic restraints and class size. Enough children in a classroom for discussion and interaction to do projects, provide competition for learning, and push their abilities for learning in the classroom. You can not do this with one or two students in a classroom. Right now we are seeing many of our children entering into college. We see how some of our children are struggling at the college level. They are limited in lab areas and courses such as advanced sciences and math's.

Our district recently went through a reorganization that failed by a narrow margin. Of the 327 votes only 72 people actually had children in school. The opposition choose economic development over the future educational needs of our children. Patrons who supported the reorganization did so out of concern for the following reasons:

1. Increasing difficulty in recruiting and retaining qualified teachers
2. Declining enrollment
3. More educational opportunities for our children
4. Larger class sizes with single classroom settings allowing more student interaction
5. Lower mill levy thus reducing school taxes

As parents we felt and still do, the reorganization would have provided all these advantages. Maybe we should be listening to the parents with children in school and not the entire community.

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NDCC 15.1-31-07 states: If a student as a result of a school district dissolution or reorganization, resides in a district other than the one the student chooses to attend at the time of the dissolution or reorganization, the student is not subject to the provisions of this chapter and may attend school in the chosen school district.

To make this equal to all students, if a reorganization fails, then they also should have this same opportunity to choose which school they want to go to.

I know that open enrollments and tuition-free agreements cost dollars to school districts. There must be a way to make districts more equitable in funding other than forcing a child to stay where he doesn't want to be. Some parent's may like small schools, others may prefer home schooling, but please don't force restrictions on those of us that don't. Let us make the choice for our children. Don't force them to stay in a school where they don't want to be.

I know of other districts having to make tough decisions in the near future. Please don't let happen to other communities what has happened in Halliday. Families, churches, and businesses have been torn apart by this close failed reorganization vote. In our opinion, Halliday will never be the same again.

Thank you for considering a yes vote on HB1361.

*Marolynn Lesmeister*

Marolynn Lesmeister  
P O Box 435 - 90 3<sup>rd</sup> Ave SE  
Halliday, ND 58636  
701-938-4730

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*Donna Halliday*  
Operator's Signature

10/3/03  
Date