

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2030

2007 SENATE EDUCATION

SB2030

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2030

Senate Education Committee

☐ Check here for Conference Committee

Hearing Date: January 9, 2007

Recorder Job Number: 776

Committee Clerk Signature

Minutes:

Chairman Freborg opened the hearing on SB 2030, a bill relating to educational associations governed by joint powers agreements; relating to accounting procedures and school district business managers; relating to criteria for and expenditures by educational associations governed by joint powers agreements. All members were present.

Anita Thomas, Legislative Council, appeared before the committee to explain the bill. She served as legal counsel to the Interim Education Committee and appeared to give a summary of that committee's efforts. (Written testimony was submitted after the hearing at the request of Senator Gary Lee and is attached.)

Lois Myran, Coordinator for the Roughrider Education Services Program, testified in favor of the bill. (Written testimony attached). She gave a brief history of North Dakota JPA's which started in 2001. They began as a grass roots movement. Initially, there were 4 JPA's, Bismarck, Valley City - Jamestown, Dickinson and Devil's Lake. Since the last legislative session, there are 5 more JPA's. She referred to the chart she distributed and said 89% of all school districts participate in a JPA which includes 97% of all students. Each JPA is unique, Minot is the smallest, Bismarck is the largest. The chart on the back side of the map she distributed shows the growth of JPA's since the last legislative session. There has been

growth in administrative services as well as in student services. There is a difference in the services offered by the JPA's across the state. She gave an overview of services, highlighting a service of each JPA. Williston is one of the newest JPA's. They have had success in grant writing and have received over \$1 million in grants and have another \$800,000 in application. The Minot area JPA has worked on economically providing drug testing for bus drivers. The Bismarck JPA has expanded summer school opportunities and has developed an English language learner plan. The Bottineau JPA has worked with curriculum and curriculum mapping and provides training in this area, saving the school districts time and money. The Devils Lake JPA has worked in career technology and also in coordination with Human Services. The Dickinson JPA has worked on professional development and has brought in national level speakers. The Grand Forks JPA is new after the 2005 legislative session and has developed a common calendar which has been beneficial for the scheduling of professional development. The Fargo area JPA held a school improvement camp for two days where 9 different schools worked on documents under the guidance of experienced professionals. The Jamestown - Valley City JPA has been discussing combining 3 ITD units under the JPA. They have also discussed combining special education functions. She also referred to written testimony she distributed from a teacher in Hebron (Al Feist, written testimony attached)

Tracie Welk, elementary teacher and Education Coordinator at TGU School District #60 testified in favor of the bill. (Written testimony attached) (Meter 24:26)

Jacob Holm, senior at Maple Valley High School in Tower City, testified in favor of the bill. (Written testimony attached)

Maurice Hardy, a member of the Beach School Board and Beach's representative on the Roughrider Education Services Program testified in favor of the bill. (Written testimony attached)

Senator Bakke asked if there has been an effort to bring those school districts who are not members of a JPA into the fold.

Mr. Hardy said one district that was not a part of a JPA recently hired a new administrator and they have now decided to participate in a JPA. There have been many presentations at the State School Board Meetings about JPA's and those that do not now participate are considering it.

Denise Wolf, Director of the Lake Area Career Technology Center in Devils Lake testified in favor of the bill. She distributed a document "Budget Issues Excerpt from the Education JPA Legislative Issues Committee Meeting Summary of November 21, 2006. She said the concept of cooperation in North Dakota is not new; the JPA's are a new system of cooperation. They create a sustainable system. We no longer need to explain why we need JPA's, now we need to improve JPA's. We used to look at education as a service, now we look at it like a business. We need adequate resources to produce a quality product. She discussed various educational issues including No Child Left Behind, P16 and equity and adequacy and JPA's role in them and the resources that will be necessary in the next biennium to help the JPA's fulfill that role. The Devil's Lake JPA has been approached by Human Services to help identify students in need of adolescent services. This will require additional resources. (Meter 59:36)

Senator Gary Lee asked if the 9 JPA's are a good fit with enrollment, are they big enough, too big, too small, do we have enough JPA's?

Ms. Wolf said the local control and autonomy is what makes the JPA's work. Declining enrollment may force some realignment of JPA's.

Senator Bakke asked if each JPA has a full time employee, who is responsible for their benefit packages?

Ms. Wolf said no, that is a goal for the future. She said the JPA's need to be able to hire personnel. Now the schools take the liability. A full time JPA coordinator is a future goal based on growth. The coordinators are extended with many duties.

Senator Bakke asked if the money comes from the state or from local funding sources.

Ms. Wolf said some local fees are charged, but they will look to the state for funding.

Chairman Freborg stopped the hearing for a break.

After the break, Chairman Freborg asked those who are testifying on the bill to stick to the bill.

He reminded those in attendance that there is no appropriation in this bill and so there is no reason to talk about funding. He also gave a reminder that cell phones are to be turned off, not on vibrate.

Jon Martinson, State School Board Association, went on record as supporting the bill.

Doug Johnson, North Dakota Council of Educational Leaders, went on record as supporting the bill.

Nancy Sand, NDEA, went on record of supporting the bill. Regarding the question of allowing JPA's to employ their own teaching personnel, the NDEA is supportive of that if those teachers would be under the same terms and conditions as teachers employed by the school districts.

Chairman Freborg closed the hearing on SB 2030.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2030

Senate Education Committee

☐ Check here for Conference Committee

Hearing Date: January 10, 2007

Recorder Job Number: 835

Committee Clerk Signature

Minutes:

Chairman Freborg opened discussion on SB 2030. All members were present.

Senator Gary Lee said he had some questions of counsel and she has answered them. In section 4 #6 regarding the employment and compensation of staff, he had a concern for how extensive the employment could be, what types of employees were included. Anita Thomas said this section was in the previous bill and does not go beyond a coordinator and administrative staff and does not include teaching professionals.

Senator Bakke said she has concerns if the JPA's would start hiring teachers from a standpoint of teacher's rights and benefits. The JPA's would almost become a school district. The JPA's say they are not hiring teachers now but they may want to in the future.

Senator Gary Lee said under this bill, they can't hire teachers; they would have to be a political subdivision to do so.

Senator Taylor asked if in testimony yesterday a JPA from the northeast said they were cooperating with a school district who hired a teacher that would do some work on behalf of the JPA.

Senator Gary Lee said yes, the school district employs the teacher.

Senator Taylor said the JPA's can accomplish the same end by having the school district employ the teachers.

Senator Gary Lee said that is correct and would solve Senator Bakke's concerns.

Chairman Freborg said the committee will act on SB 2030 at a later time and closed the discussion of the bill.



## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2030

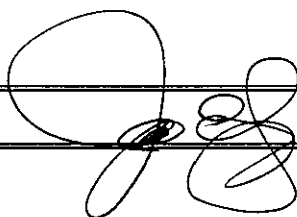
Senate Education Committee

☐ Check here for Conference Committee

Hearing Date: January 17, 2007

Recorder Job Number: 1308

Committee Clerk Signature



Minutes:

Chairman Freborg opened the discussion on SB 2030. All members were present.

Senator Gary Lee said he has a couple of amendments. Amendment .0803 replaces the term education association with the term area service provider in the code. This is more consistent with terminology used across the country. It also permits special education units to work together cooperatively.

Senator Taylor asked if the amendment regarding special education would allow JPA's to hire teaching staff.

Senator Gary Lee said itinerant teachers are teachers who are hired by the school district and contracted by the JPA.

Senator Bakke said an itinerant teacher is one who travels from one place to the next. If they are hired by the school district, does the JPA coordinate their schedule?

Senator Gary Lee confirmed the teachers would be employees of a school district.

Senator Gary Lee moved the acceptance of amendment 70043.0803. Senator Flakoll seconded the motion.

Senator Gary Lee said the amendment would allow the area service provider to use that term officially and to permit multi district special education units.

Senator Taylor said he likes the permissive language on the multi district special education units, this is offering a third option.

The motion passed 5-0-0.

Senator Gary Lee said he has another amendment, .0801 that requests a Department of Public Instruction mechanism and time table to get state aid payments to the JPA's in a timely manner. This language may also be in SB 2200.

Chairman Freborg asked if there has been a problem with JPA's getting their payments from the school districts.

Senator Gary Lee said this is not prompted by problems. Tom Decker asked for the amendment and did not mention any problems.

Senator Taylor said now the JPA's payment is made to the school district that, in turn, make payment to the JPA. How will Department of Public Instruction know what fees are due? Will this save much?

Senator Gary Lee said in looking at SB 2200, page 45, it describes payments to JPA's in the same manner as the state aid payments. This same language needs to be in SB 2200.

Chairman Freborg said if there is a problem between a school district and a JPA and the school district is withholding funds for a reason, once Department of Public Instruction makes the payment, the school district would have a hard time getting their problem corrected.

Senator Flakoll said this addresses in subsection 2 of the amendment.

Senator Taylor said subsection 2 refers to payments to the school district, not the JPA. This seems more heavy handed to the district than the JPA.

Chairman Freborg said if a school district has a legitimate problem, what recourse do they have? He likes the district to pay for services they are getting, we haven't heard any complaints.

Tom Decker, Department of Public Instruction, appeared before the committee to answer questions. He said membership in a JPA is voluntary and is usually for a one year contract, payments flow on an annual basis.

Chairman Freborg asked if each district contracts for certain services and is each contract different.

Mr. Decker said there is a wide range of services. Districts and opt in or opt out of different services, some on an annual basis, some more frequently.

Chairman Freborg asked if these plans are made far in advance.

Mr. Decker said the JPA's planning for next year is starting now. Payments for next years services would be next fall except membership dues which are due in August.

Chairman Freborg asked about the recourse of a school district if they are unhappy with a JPA's services.

Mr. Decker said a JPA lives and dies on their level of service, they are a service organization.

Senator Gary Lee asked if the procedure described in subsection 1 of the amendment is different that how payments are made now.

Mr. Decker said reimbursement is made at the end of May to the school districts and they are then passed on to the JPA. The change would be that payments would then be made to the JPA on the same schedule as foundation aid. This is a cash flow issue and it assumes a level of faith and trust. The JPA's can't grow if they continue to have significant cash flow problems. The payment system now is an accounting nightmare.

Senator Taylor said we could continue to send payments to the school district but on the same schedule as foundation aid payments. It would be more complicated, what do the school districts say?

Mr. Decker said that would make the accounting nightmare even worse. All of the school districts he as talked to want the flow of money to go directly to the JPA. Fargo has been the most vocal in this request.

Senator Flakoll asked what is the overall budget of the nine JPA's.

Mr. Decker said he has the numbers but not with him at the moment, he will get them for the committee. The newest JPA's have budgets not much over their state aid, the Dickinson JPA has a budget nearly 4 times their state aid, the Great West JPA has received over \$1 million in grants. The dollars in the budgets vary considerably.

Senator Flakoll said he would like to see the budgets.

Senator Gary Lee confirmed the school districts don't want this JPA money flowing through their budgets.

Mr. Decker said that is correct, there is a potential for this money to distort the school district per pupil cost of education. If the accounting is done cleanly, it should balance out. The intent was to have dollars flow to the JPA's on the same schedule as foundation aid.

Senator Gary Lee moved the amendment .0801. Senator Taylor seconded the motion. The motion passed 5-0-0.

Senator Gary Lee moved a Do Pass As Amended on SB 2030. Senator Flakoll seconded the motion. The motion passed 5-0-0. Senator Gary Lee will carry the bill.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2030

Senate Education Committee

☐ Check here for Conference Committee

Hearing Date: January 23, 2007

Recorder Job Number: none

Committee Clerk Signature

Minutes:

Chairman Freborg said because the committee amended SB 2030, he was advised that the bill would now need a fiscal note. Even though the attached fiscal note shows no fiscal impact, he said it should be a part of the record.

**FISCAL NOTE**  
Requested by Legislative Council  
04/24/2007

Amendment to:           Engrossed  
                              SB 2030

**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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Appropriations</b>	\$0	\$0	\$0	\$0	\$0	\$0

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill provides for a name change for JPA's, allows appropriations to flow directly to each JPA, and allows JPA to become school district business managers and to provide special education services.

The amended House version adds a number of interim studies to the bill.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

No fiscal impact as a result of House amendments.

**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.*

None.

**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.*

None.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None.

<b>Name:</b>	Tom Decker	<b>Agency:</b>	Public Instruction
<b>Phone Number:</b>	328-2267	<b>Date Prepared:</b>	04/24/2007

**FISCAL NOTE**  
**Requested by Legislative Council**  
03/23/2007

Amendment to:           Engrossed  
                              SB 2030

**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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Appropriations</b>	\$0	\$0	\$0	\$0	\$0	\$0

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill provides for a name change for JPA's, allows appropriations to flow directly to each JPA, and allows JPA to become school district business managers and to provide special education services.

The amended House version adds a number of interim studies to the bill.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

No fiscal impact as a result of House amendments.

**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.*

None.

**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.*

None.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None.

<b>Name:</b>	Tom Decker	<b>Agency:</b>	Public Instruction
<b>Phone Number:</b>	328-2267	<b>Date Prepared:</b>	03/26/2007

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/22/2007

Amendment to: SB 2030

**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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 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.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill provides for a name change for JPA's, allows appropriations to flow directly to each JPA, and allows JPA to become school district business managers and to provide special education services.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

None.

**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.*

None.

**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.*

None.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

None.

<b>Name:</b>	Thomas Decker	<b>Agency:</b>	Public Instruction
<b>Phone Number:</b>	328-2267	<b>Date Prepared:</b>	01/23/2007



PROPOSED AMENDMENTS TO SENATE BILL NO. 2030

Page 1, line 2, replace "educational associations governed by joint powers agreements" with  
"area service providers"

Page 1, line 3, remove "and" and after "15.1-09-33" insert ", 15.1-32-08, and 15.1-33-02"

Page 1, line 13, replace "educational associations" with "area service providers"

Page 1, line 15, replace "educational associations" with "area service providers"

Page 4, line 7, replace "educational association" with "area service provider"

Page 4, line 11, replace "Educational association" with "Area service provider"

Page 4, line 13, replace "educational association" with "area service provider"

Page 5, line 1, replace "educational associations" with "area service providers"

Page 5, line 2, replace "educational associations" with "area service providers"

Page 5, line 9, replace "educational association" with "area service provider"

Page 5, line 12, replace "educational association" with "area service provider"

Page 5, line 15, replace "educational association" with "area service provider"

Page 6, line 19, replace "educational association" with "area service provider"

Page 6, line 21, replace "association's" with "provider's"

Page 7, line 9, replace "educational association" with "area service provider"

Page 7, line 11, replace "educational association" with "area service provider"

Page 7, line 12, replace "educational association" with "area service provider"

Page 7, line 13, replace "educational association" with "area service provider"

Page 7, line 15, replace "educational association" with "area service provider"

Page 7, after line 15, insert:

**"15.1-09-03. Area service providers - Provision of special education and  
related services - Annual plan. An area service provider may prepare an annual plan**

regarding the provision of special education and related services on behalf of its members and submit the plan to the superintendent of public instruction for approval.

**15.1-09.1-04. Area service providers - Provision of special education and related services - Powers.** An area service provider that provides special education and related services may:

1. Receive and expend state and federal moneys for the provision of special education and related services to the students of its member districts;
2. Employ personnel necessary to carry out administrative services, itinerant instruction, coordinative services, and related services; and
3. Receive and expend private and public moneys.

**15.1-09.1-05. Area service providers - Provision of special education and related services - Student transportation - Coordination.** An area service provider shall plan and coordinate the transportation of students who are enrolled in its member districts and to whom it provides special education and related services."

Page 7, line 16, replace "15.1-09.1-03" with "15.1-09.1-06"

Page 7, line 17, replace "educational association" with "area service provider"

Page 7, line 18, replace "association's" with "provider's"

Page 7, line 19, replace "association's" with "provider's"

Page 7, line 20, replace "15.1-09.1-04. Educational association" with "15.1-09.1-07. Area service provider"

Page 7, line 21, replace "educational association" with "area service provider"

Page 7, line 23, replace "educational" with "provider"

Page 7, line 24, remove "association"

Page 7, line 26, replace "association" with "area service provider"

Page 7, line 27, replace "educational association's" with "provider's"

Page 7, line 28, replace "15.1-09.1-05" with "15.1-09.1-08"

Page 7, line 29, replace "educational association" with "area service provider"

Page 8, after line 2, insert:

**"SECTION 5. AMENDMENT.** Section 15.1-32-08 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-08. School districts - Provision of special education.** Each school district shall provide special education, ~~singly or jointly with other districts,~~ and related services as a single district, as a member of a multidistrict special education unit in accordance with this chapter 15.1-33, or as a member of an area service provider approved by the superintendent of public instruction under chapter 15.1-09.1. Each school district and entity providing special education shall cooperate with the director of special education and with the institutions of this state in the provision of special education.

**SECTION 6. AMENDMENT.** Section 15.1-33-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-33-02. Multidistrict special education units - School district participation.** A school district may join a multidistrict special education unit or together with other school districts form a multidistrict special education unit for purposes of planning and delivering special education and related services. ~~Each school district shall participate in a multidistrict special education unit or have on file with the superintendent of public instruction a plan for providing special education and related services as a single district.~~ If a school district wishes to join a multidistrict special education unit from which it has been excluded, the school district may petition the superintendent of public instruction. A school district may appeal a decision of the superintendent under this section to the state board of public school education."

Page 8, line 3, replace "EDUCATIONAL" with "AREA SERVICE PROVIDERS"

Page 8, line 4, remove "ASSOCIATIONS"

Page 8, line 6, replace "educational association" with "area service provider"

Page 8, line 8, replace "educational association" with "area service provider"

Page 8, line 9, replace "educational associations" with "area service providers"

Renumber accordingly

/

2030

**Senate Education Committee**

☐ Check here for Conference Committee

Legislative Council Amendment Number 70043.0803

Action Taken Move the Amendment

Motion Made By Senator Lee Seconded By Senator Flakoll

[illegible]

Total Yes 5 No 0

Absent 0

### Floor Assignment

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

PROPOSED AMENDMENTS TO SENATE BILL NO. 2030

Page 8, after line 2, insert:

"15.1-09.1-06. State aid - Payable to area service provider - Obligation of district.

1. The superintendent of public instruction shall forward the portion of a school district's state aid that is payable by the superintendent as a result of the district's participation in an area service agency directly to the area service provider of which the district is a member. The superintendent shall forward the amount payable under this subsection at the same time and in the same manner as provided for other state aid payments under section 15.1-27-01.
2. If the superintendent of public instruction determines that a school district failed to meet any contractual or statutory obligation imposed upon it as a result of the district's participation in an area service provider, the superintendent shall subtract the amount for which the district was not eligible from any future distribution of state aid to the district under section 15.1-27-01."

Renumber accordingly

Date: 1/17/07  
Roll Call Vote #: 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2230

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 70043.0801

Action Taken Move the Amendment

Motion Made By Senator Lee Seconded By Senator Taylor

Senators	Yes	No	Senators	Yes	No
Senator Freborg	✓		Senator Taylor	✓	
Senator Flakoll	✓		Senator Bakke	✓	
Senator Gary Lee	✓				

Total Yes 5 No 0

Absent 0

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

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

Date: 1/17/07  
Roll Call Vote #: 3

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2030

Senate Education Committee

☐ Check here for Conference Committee

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

Action Taken

Do Pass As Amended

Motion Made By

Senator Lee

Seconded By

Senator Flakoll

Senators	Yes	No	Senators	Yes	No
Senator Freborg	✓		Senator Taylor	✓	
Senator Flakoll	✓		Senator Bakke	✓	
Senator Gary Lee	✓				

Total Yes 5 No 0

Absent 0

Floor Assignment

Senator Lee

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

**REPORT OF STANDING COMMITTEE**

**SB 2030: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2030 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "educational associations governed by joint powers agreements" with "area service providers"

Page 1, line 3, remove "and" and after "15.1-09-33" insert ", 15.1-32-08, and 15.1-33-02"

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Page 7, line 11, replace "educational association" with "area service provider"

Page 7, line 12, replace "educational association" with "area service provider"

Page 7, line 13, replace "educational association" with "area service provider"

Page 7, line 15, replace "educational association" with "area service provider"

Page 7, after line 15, insert:

"15.1-09.1-03. Area service providers - Provision of special education and related services - Annual plan. An area service provider may prepare an annual plan regarding the provision of special education and related services on behalf of its members and submit the plan to the superintendent of public instruction for approval.

15.1-09.1-04. Area service providers - Provision of special education and related services - Powers. An area service provider that provides special education and related services may:



1. Receive and expend state and federal moneys for the provision of special education and related services to the students of its member districts;
2. Employ personnel necessary to carry out administrative services, itinerant instruction, coordinative services, and related services; and
3. Receive and expend private and public moneys.

15.1-09.1-05. Area service providers - Provision of special education and related services - Student transportation - Coordination. An area service provider shall plan and coordinate the transportation of students who are enrolled in its member districts and to whom it provides special education and related services."

Page 7, line 16, replace "15.1-09.1-03" with "15.1-09.1-06"

Page 7, line 17, replace "educational association" with "area service provider"

Page 7, line 18, replace "association's" with "provider's"

Page 7, line 19, replace "association's" with "provider's"

Page 7, line 20, replace "15.1-09.1-04. Educational association" with "15.1-09.1-07. Area service provider"

Page 7, line 21, replace "educational association" with "area service provider"

Page 7, line 23, replace "educational" with "provider"

Page 7, line 24, remove "association"

Page 7, line 26, replace "association" with "area service provider"

Page 7, line 27, replace "educational association's" with "provider's"

Page 7, line 28, replace "15.1-09.1-05" with "15.1-09.1-08"

Page 7, line 29, replace "educational association" with "area service provider"

Page 8, after line 2, insert:

"15.1-09.1-09. State aid - Payable to area service provider - Obligation of district.

1. The superintendent of public instruction shall forward the portion of a school district's state aid that is payable by the superintendent as a result of the district's participation in an area service provider directly to the area service provider of which the district is a member. The superintendent shall forward the amount payable under this subsection at the same time and in the same manner as provided for other state aid payments under section 15.1-27-01.
2. If the superintendent of public instruction determines that a school district failed to meet any contractual or statutory obligation imposed upon it as a result of the district's participation in an area service provider, the superintendent shall subtract the amount for which the district was not eligible from any future distribution of state aid to the district under section 15.1-27-01.

**SECTION 5. AMENDMENT.** Section 15.1-32-08 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-08. School districts - Provision of special education.** Each school district shall provide special education, ~~singly or jointly with other districts, and related services as a single district, as a member of a multidistrict special education unit in accordance with this chapter 15.1-33, or as a member of an area service provider approved by the superintendent of public instruction under chapter 15.1-09.1.~~ Each school district and entity providing special education shall cooperate with the director of special education and with the institutions of this state in the provision of special education.

**SECTION 6. AMENDMENT.** Section 15.1-33-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-33-02. Multidistrict special education units - School district participation.** A school district may join a multidistrict special education unit or together with other school districts form a multidistrict special education unit for purposes of planning and delivering special education and related services. ~~Each school district shall participate in a multidistrict special education unit or have on file with the superintendent of public instruction a plan for providing special education and related services as a single district.~~ If a school district wishes to join a multidistrict special education unit from which it has been excluded, the school district may petition the superintendent of public instruction. A school district may appeal a decision of the superintendent under this section to the state board of public school education."

Page 8, line 3, replace "EDUCATIONAL" with "AREA SERVICE PROVIDERS"

Page 8, line 4, remove "ASSOCIATIONS"

Page 8, line 6, replace "educational association" with "area service provider"

Page 8, line 8, replace "educational association" with "area service provider"

Page 8, line 9, replace "educational associations" with "area service providers"

Renumber accordingly

2007 HOUSE EDUCATION

SB 2030

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2030**

### House Education Committee

☐ Check here for Conference Committee

Hearing Date: **6 February 2007**

Recorder Job Number: **2922**

Committee Clerk Signature

*Jan Prindle*

Minutes:

**Anita Thomas, Legislative Council, legal counsel to the Interim Education Committee,** introduced the bill. She did not appear for or against the bill, but provided a summary of the Interim Education Committee's efforts and pointed out changes made by the Senate.

Language pertaining to JPAs appears in the chapter of code pertaining to schools districts. A JPA is not a school district the Interim Committee felt they should be in their own chapter and this does that. In terms of actual changes from the current the bill gives the superintendent of Public Instruction the authority to implement a uniform system of accounting, budgeting and reporting of data for JPAs just as he already does for school districts. The second change has to do with school district business managers. We think of them as individuals, but those responsibilities can be performed by a variety of entities including another school district, JPA or accounting firm. Another change is that business managers or anyone performing those functions is to be bonded. The definition of JPAs becomes "area service provider." Another change relates to the governing board—they must be elected. The bill also provides that the joint operating funds of the area service provider may be managed by an individual or another school district. The reporting requirements are tightened. The Senate also gave the JPAs authority to provide special education and related services. The Senate amendments also

allow DPI to forward funds directly to a JPA rather than to a school district who then forwards it to the JPA.

**Chairman Kelsch:** Don't we have better phraseology than "area service providers."

Everyone calls them JPAs, wouldn't it be better to call them a Joint Powers Association governed by a Joint Powers Agreement. I think area service providers is a little bit murky and redundant.

**Thomas:** We can certainly change it; we just need to have some consistent terminology in the code.

**Representative Haas:** I agree with you and I understand the distinction of what we have been calling them. JPA is nothing more than a contract. They need another name. A lot of other states call these organizations Boards of Cooperative Services. It defines what the function is.

**Representative Johnson:** I think "educational" needs to be in there someplace.

**Representative Mueller:** Anita, you have had a lot to do with the JPAs from the get go. What are we missing in this bill that we will end up wanting to have had in there? What else do we need to do?

**Thomas:** That's a café conversation. There are individuals that will testify as to where they are and where they see the JPAs going. Perhaps at the end of their testimony if there is anything you would like to have added, I will be glad to visit with you. Madam Chairman, would you like to see amendments on a name change.

**Chairman Kelsch:** Yes, I would.

**Deb Syverston, coordinator of the North Central Educational Cooperative, provided**

history and background of JPAs in ND. They came into being from discussions by administrators on how districts could provide better and more efficient educational opportunities for students and teachers and how to share resources and personnel. There

are now 9 JPAs in the state. She also spoke of the vision of JPAs. These are marked by a V in the '07 column of the colored hand out.

**Representative Hunsakor:** I know a lot is being done to help your teachers become better teachers; but what is being done that gets right to the students in the classroom?

**Syvertson:** Curriculum development is an activity we have been doing for many years and just the fact that teachers can go into the classroom and know exactly what they should teach helps tremendously and the students know as the curriculum is posted on their doors and bulletin boards. Students know what they are supposed learn and they are meeting the standards so they will be successful in the tests. Everything we do impacts the students.

**Tracie Welk, education coordinator, TGU, and elementary teacher,** testified in favor of the bill. (Testimony Attached.)

**Jacob Holm, student at Maple Valley High School in Tower City,** testified in favor of the bill. (Testimony Attached.)

**Maurice Hardy, Beach School Board member and representative to Roughrider Educational Service Program,** testified on behalf of the program. (Testimony Attached.)

**Jennifer Johnson, school board member of the Red River Valley Educational Cooperative and parent of an elementary school student,** testified in favor of the bill.

Currently we are sharing a math teacher and a science teacher with another district. We would like to see JPA take over the responsibility of sharing teachers and programs. We no longer have the luxury of doing things on our own. JPAs are the answer to providing opportunities for our children.

**Representative Sukat:** You mentioned using teachers from two different teachers. Is that done electronically or are they traveling from one location to another.

**Johnson:** We have them in the classroom by arranging their schedules so it is possible.

**Representative Sukat:** How would you feel if those courses were offered electronically?

**Johnson:** Over the internet education is excellent. I happen to have a third grader who is so internet savvy it's scary. He knows how to get on and do all sorts of things. I think the younger students have no problem learning over the internet. We need to address how to coordinate that in the subjects we need. I can see that there will no longer be an alternative in a lot of courses.

**Representative Mueller:** Do you see the JPAs providing some mechanism to foster or smooth the path to reorganizations.

**Johnson:** I do see that opportunity. If not to reorganize, at least to rethink how we are educating our students. I think we are learning through the passage of time that we need to work together as a group in order to meet the needs of the educational system. We are at the top of the nation for graduating high school. We are not in top for graduating college students. Part of the problem is that we do a fine job of educating our students but maybe we need to increase the intensity of some of the advanced courses at the high school levels. I see the schools keeping the core courses and enhancing advanced course work through either shared educators or distance learning. When we think about reorganizing, we need to think outside the box as to how we educate students in the rural areas. I think JPAs are the answer.

**David Richter, coordinator of the Great Northwest Education Cooperative,** testified in favor of the bill. **(Testimony Attached.)**

**Dan Bauer, superintendent of Kulm Public School,** testified in favor of the bill. **(Testimony Attached.)**

**Representative Wall:** What are your limitations right now concerning hiring a coordinator.

**Bauer:** Right now it's not clear in the law. Contracts and fiscal agents are being done by other school districts. Another thing is resources. We need some resources that we can rely on to jump start this coordination. Initially we need some funding up front. Down the road they may be carried by the school district.

**Representative Herbel:** Do you see Special Ed Units some time will be encompassed by the JPA.

**Bauer:** Our vision is yes they can be combined.

**Representative Haas:** If you could eliminate three Special Education Districts in your area, would that not free up some resources.

**Bauer:** That will. But up front we need something to jump start this process. We are going to have to prove to member districts that they will receive better service. It's difficult to abandon what we have. There is a frustration among administrators. We serve on the JPA and still have a district to run back home.

**Representative Haas:** If you had the up front money that you think you need and if it is realistic to combine Special Ed Units into one, how many years would it take you to do it.

**Bauer:** We're not afraid of a timeline. If there is money and a date certain for it to happen, it would happen.

**Denise Wolf, coordinator of the Northeast Educational Services Cooperative,** testified on behalf of the bill. She discussed NCLB Act and how it has benefited students and teachers in the state. The P-16 Task Force has great plans, if we are going to do all these enhanced activities we are going to be able fund it, have people to organize it, and we have to be able to coordinate to be successful. In the past several months we have people from various states come and testify about their educational associations. They have been at this for a long time so we can learn from them. The models that work well are those that are supported by states. The model that fell apart in MN was because they relied on just local funds. She distributed a budget proposal that she plans to present to the Interim Educational Committee for an infrastructure for JPA. **(Attached.)** She also talked about tapping in to services and work with other agencies that provide services for students such as human services providing



services to at risk students. The JPA does not have to be educational. That would be limiting.

**Chairman Kelsch:** How will you deal with commingling of funds? We would not want to fund those other services.

**Wolf:** My efforts are now being spent drawing on those services that fit into the school. How do we work better and more effectively with these agencies in place? They have money for juvenile services and we need to work with them. We see that in the vision for JPAs in our region—the services will be deeper versus just education.

**Representative Johnson:** Has there been any programs for mentoring young teachers.

**Wolf:** Yes, we have trained mentors in our area and we keep a list to help connect.

**Nick Whitman, executive director, ND Educational Association,** testified in favor of the bill.

**(Testimony Attached.)** He proposed two amendments. 1.) We would like an amendment that clarifies that staff employed by the entity are fully licensed by the ESPB. 2.) That those employees be allowed the same bargaining rights as other teachers in other school districts in ND have. We would be willing to work with the Committee to develop those amendments.

**There being no further testimony, Chairman Kelsch closed the hearing of SB 2030.**

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2030**

### House Education Committee

☐ Check here for Conference Committee

Hearing Date: **7 February 2007**

Recorder Job Number: **3081 0-2:50**

Committee Clerk Signature

*Jan Prindle*

Minutes:

**Chairman Kelsch:** On SB 2030, the Joint Powers Bill, I'm going to put that into a subcommittee. NDEA has some areas of concern and I think they need to be addressed. We need to talk about what we want to see for the name. Jon Martinson thought they should be called Joint Powers Associations because everyone calls them JPAs. We can determine that. He agreed that Area Service Providers is just way too confusing. I would like to appoint a subcommittee and I'm going to put Representative Meier, Representative Wall, and Representative Mueller on that subcommittee.

There may be some other things we want to look at in that bill. I can tell you we probably won't look at the money issue. We need to make sure we have the language the way we want it.

**Vice Chairman Meier:** We have lots of time to look at it.

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2030**

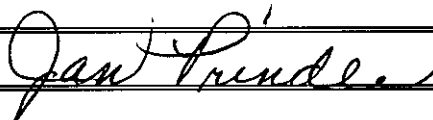
### House Education Committee

☐ Check here for Conference Committee

Hearing Date: **28 February 2005**

Recorder Job Number: **4092**

Committee Clerk Signature



Minutes:

**Chairman Kelsch:** I had a conversation this morning with the president of our school board and she didn't think we should continue to call them Joint Powers Associations because it should be more in line with what is nationally recognized as to what JPAs are. They talk about BCES (Board of Cooperative Education Services). That's the way they refer to them.

The superintendent also wanted the options of teachers belonging to TERS or TFFR for the JPAs. Nancy (Sands) you also had an amendment about . .

**Sands:** We didn't have an amendment we just wanted that they if they are teachers they be hired like teachers. Representative Meier asked me for a list of those.

**Representative Haas:** Regarding the hiring in PERS or TFFR, the only way that could be permissible is if the JPAs hire anyone who is a certified teacher they should automatically be a TFFR. If they hire classified staff that are not certified, those people in school districts are already a part of PERS. That same split should occur in JPAs.

**Representative Johnson:** At the workshop in Jamestown in August, they talked about calling them educational associations. I think there ought to be something "educational" in the name.

**Vice Chairman Meier:** Our subcommittee had a little chance to visit about the name change, we like association with Joint Powers because we thought that would be a little better for people within the state to understand what they are.

**Chairman Kelsch:** Bring us your ideas. It was interesting because our school board president has been attending a lot of these national meetings and was barely able to wait until they could join the JPAs.

**Representative Mueller:** The name is certainly to be yet determined. We liked one of your amendments that went to Joint Powers Associations versus Joint Powers Agreement. If that's not what the world wants then we would be interested in what else you have.

**Representative Herbel:** They're being referred to area service providers and cooperative educational associations.

**Representative Wall:** What does BOCES stand for?

**Chairman Kelsch:** Board of Cooperative Education Services. That's the name some states have. Cooperative Education Agencies in Wisconsin.

**Representative Johnson:** I would suggest Joint Powers Association has nothing to do with education whatever.

**Vice Chairman Meier:** We are willing to work with any of the names that are before us. The people we have invited to the subcommittee meeting may have some thoughts also. We are looking at two amendments and being it already has Joint Powers Agreement it may be a little easier, but we're certainly willing to look at what the national level is doing as far as the name affiliation.

**Chairman Kelsch:** The two that I had were: Cooperative Education Association or Joint Powers Association.

**Vice Chairman Meier:** Maybe we can look at more what the Midwestern states are calling them.

**Discussion closed.**

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2030**

### House Education Committee

☐ Check here for Conference Committee

Hearing Date: **28 February 2007**

Recorder Job Number: **4142**

Committee Clerk Signature

*Jan Prindle*

Minutes:

**Vice Chairman Meier called the subcommittee to order. Those attending:**

**Representative Mueller and Representative Wall**

**Also attending: Tom Decker, DPI; Nancy Sands, NDEA; Bev Nielson, NDEL; Doug**

**Johnson, NDAEL; and Anita Thomas, LC.**

**Representative Mueller** discussed possible name changes.

**Nielson:** I think people will continue to refer to them as JPAs.

**Representative Wall:** I had a suggestion from Representative Johnson that somewhere in the name we should have some reference to education in whatever name we choose.

**Vice Chairman Meier:** Tom, if you would give me the list of the names used nationally. If you gave it to me before, I apologize that I don't have it.

**Decker:** Can I get into a few broader issues in way of background. I'm going to give you some demographic information and take a few minutes to show you the importance of what we are working with here and this is one of the ways to do it. This piece I handed out at the Senate Education Committee. It shows enrollments in every district in ND from 98-99 to this last fall. You can look down this list and see what is happening in enrollment. He continued until

**Vice Chairman Meier interrupted him** and reminded him that this was not a hearing and no information was to be presented that had not been presented to the whole Committee.

**Representative Mueller:** What powers do political subdivisions have? That goes to the heart of the issue.

**Decker:** We need to deal with the issue of the power in JPAs to employ people in ways that are meaningful and make them competitive.

**Representative Mueller:** Does that not say then that we need to establish them as political subdivisions.

**Decker:** That may be one of the solutions and maybe the best solution.

**Representative Mueller:** That's a very important question. There are a number of parts to that. If that's the direction we need to go and maybe go at some point. Right now the issue before us is do we take that leap at this point. Maybe more importantly, can we sell that leap at this time and I'm not sure about that part. I only bring that up because that may be the center of what you and others may have to talk to us about but I think we have to determine if that's the direction we want to go and if that's the direction we can sell. I'm not hearing that right now from some members of this Committee and members of the Assembly. That's a little too much too fast. We can have the discussion but I think it's going to be a tough sell.

**Decker:** You hear testimony from Jan Bauer and others during the hearing on 2030 about there being a strongly felt need to be able to move on with development of their organization. They are well into negotiations with their special ed guys and moving in the direction of bringing those into the JPA. Certainly as things are going in ND it begins to look as though JPAs are here to stay and that they will play a critical role in service delivery out there as demographics change and some of those issues related to that become more difficult. These things have moved along much more quickly than even those of us who work with them would

have ever guessed. They are turning out to be extremely useful. There is certain urgency or even impatience from people about having permissive authority to go ahead and build their organization in terms of bringing in those special ed units and providing other kinds of services that I think move in the direction of solving some pretty serious challenges we face in the future.

**Vice Chairman Meier:** We increased funding by \$1.0 million for JPAs last session and we put in \$2.0 million this session. I think this legislative body is certainly realizing the impact of JPAs. I think it's feeling of this Committee and probably everybody here that JPAs are serving a purpose.

**Nielson:** I've never quite understood why JPAs need to become political subdivisions to do what special units can do by statute. I never understood why JPAs couldn't hire the same way. I think one of the things that scare people when you talk about political subdivisions is that they want to become a taxing unit. Special Ed units can do it now so I was wondering why you couldn't just grant hiring authority by statute like you did for special ed.

**Thomas:** JPAs can hire staff. What we have not given them authority to do is bargain. They don't have the ability to participate in state health insurance or the state retirement plan. They would be like a private entity. The multi-district special education units' employees are given the same rights as school districts and we extrapolate from that that they have bargaining power even though we don't have it in statute. The statute says that "the school district shall do this." The board of a multi-district special ed unit is not a school board and if everything was done in a pure world we would have a bargaining statute for multi-district special ed units. That's what we should have in statute. If you were going to give employees of JPAs the protections and bargaining rights of teachers, you have to spell out exactly what it is. Remember, through this whole process you said the JPA was not a school district. They are



not parallel. We don't have a superintendent in a JPA that's going to evaluate a teacher. We had discussions about if that would be administrator, whether that would be the coordinator. It would all have to be sorted out as we look at bargaining.

**Vice Chairman Meier:** Who has the authority over that educator that works in a special education unit?

**Nielson:** They are doing it now. Evaluating within the unit.

**Sands:** Career and tech centers hire their own and evaluate them.

**Johnson:** Some are run by boards that are selected from school districts, but Jamestown is run by the Jamestown school board.

**Sands:** Some special ed units do not hire—some do, some don't.

**Nielson:** A single district might hold the contract but someone still has to evaluate them.

**Decker:** If you look at special ed units, you will find that the unit actually employs the person and holds the contract and does the evaluation. The same is true with JPAs. JPAs as we are moving forward need a lot of flexibility because they are going to do a lot of different things. JPAs could and should have the authority to hire teachers directly. In the Williston area they were having extreme difficulty finding science teachers and one of the things that were discussed was that the JPA would hire several science teachers and they would staff them out to schools that need science instructors to make sure everybody had one. In that case the JPA director would probably supervise or they could arrange for the schools that are using those teachers do the evaluation. That all needs to be spelled out and I think that's all manageable. The problem is that a teacher would not want to be hired by a private agency that couldn't provide TFFR and other kinds of benefits. In the long run, that simply will not work. They will not be competitive in that kind of environment.

**Vice Chairman Meier:** So even though they have the authority to hire, there probably is no hiring with benefits.

**Thomas:** I don't know of anything in the JPA law that would prevent them from offering insurance and health benefits. As a matter of fact they are authorized to provide compensation.

**Decker:** That's probably true and they would do so with their own policy as a private entity and we're talking about really needing to hire teachers who have been used to and probably have years invested in TFFR continuing their employment under that kind of environment. There really is no other choice even though as Anita says, they could hire them as private entities, tech support people will not be educators and will not want to belong to TFFR and maybe for them the private insurance would work. A lot of the people that JPAs hire will be educational types that would like to be under the benefit program, including retirement, as provided currently.

**Sands:** It would seem to me that the legislature would not like JPAs to be private entities. We would want them functioning more as a special ed unit does now or as a career and tech center does now. To allow them to be separate entities, you lose influence and control over education provided by those units.

**Representative Mueller:** Anita, are you saying that what we have for a bill and structure right now probably does most all that we want done with the exception of the benefits that the NDEA is concerned.

**Thomas:** I would suggest that if what you done is clearly articulated and then we can make sure we have the words to support it. The bill that we have is maybe not envisioning how JPAs are going to work to the degree of detail that we need to have in legislation.

**Decker:** Let me take a run at if there is general agreement as to where we are going with JPAs. I see them becoming comprehensive service agencies rather quickly and that is under governing boards as is now defined in law made up of elected school board members with an executive head who probably has either superintendent credentials or something tantamount to that. They will become school district support organizations at the regional level that are political subdivisions that provide all services to their member districts that those districts cannot cost effectively provide themselves. As things change, that's going to be a growing list.

**Vice Chairman Meier:** I think that our intentions right now are different. What you are envisioning would take more than the \$2.0 million appropriated.

**Decker:** Not necessarily. Let me lay out this scenario and there are other states that do this. There are states that provide a minimum amount of money to their area service agencies from state sources--some almost none; and that ranges all the way to Iowa where they are fully funded by the state. So that's a choice issue. We can have full service agencies either way and have them regulated appropriately in state law either way. If we choose to not provide more than \$3.0 million this session, I can guarantee you that, unless you prohibit them from doing it; JPAs will continue to grow because there is a need and because they can do things that districts can't cost effectively do. They can do them more effectively. The best recent example is that over Martin Luther King Day to now, JPAs have provided in-service to over 5000 ND teachers. Those kinds of things have happened very quickly and more things like that are happening. What they need now is an environment in which they can work and grow in and you all have a biennial opportunity to decide what the funding level is. If you don't provide them with adequate funding they will find that from their local member districts if that service is valuable. I want to suggest to you there is some value to you in terms of leveling

the playing field, you in providing them with some more adequate funding than the \$3.0 million out in front now while they're growing and beginning to fill the critical need in leveling the playing field of leveling the playing for service delivery in ND.

**Vice Chairman Meier:** Did you get a chance to talk to the Interim Education Committee on this?

**Decker:** We talked about a number of things and they forwarded 2030 as it came to the Legislature. I don't think this is disingenuous at all when I say that the environment in which we are working in relation to JPAs and what they can do and how badly we need them to do more things is changing on a daily basis. As the numbers change, as we move forward with the Commission's work on defining educational adequacies, it's more clear every day and certainly more clear today than it was even in the middle of last summer of what we need these organizations to do. We have requests in testimony from these organizations themselves.

**Nielson:** I was wondering whether there was a certain part of this bill you put into subcommittee because if there is. . .

**Vice Chairman Meier:** The subcommittee had some questions about special education.

**Representative Wall:** That was a question I have for Tom. On page 9 of the bill, what do you see happening with special education in light of the JPAs? Their increasing roll? What's coming as you see it?

**Decker:** We made a choice in ND over a period of years about service delivery in the K – 12 realms. That played out as new federal programs came along like special ed or vocational ed whereas technology advanced so we had opportunity to do distance learning and so on; we either established or allowed the growth of a series of what I call stovepipe collaborative for narrow purposes to do these tasks. We have several regional vocational service entities. We

have 12 distance learning networks—vocational centers, we have 31 special ed units and you can go on down the list. Almost every federal program that's come along has generated another set of collaborative. At some point all this could and should come together because another choice we could have made is what most of the states made and that is that regional service agencies would provide special ed and some other things. In many states they provide a wide range of services. Special ed was the genesis of regional service agencies in many states. The states put them together to provide special ed services on a predictable reasonable schedule when that law was passed. They have grown from there to provide a whole bunch of other services. We don't need and we can't afford 31 special ed units in North Dakota. We could easily do with 9, maybe even less.

**Representative Wall:** How do you envision this playing out? Explain the director's roll. Do they dispatch the instructors and other special ed experts to the various schools or do the schools bus their children. How do you see that playing?

**Decker:** We have an open playing field here for development. We haven't gotten far enough into the development of special education units as part of JPAs to have any real experience with them yet but there are plenty of other states in terms of how they are doing it. We can establish a best case scenario of what the regional service provider can do—psychologists, audiologists and other kinds of high class and low need people that many districts cannot afford. The larger districts continue employ these because they need them full time but wherever they're not needed in a district full time the JPA could employ them and staff them out to provide services on an agreed fund basis. You need to know that JPAs never die. They are adequate, competent service providers to their member districts. That's their sole purpose for existence.

**Representative Mueller:** We need to work on the project at hand here. A couple in my mind and starting on page 1, we have on line 19 "any person serving as a school now" is there a need to restructure that. Is that okay as it is.

**Decker:** This is as it was drafted as it came out of the interim committee and was not changed by the Senate. Again, this area of special ed is an example of the same sort of thing here. What it does is allows the JPAs to provide business management services to districts who might find that attractive or cost effective.

**Representative Mueller:** So that will be okay as set there. Page 3, lines 22-24, I think that just backs up the first issue. I'm going to jump to page 7, items c and d. My question here is what is an ex-officio, non-voting member? Who might that be?

**Decker:** As JPAs grew up starting in 2001, they have had in their organizational structure colleges and universities in their area, special ed units were in essence cooperating partners, private schools were cooperating partners. The goal was to make these organizations as comprehensive as we could make them in terms including in their ranks all education entities in the area who could benefit from service or who could contribute to providing more efficient and quality K – 12. You have a structure of school board members who come from the member districts and cooperating parties are not voting members. They sit on the board for discussion purposes and input.

**Representative Mueller:** Another question on page 7, lines 16 – 18, we're getting in to the special education area here. Was that added by the Senate or did it come out of the interim work. Is there a need to restructure that wording?

**Thomas:** That was added by the Senate.

**Representative Mueller:** That seems very appropriate for what we're trying to do.

**Decker:** One of the places that I've seen significant discomfort in the Legislature in regards to JPAs is including the word "shall" anywhere. This is authority, it doesn't mandate anything. It allows JPAs as they are growing and as they see the need locally to begin to provide some of these services.

**Representative Mueller:** On page 8, lines 18 – 29, I think there were discussions at one point about making payment directly to JPAs. This does not provide for that. It provides for the same mechanism we have used all along which is to send the money to the district and they pay their fee for the JPA services. Is there any reason to change any part of that?

**Nielson:** I think it actually says the opposite. It says it goes directly to the JPAs. On line 21 it says it goes directly to the service provider.

**Thomas:** That concept was in the interim bill and it was taken out at the last meeting because there was some discomfort about not the concept, but the wording.

**Mueller:** So DPI pays directly to the JPAs.

**Decker:** On the Senate side there was discussion from some of the school districts saying it was a really cumbersome to pay the individual member districts and then have to collect that money and do the accounting.

**Sands:** If you want to make all those rights and responsibilities of teachers, it needs to be added. **(List attached.)**

**Thomas:** We would have to work in what the Committee members want to pull in.

**Nielson:** From our perspective if you choose to give them hiring rights, we don't have problem and nobody's trying to circumvent the collective bargaining process or require instructional days or anything, we don't have any problem with this if you go in that direction.

The political problem with that is using the term political subdivision." I know no one intends to tax, but I know that politically making these political subdivisions will be a problem. We don't

want to lose what's good by freaking people out, so if we can get what we want with a whole bunch of language that doesn't include that term, that's the way we should go.

**Vice Chairman Meier:** I think we need to see if it is the wishes of the subcommittee to include that.

**Sands:** All along we said we don't object to it, but if the JPAs are going to employ teachers then we need to have it very clear.

**Representative Wall:** If a JPA wanted to hire a foreign language teacher and put it on line for other schools do they have the right now to do that?

**Decker:** The JPA in Williston is doing exactly that only the language teacher they hired is under contract to Beach School District, a member school district, and works for the JPA to provide services to multiple districts. The JPA in Devils Lake does that with a number of staff people. It is extremely cumbersome to say the least. It's possible and will grow because the need is there. We just need to get to a more streamlined strait forward process to allow JPAs to employ.

**Representative Wall:** The JPAs now hire coordinators, grant writers, secretaries, etc. They can do that directly.

**Decker:** Yes, but I think because there was some question about their authority, they are hiring those under a member district.

**Vice Chairman Meier:** There's nothing to prevent them from hiring teachers right now.

**Decker:** That's true because they are a private entity there are under no constraints as to what they can offer for pay. While that has some upside if it were put into practice it would have some serious downside in terms of relations between the member districts and the staffs of those JPAs. If they offered a teacher enough dollars they probably will live without TFFR, unfortunately I don't think those resources are available and JPAs will get pressured from their



member districts to keep those salaries competitive less they become a drain on the staff of their own member districts.

(Discussion among members is unintelligible at this part of the recording.)

**Decker:** They are unwilling and think it would be unwise to go in the direction you are suggesting—the big salaries. That would not fly politically within the JPA.

**Nielson:** While this says they can hire and compensate teachers, it doesn't say that those teachers have the same rights. Their collective bargaining rights need to be protected because they are teaching in ND public schools, they just happen to be employed by the JPA.

**Decker:** I think JPAs have proven their value and have too much potential to drag them into a political debate about whether or not we continue to employ teachers in the way we do now or not.

(Discussion among members is unintelligible at this part of the recording.)

**Representative Mueller:** It seems that our challenge is to accept this challenge about the hiring and compensation part. We ought to make a decision as a subcommittee as to how far we are going to go with that. Are there other issues that need to be dealt with in the bill as we are considering it currently?

**Decker:** We've covered the issue of insurance in another bill. The real big outstanding issue is hiring in a way that the key players, teachers, administrators and others can live with and in ways that make JPAs competitive as service providers to school districts.

**Sands:** Without insuring some of these (list previously provided) somewhere in this language you don't even say that the individuals that might be providing direct services have teacher licenses.

**Vice Chairman Meier:** That's one of the thoughts I was pondering. Bonding and liability insurance are included in the bill. I will visit with Chairman Kelsch about the position you

brought forward and see if she is willing to have a hearing on those issues. She may have some concerns about getting this bill out of Committee as I have also. We will visit more times as a subcommittee.

**Decker:** A related issue that I want to visit with Anita Thomas is insuring that we're done here that's no question about JPAs or whatever we choose to call them authority to directly receive state funds and more particularly, federal funds. One of the areas these organizations are doing the greatest work in other states is coordinating federal programs. So they receive professional development federal dollars and manage a professional development program directly. We want to make sure as we are moving this forward we make sure they have that authority as well.

**Meeting adjourned.**

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2030

### House Education Committee

☐ Check here for Conference Committee

Hearing Date: **6 March 2007**

Recorder Job Number: **4438**

Committee Clerk Signature

*Jan Prindle*

Minutes:

**Vice Chairman Meier called the subcommittee to order.**

**Attending were subcommittee members, Vice Chairman Meier, Representative Mueller, and Representative Wall. Also in attendance were: Tom Decker, DPI, and Anita**

**Thomas, Legislative Council.**

**Tom Decker** discussed JPAs. JPAs have made tremendous progress in ND since their inception in 2001. Today 97% of the public school enrollment in ND is represented by JPAs. The changes that are taking place as far as what JPAs can do, or should do, or will need to do because of the way things are going in ND are phenomenal. Overall public school enrollment in 1995 was 18,600. By 2011-12 it will be under 8,000. During 98 to 07, ND largest 8 districts declined by 8%.

**Vice Chairman Meier:** How do you compile that information?

**Decker:** It's actual data that the DPI collects in its fall enrollment data collection each year. Projections are based on a continuing process called Cohort Survival when we look at how many are in 1<sup>st</sup> and how many of those are going to 2<sup>nd</sup> grade and how many of those are going to 3<sup>rd</sup> grade and over the years our various statisticians who work on these issues have gotten pretty adept at projecting where we are at. We've been within a tenth of a percent or

so on hitting actual fall enrollment two years out. We're pretty confident about projections and the numbers.

The largest 8 school districts have 53% of the enrollment in ND today. All other districts, and that's 187 operating districts, have the other 47%. Fargo is growing. Minot and Grand Forks lose slightly over 200 students a year. The losses are not evenly spread. In the districts that have 47% in the period of 98-99 to 2007 the enrollment decline was 23%. That reflects a trend that's been going on for 20 to 30 years in ND. Our projections show that that shift will continue. Some districts are getting so small that it is increasingly difficult to provide the kind of service set that we think kids should have these days and certainly the kinds of services that we will need to provide when we begin to define what an adequate education is over the next two years by the Governor's Commission. Right now we have 167 school districts that have a high school. Today 90 of those 167 have enrollments of 100 or less. There is another set of 20 that are within 15-16 students of 100 and they will be there within the next 2-3 years the way declining enrollment is going in ND. You heard testimony yesterday on SB 2200 from some of those districts who are struggling now with small and declining enrollments in terms of making ends meet. One of the problems that we have with the funding formula today is that we are sending disproportionate amounts of money to places where there are very small numbers of students. The figure needed to provide an adequate education that was come up with our best professionals was \$200.0 million additional per year. The number of students that was to be served by that significant amount of money in many of those districts is smaller and getting even smaller. Those are some of the demographic issues. The small are getting smaller and the larger maintaining pretty well. One of the beauties of JPAs is that all include large and small districts in a region and collectively they have the capability of providing a support system. That's already proven.

The other area that is of great concern is the high retirement and restricted supply of teachers and administrators that we are facing in the future. We are experiencing difficulty getting candidates or quality candidates for superintendent searches they are conducting.

**Vice Chairman Meier:** Currently, how many districts are sharing superintendents?

**Decker:** I don't know for sure, but it a smaller number than it was 3-4 years ago. We've gone away from sharing superintendents. It used to be that were a fair number of those but the last couple of years for whatever reason a number of those districts have decided not to do that. Part of the reason that's been happening is that we've allowed retired superintendents to come back half time. That's been the solution for some number of districts. Instead of sharing somebody, they have somebody half time.

**Vice Chairman Meier:** Do you know how many districts that actually have half time superintendents?

**Decker:** I don't know that either but I can find out. Teacher supply is also becoming vital. We've had a couple of years of experience of problems there. Last fall 17-18 science positions were open. JPAs provided a huge amount of assistance there. In Williston they hired 3-4 science teachers and then staffed them out to various schools to cover science so that everybody had a science teacher. Those kinds of things are possible. As shortages in teachers arise, all could be staffed that way. JPAs are in position to do that expediently. We need to have a single data system serving all of ND schools. We are putting together legislation that will put together a longitudinal data system at the state level that can aggregate data, but in order to do that we need a basic data system available to each school system. The way things are going today it is simply too costly and too complex for many of the 187 districts to have and manage their own data systems. JPAs could manage the data system for every district in the region. That would be far more cost effective.

**Vice Chairman Meier:** If you could list 3 areas of data collection that currently are not being done.

**Decker:** DPI collects a good deal of data for NCLB and yearly progress. The capability that districts need and could be best be managed at the regional level, is comprehensive individual student data so that districts could have access to information on a regular basis about how well their students are doing in every major area to plan their teaching strategy and make adjustments—performance and follow-up. They will only know if they have systematic data that tells them what those problems are.

**Vice Chairman Meier:** I know you are talking about academic data, currently the districts don't do a lot of compiling of academic data on their students?

**Decker:** Some districts have systems like Power School that are called student administrative data systems that record attendance and those kinds of things. The kind of data system this niche was supposed to fill isn't out there, that is comprehensive student data about academic progress that allows them to plan systematically are not out there. All those things are things that have driven the rapid development of JPAs. Now the discussion is going on out there about moving on to the next step. That is bringing other entities such as special ed, vocational services, distance learning into those organizations. Administrators realize the value and potential of JPAs and have come to the conclusion that they no longer want to be in situations where they have 7 – 8 meetings a month for these segmented service sets. They want to bring all of that in to a single organization as retirements and opportunities allow. The list of potential services just goes on. JPAs have talked for a number of years about hiring and there has been significant concern about that. Anita Thomas assures us that JPAs can hire but the basis on which they hire would be as a private entity. In the school realm people are used to dealing with school district benefit package type issues and leadership of JPAs out

there agree that where we need to be is to have the capability to access that same system that school districts use to hire personnel. Most of the people they hire have spent years in those systems and they are really not interested in moving to a different retirement system. They want to finish their career in TFFR or PERS or whatever it happens to be. These are all voluntary member organizations. They exist and have grown because they are serving their member districts in the ways the districts feel the need for service. The next significant step is getting into more areas to pull together for more services—that's the Legislature's purpose. That is hugely beneficial. We will not be able to deal with educational adequacy without strong functioning JPAs. It costs too much and in my estimation even if we have the money, it is almost physically impossible to provide services without the extensive systematic collaboration between these districts.

**Vice Chairman Meier:** You have great visions for JPAs, Tom.

**Representative Mueller:** There is some concern about making some adjustments and as I look at 2030, a lot of the things that were discussed have been incorporated into 2030. Would you agree with that for the most part?

**Decker:** Certainly some key features that JPAs wanted are in there, the ability to manage special ed, business management, money flowing directly to JPAs. As we move forward here from last summer to now, we've made huge progress in actual movement towards bringing special ed units in. There is a continued concern about the hiring status. I hear that same concern from the school administrators and the NDEA. JPAs are not comfortable about creating private organizations to hire these people. That is like reinventing the wheel. We have a system in public education. What we are talking about in this set of amendments is simply moving those same provisions and basic operating authority to the JPA level.

**Representative Mueller:** Given that adequacy is something we are serious about addressing, would it make sense to you as opposed to going ahead with something that hasn't been set together yet, to take a look at that over the interim and come up with a solid plan?

**Decker:** That's a second best alternative. The governor's commission during the next two years is going to work on what educational adequacy is and what it takes and how we're going to configure delivery to achieve that. I'm convinced that strong, high functioning JPAs are a central part of that process. If we do two years of study and then implement the changes for JPAs we've lost a critically important two year period of growth and development of these organizations. I'm not sure how many JPAs will jump into the areas we're talking about in the next two years, but at least half of them will move into a number of those areas including special ed, vocational programs and the money being divided this session. Those are all things that are going to happen over the next two years and it would be best to have these in place now. These are all permissive. There is no "shall" in here. It just makes it possible.

**Representative Mueller:** We don't have our hands around what that all really means for the entire system. I think it could be premature to jump right into a hiring structure that is fairly complex. We don't know how that's all going to tie in at this time. We've been doing JPAs for about 6 years and they have managed to do what they needed to do without that part being in there. It seems to me they continue to do that until some of these other parts fall into place.

**Representative Wall:** How does it work right now? If we hire a foreign language teacher full time but we need them only part time, can we contract that person out under the auspices of the school district? Can it be done in house? Loaning teachers by contracting them to other schools?



**Decker:** Yes, JPAs are doing that now. The problem is that they are finding that extremely cumbersome especially for the districts that are holding the contracts. They have liability to coordinate and it cumbersome. Salary schedules may be different in different districts.

**Vice Chairman Meier:** We are going to have to adjourn here. I want you to look at the information you have and Representative Mueller had some pretty good thoughts about maybe looking at a study for this as an amendment. We could probably look at the concerns that you have in the interim as a study and answer some of the questions that we have.

**Meeting adjourned.**

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2030**

### House Education Committee

☐ Check here for Conference Committee

Hearing Date: **19 March 2007**

Recorder Job Number: **5251**

Committee Clerk Signature

*Jan Prindle*

Minutes:

**Chairman Kelsch opened discussion of SB 2030.** (3.33) Vice Chairman Meier has some amendments. Would you like to walk through those with us?

**Vice Chairman Meier:** I want to thank the Subcommittee: Representatives Mueller and Wall.

I appreciate their hard work.

On the first page, we changed the language of the JPAs to regional education association. That came about through much deliberation. We felt that regional education association fit well with JPA.

**Chairman Kelsch:** Did you review what other states are calling theirs? I know my school board member said she thought it needed to be something other than joint powers association because of the way they are referred to in other states.

**Vice Chairman Meier:** We had a list from Tom Decker that gave us some wording of what other states were calling these JPAs and a regional education association wasn't one of the names. We felt strongly that joint and association actually have very similar meanings. We wanted to be unique and we wanted to look at what they are really doing and where they are located so we felt strongly that regional education associations fit that very well. You will notice that REAs fit's through the bill. If any one has other thoughts, we would welcome that.

**Representative Herbel:** I move Amendments .0905.

**Representative Haas:** I second.

**A voice vote was taken. The amendment was adopted.**

**Vice Chairman Meier:** Amendment 0904 is the emergency clause. That is to put in an emergency in renaming these associations. That is why this is before you.

**Representative Herbel:** Does that not also allow them to hire and get people in place for school to start this fall.

**Vice Chairman Meier:** Yes, it does.

**Representative Herbel:** I move .0904.

**Representative Wall:** I second.

**A voice vote was taken and the amendment was adopted.**

**Vice Chairman Meier:** The next amendment before you is the Legislative study. During the discussions that Representatives Mueller, Wall and I had with other individuals, there was some discussion by some individuals that they wanted to see these providers provide more services.

**Representative Haas:** Since we passed amendment .0905, we should change area services providers in that amendment to regional education associations.

**Chairman Kelsch:** Let's change that language throughout the amendment.

**Vice Chairman Meier:** With that change, I would move this Amendment.

**Representative Wall:** I second.

**A voice vote was taken: The amendment was adopted.**

**Vice Chairman Meier:** Amendment .0906 is studies that were attached to SB 2200 and we felt that the JPA bill would be the better vehicle to attach the studies. These studies are not mandatory. The Legislative Council can decide whether or not to study these different areas. (She went through the studies listed in amendment .0906)

**Chairman Kelsch:** The other issue is that in NCLB, congress is proposing all kinds of changes for reauthorization of the education act and NCLB in particular. I know that there will be changes. So the question comes in if we want to repeal the NCLB Committee and have all of these reports go to one committee. I don't think we're ready to decide that at this point. I think if we want to repeal that particular committee; we can do that right at the end and probably do that in this bill. I think that the Senate will probably not concur on this so that if we have a clean up bill that has to have some things put into it in the end including any additional studies or any other technical amendments that we did not get done, this will probably be the vehicle for it. Right now I think it's still a vital committee especially given the fact that we do have changes coming and there could be quite a few of them. If we keep the committee we may not need the study, but if we don't keep the committee then we will need to have that as part of the interim education committee.

**Representative Hunskor:** I'm wondering if there thought to a study for prekindergarten or kindergarten. Is that covered elsewhere?

**Chairman Kelsch:** We did pass a prekindergarten bill. I don't know what the status of that is in the Senate. That may be something depending on what ends up with that bill. The Senate Education Committee amended it down to \$100.0 so basically there may be just one pilot project. It may be something we add into that bill or we could add it to this depending on what happens.

**Vice Chairman Meier:** I move the Amendment .0906.

**Representative Solberg:** I second.

**A voice vote was taken. The amendment was adopted.**

**Chairman Kelsch:** I have an amendment. Senator Flakoll brought it to me as they didn't have anything that this amendment applied to and we thought that the JPA was the closest

thing that would make it germane. What is happening is that we have people that are moving in to ND that have been teaching in other states for years and when they come in to ND they are still required to student teach. It doesn't make a lot of sense that in order to get licensed in ND they would have to student teach even though they have been teaching. That's where this amendment came from and I told Senator Flakoll that we would consider it.

**Representative Hunsakor:** Does this apply just to student teaching?

**Vice Chairman Meier:** How long are these individuals having to student teach?

**Chairman Kelsch:** Nine weeks.

**Representative Herbel:** Is this in the statute somewhere now?

**Chairman Kelsch:** No, it's just being done by the ESPB.

**Representative Herbel:** That seems ridiculous. If you recall a few years ago a lot of people were teaching what they called a standard. When they said the standard degree was no longer useable, the people went back to get their degree. People who taught 25 years had to go back and student teach—what's the rationale?

**Representative Johnson:** It doesn't have to be for those coming in from out-of-state. The same thing is happening in state. If they have taught for many years in one area and they move to another area, they have to student teach.

**Representative Myxter:** I want to know where this is happening. It doesn't happen in Fargo. Where in ND is this happening?

**Audience Member:** This is hearsay and I don't know first hand, but I know of one situation where people coming in from another state and have not been actively teaching yet have a teaching certificate and went in to another line of work within education and applied here to get a license and was told that she had to student teach.

**Bev Nielson:** I have two examples and again they are hearsay. One was in a situation where a teacher might be going from high school to elementary or elementary to high school and they haven't student taught at that level. The other one was a teacher who wanted to come in to the state and was teaching with an alternative license in another state. They never did student teach, they came out of the professional world and had an alternative license and are coming here and applying for a regular license and are being required to student teach. Those were two stories I heard.

**Chairman Kelsch:** If they have an alternative license it wouldn't apply. This says "who is or was licensed to teach in another state." I don't think that we consider the alternative license an actual license.

**LeAnn Nelson:** If you have been out of the classroom for 10 years, they have you student teach again before you get back in to the classroom.

**Chairman Kelsch:** I think a lot of the people in the room said this shouldn't be happening. It doesn't seem to make sense. Do you guys think it makes sense?

**Gloria Lokken:** Not in the context where we are looking for teachers for hard to fill positions. It's just one more hurdle.

**Representative Haas:** I agree. How many walls are we going to try to build around ND on some of these issues? **I move the Amendment.**

**Representative Herbel:** I second.

**Representative Hunsakor:** I heard them say hearsay twice. We don't have anything definite.

**Lokken:** I know for a fact, but I don't have the details. I know it's a NY teacher and she was highly qualified in the area but she hasn't taught for a certain number of years. I just don't know the number of years.

**Representative Hunsakor:** This applies to teachers coming to ND from out of state? It does not to apply to our teachers who have been out of it for ten years or more?

**Chairman Kelsch:** That's what we are talking about up here. I wonder if we should amend it; because right now it says, "teachers licensed in other states."

**Representative Herbel:** Couldn't we just say "ND and other states."

**Chairman Kelsch:** What we want to do is what Representative Johnson is talking about where you have someone that has been teaching for years. Granted it is different to go from grade school to high school but if you have been in a classroom, you've been in a classroom.

**Representative Hunsakor:** A licensed teacher covers all of the teachers.

**Chairman Kelsch:** You don't receive your ND license unless you student taught so if we say "if an individual who is licensed in ND or who is or was licensed in another state, applies for a license in this state." Do you understand what we are trying to do?

**Representative Herbel:** What is the regulation now if you allow your license to expire? Does that cover these people too?

(Further back and forth discussion on possible amendments to the amendment.)

**Chairman Kelsch:** Let's get this redrafted in correct form and come back to act on it.

**Representative Herbel:** I withdraw my motion to Amend.

**Representative Haas:** I withdraw my second.

**Representative Hunsakor:** If one hasn't taught for 15 years, is it not warranted that person maybe should do some things again. They've been out of it and they are going to work with kids again. Things change in 15 years. There are new methods. Maybe we need to think about it.

**Chairman Kelsch:** In the case if you had let your license go and been out of the classroom for ten years?

**Representative Haas:** I don't think it necessary to do student teaching again. They are going to have to pick up some additional hours before they get a new license, depending on what area they want to get their license.

**Chairman Kelsch:** That would probably cover it because they are going to have to pick up course work.

We need to make this a policy directive as far as we handle this. If a state allows people to teach and had no requirements for student teaching and if they came to ND directly from college with an education degree and we (in ND) require 16 weeks of student teaching, it would give preferential treatment to those coming in to ND over those who graduated from ND regarding student teaching. Then the question becomes do say "if a teacher has at least 16 weeks of teaching experience" they would not have to have the student teaching. It's a bigger issue and we're not quite sure that we have the wording exactly correct at this point.

We want to make sure as we struggle to get teachers that we don't have the policy different than for our own graduates but allow these people to come in.

**Representative Hunskor:** What if a state had 15 hours and that was okay in their state.

**Chairman Kelsch:** The point is that if a state had no student teaching then you would be required to at least have 16 weeks of teaching experience.

**The Subcommittee was tasked with reviewing the amendment and making recommendations to the Committee.**

**The Committee will reconvene on Wednesday, 21 Mar 07, to act on the bill.**



## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2030**

### House Education Committee

☐ Check here for Conference Committee

Hearing Date: **21 March 07**

Recorder Job Number: **5385**

Committee Clerk Signature

*Janet Prindle*

Minutes:

**Chairman Kelsch opened discussion of SB 2030.**

**Vice Chairman Meier:** Before you is amendment .0908. Representatives Mueller and Wall and I met and discussed this amendment and this is what came out of the discussion. (She read the amendment.) **I move the Amendment.**

**Representative Mueller: I second.**

**Representative Herbel:** Did you discuss at all about people who have been sitting out for "x" number of years.

**Vice Chairman Meier:** We did not address that.

**Representative Haas:** That's covered in another statute or the rules of ESPB. This pertains only to teachers licensed in other states. It would apply if they were sitting out from another state; but if it was somebody within state they would simply have to meet the 5-6 semester hours every five years criteria to relicense.

**Representative Herbel:** If somebody sits out five years or ten years so they haven't gotten those hours every five years, do they have to pick up 12 hours.

**Representative Haas:** I don't know the answer to that.

**Chairman Kelsch:** Janet Welk (ESPB) is here, why don't we ask.

**Janet Welk:** They would not have to student teach. If they are in the classroom, they have to pick up four semester hours every five years. If they are a substitute teacher, they would not have to do anything.

**Chairman Kelsch:** What do they have to do to fully get their teaching certificate?

**Welk:** They would have to renew their license. We would give those two years if they were out of the classroom more than five years. They would have two years to pick up 8 semester hours.

**Chairman Kelsch:** Potentially they wouldn't be highly qualified?

**Welk:** Everyone is highly qualified in one area or another because they all have a major. They may not be qualified to do what they are asked to do. As a point of clarification, if someone has not been teaching the content area since 2002, we consider them a new teacher and give them 3 years to become highly qualified.

**Representative Hanson:** How many states do not require student teaching?

**Welk:** For regular licensure all states require student teaching. There's a difference between a regular program and an alternative program. When a state has an alternative program that's where there's no student teaching required. Also, most states do not require licensure in non-public schools and those teachers have whatever they have, whatever they're using. There are different levels of licensure in various states.

**Representative Herbel:** How about ND?

**Welk:** ND requires licensure.

**Representative Hunsakor:** A math teacher has completed college and is qualified math in the state of VA and moved to ND and farmed for 20 years and decides to teach in ND. Would that person be able to step right in to the classroom?

**Welk:** Yes. Under one license or another.

**A voice vote was taken on the amendment. The Amendment was adopted.**

**Representative Hanson:** Have we had many requests for teachers coming in to the state that haven't had student teaching that you have had to deny.

**Welk:** We don't deny. We give them an alternate access license where they then complete ND requirements.

**Representative Hanson:** Is that pretty regular.

**Welk:** Whether they are in state graduates or out of state graduates, we have about 30 of those each year.

**Representative Hanson:** Will this amendment take care of all of that? If somebody is licensed in another state and comes in here, this amendment would say they wouldn't have to do anything else to get certified in ND?

**Welk:** This amendment would say that if they graduated from a regular teacher ed program they would not have to do any additional student teaching.

**Representative Herbel:** I move a Do Pass as Amended.

**Vice Chairman Meier:** I second.

**A roll call vote was taken: Yes: 12, No: 0, Absent: 1 (Johnson)**

**Vice Chairman Meier will carry the bill.**

**Representative Solberg:** Just a question regarding JPAs. Is there just a small portion of the state that is not under a JPA?

**Chairman Kelsch:** There is about 3% of the state that is not now in a JPA. Those 3% are small schools.

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2030**

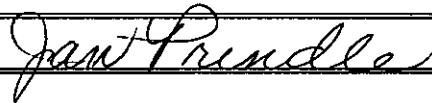
### House Education Committee

☐ Check here for Conference Committee

Hearing Date: **27 March 2007**

Recorder Job Number: **5578**

Committee Clerk Signature



Minutes:

**Chairman Kelsch opened discussion of SB 2030.** We need to reconsider our actions on this bill. The bill was amended and passed and for purposes of the new amendment we need to change page 11, line 27 where we have said Legislative Council "shall study" to change that to "consider studying."

**Representative Herbel:** Are we just looking at the isolated "shall" or are we looking at the studies throughout the bill.

**Chairman Kelsch:** Just the one instance.

**Representative Mueller:** My question is a procedural one, does any one say "shall study" on any issue.

**Chairman Kelsch:** I think it may occur once in a while when a bill is turned into a study; but when we put it in on this type of form it is "shall consider."

**Representative Hanson:** I move we consider our actions on SB 2030.

**Representative Haas:** I second.

A voice vote was taken and the motion carried.

**Representative Mueller:** I move that we insert the word "consider" between "shall" and "study" and add "ing" to study on page 11, line 27.

**Representative Solberg:** I second.

**Vice Chairman Meier:** Do these studies usually get selected?

**Chairman Kelsch:** Pretty much so. If we have a study that we are passionate about, I let leadership know and the members on Legislative Council that it is important to us.

**A voice vote was taken. The amendment was accepted.**

**Representative Hanson:** I move Do Pass as Amended.

**Representative Johnson:** I second.

**Vice Chairman Meier:** The main concern was if we have a study on here that was delegated to the Council. . .

**Representative Herbel:** Had we intended to put "shall study" on here.

**Vice Chairman Meier:** Yes, the subcommittee and myself did intend it on this particular study.

**Chairman Kelsch:** We need to make sure that we let Legislative Council members know that this is a very important study.

**A roll call vote was taken: Yes: 13, No: 0, Absent: 0**

**Vice Chairman Meier will carry the bill.**

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

Page 1, line 2, replace "area service providers" with "regional education associations"

Page 1, line 6, replace "educational" with "regional education"

Page 1, line 13, replace "area service providers" with "regional education associations"

Page 1, line 15, replace "area service providers" with "regional education associations"

Page 4, line 7, replace "area service provider" with "regional education association"

Page 4, line 11, replace "**Area service provider**" with "**Regional education association**"

Page 4, line 13, replace "an area service provider" with "a regional education association"

Page 5, line 1, replace "area service providers" with "regional education associations"

Page 5, line 2, replace "area service providers from providing" with "regional education associations to provide"

Page 5, line 9, replace "an area service provider" with "a regional education association"

Page 5, line 12, replace "an area service provider" with "a regional education association"

Page 5, line 15, replace "an area service provider" with "a regional education association"

Page 6, line 19, replace "an area service provider" with "a regional education association"

Page 7, line 11, replace "area service provider" with "regional education association"

Page 7, line 13, replace "area service provider" with "regional education association"

Page 7, line 16, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 17, replace "An area service provider" with "A regional education association"

Page 7, line 20, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 21, replace "An area service provider" with "A regional education association"

Page 7, line 28, replace "**Area service providers**" with "**Regional education associations**"

Page 7, line 29, replace "An area service provider" with "A regional education association"

Page 8, line 1, replace "an area" with "a regional education association"

Page 8, line 2, remove "service provider"

Page 8, line 3, replace "provider's" with "association's"

Page 8, line 5, replace "**Area service provider**" with "**Regional education association**"

Page 8, line 6, replace "an area service provider" with "a regional education association"

Page 8, line 8, replace "provider" with "association"

Page 8, line 10, replace "area service" with "regional education association"

Page 8, line 11, remove "provider" and replace "provider's" with "association's"

Page 8, line 13, replace "an area service provider" with "a regional education association"

Page 8, line 18, replace "**area service provider**" with "**a regional education association**"

Page 8, line 21, replace "an area service provider" with "a regional education association" and replace "area service provider of" with "association in"

Page 8, line 22, replace "is a member" with "participates"

Page 8, line 27, replace "an area service provider" with "a regional education association"

Page 9, line 4, replace "an area service provider" with "a regional education association"

Page 9, line 19, replace "**AREA SERVICE PROVIDERS**" with "**REGIONAL EDUCATION ASSOCIATIONS**"

Page 9, line 20, remove "**GOVERNED BY JOINT POWERS AGREEMENTS**"

Page 9, line 22, replace "area service provider" with "regional education association"

Page 9, line 24, replace "area service provider" with "regional education association"

Page 9, line 25, replace "area service providers" with "regional education associations"

Renumber accordingly

Date: 3-19-07

Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2030

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Motion Made By

Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunsakor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukut					
Rep Wall					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

*Accepted*



PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

Page 1, line 6, remove "and"

Page 1, line 7, after "council" insert "; and to declare an emergency"

Page 9, after line 31, insert:

**"SECTION 9. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Date: 19 Nov 07  
Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2030

House Education Committee

☐ Check here for Conference Committee

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

Action Taken Amend from 2007-0904

Motion Made By Herbel Seconded By Wall

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunsakor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukut					
Rep Wall					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

Accepted

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

Page 1, line 6, remove "and"

Page 1, line 7, after "council" insert "; and to provide for a legislative council study"

Page 9, after line 29, insert:

*Regional Ed Assn*

**"SECTION 8. LEGISLATIVE COUNCIL STUDY - AREA SERVICE**

**PROVIDERS.** The legislative council shall study, during the 2007-08 interim, the short-term and long-term evolution of area service providers and shall include the feasibility and desirability of area service providers becoming political subdivisions; whether teachers should be employed directly by area service providers, and whether that employment should include bargaining rights, contract renewal and nonrenewal provisions, participation in the teachers' fund for retirement, and participation in the state's uniform group insurance program; the impact that allowing area service providers to hire teachers directly would have on the recruitment and retention of teachers currently employed by school districts and on teacher salary levels; whether teacher employment contracts, if offered by area service providers, would have to parallel those of participating school districts with respect to common school calendars, annual or personal leave provisions, and other contractual benefits; the conduct of evaluations, if teachers are employed directly by area service providers, including who will conduct the evaluations, their frequency, and the criteria upon which the evaluations are based; the organizational structure of area service providers, including the qualifications of administrative or supervisory personnel; the governance structure of area service providers; and state level oversight. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

Date: 19 Mar 07  
Roll Call Vote #: 3

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2030

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 70043.0903

Action Taken Amend per above but ckg

Motion Made By Meier Seconded By Stall

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunskor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukut					
Rep Wall					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

Accepted

Area Service  
Planners &  
Regional Ed  
Issue

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

Page 1, line 6, after "agreements" insert "; to provide for legislative council studies"

Page 9, after line 18, insert:

**"SECTION 7. LEGISLATIVE COUNCIL STUDY - HIGH SCHOOL CURRICULA.** The legislative council shall consider studying, during the 2007-08 interim, the appropriateness and adequacy of high school curricula, with respect to preparing students for higher education and for the workplace. The study should examine curricular changes implemented in other states and expectations placed on students in other countries. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 8. LEGISLATIVE COUNCIL STUDY - SERVICES TO ENGLISH LANGUAGE LEARNERS.** The legislative council shall consider studying, during the 2007-08 interim, the delivery of services to English language learners, including federal requirements, instructional options, assistance from the private sector, and the short-term and long-term budgetary impacts on the school districts and taxpayers of the state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 9. LEGISLATIVE COUNCIL STUDY - REAUTHORIZATION OF THE NO CHILD LEFT BEHIND ACT.** The legislative council shall consider studying, during the 2007-08 interim, the reauthorization of the No Child Left Behind Act, including the effect of proposed changes on the students, teachers, and school districts of this state, the manner in which state assessments are conducted, the reporting and utilization of assessment results, and the performance of North Dakota students. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 10. LEGISLATIVE COUNCIL STUDY - AFTERSCHOOL PROGRAMS.** The legislative council shall consider studying, during the 2007-08 interim, federally funded afterschool programs being offered to North Dakota students, including the content of the programs, applicable regulations, targeted students, and the direct and indirect costs and benefits of the programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 11. P-16 EDUCATION TASK FORCE - CONTINUATION OF STUDY - REPORTS TO LEGISLATIVE COUNCIL.** The P-16 education task force, as created during the 2005-06 interim through the joint efforts of the state board of public school education, the state board of higher education, the education standards and practices board, and the state board for career and technical education shall continue its study of the relationship between providers of elementary and secondary education and providers of higher education, the relationship between all education providers and employers, and the commonalities between educational success, employment opportunities, worker advancement, and local, regional, and statewide economic growth and development. The task force shall develop practical short-term and long-term

recommendations that will result in seamless transitions from school to work and ultimately enable North Dakota students to compete efficiently and effectively in a global environment. The task force shall present its recommendations, together with periodic updates regarding its efforts, to the North Dakota commission on education improvement and the North Dakota legislative council."

Renumber accordingly

Date: 19 Mar 07  
Roll Call Vote #: 4

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2030

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 20073-0906

Action Taken Amend per above

Motion Made By Meier Seconded By Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunskor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukut					
Rep Wall					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

Accepted

Roll Call Vote #: 5

**BILL/RESOLUTION NO.** 2030

☐ Check here for Conference Committee

Action Taken Counsel per above

Motion Made By Haas Seconded By Herbel

Total	Yes	11	No	
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**Floor Assignment**

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



PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030



Page 1, line 1, after "15.1-09.1" insert "and a new section to chapter 15.1-13"

Page 1, line 2, after "providers" insert "and teacher licensure requirements"

Page 8, after line 29, insert:

**"SECTION 5.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Student teaching requirements - Teachers licensed in other states.** If an individual who is or was licensed to teach in another state applies for a license to teach in this state, the education standards and practices board may not impose on the individual any student teaching requirements as a condition of licensure. This section is applicable to an individual who graduated from a state-approved regular education program but not to an individual who completed an alternative education program as a condition of licensure."

Renumber accordingly

Date: 31 Jan 07  
Roll Call Vote #: 6

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2030

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 20043.0908

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

Motion Made By Meier Seconded By Mueller

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunskor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukut					
Rep Wall					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

Carried

Date: 21 Mar 07  
Roll Call Vote #: 7

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2030

House Education Committee

☐ Check here for Conference Committee

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

Action Taken

Also Pass as Amended (6)

Motion Made By

Herbel

Seconded By

Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep Hanson	✓	
V Chairman Meier	✓		Rep Hunskor	✓	
Rep Haas	✓		Rep Mueller	✓	
Rep Herbel	✓		Rep Myxter	✓	
Rep Johnson	✓		Rep Solberg	✓	
Rep Karls	✓				
Rep Sukut	✓				
Rep Wall	✓				

Total Yes 12 No 0

Absent

1 (Johnson)

Floor  
Assignment

Meier

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

**REPORT OF STANDING COMMITTEE**

**SB 2030, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2030 was placed on the Sixth order on the calendar.

Page 1, line 1, after "15.1-09.1" insert "and a new section to chapter 15.1-13"

Page 1, line 2, replace "area service providers" with "regional education associations and teacher licensure requirements"

Page 1, line 6, replace "educational" with "regional education", after "agreements" insert "; to provide for legislative council studies", and remove "and"

Page 1, line 7, after "council" insert "; and to declare an emergency"

Page 1, line 13, replace "area service providers" with "regional education associations"

Page 1, line 15, replace "area service providers" with "regional education associations"

Page 4, line 7, replace "area service provider" with "regional education association"

Page 4, line 11, replace "**Area service provider**" with "**Regional education association**"

Page 4, line 13, replace "an area service provider" with "a regional education association"

Page 5, line 1, replace "area service providers" with "regional education associations"

Page 5, line 2, replace "area service providers from providing" with "regional education associations to provide"

Page 5, line 9, replace "an area service provider" with "a regional education association"

Page 5, line 12, replace "an area service provider" with "a regional education association"

Page 5, line 15, replace "an area service provider" with "a regional education association"

Page 6, line 19, replace "an area service provider" with "a regional education association"

Page 7, line 11, replace "area service provider" with "regional education association"

Page 7, line 13, replace "area service provider" with "regional education association"

Page 7, line 16, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 17, replace "An area service provider" with "A regional education association"

Page 7, line 20, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 21, replace "An area service provider" with "A regional education association"

Page 7, line 28, replace "**Area service providers**" with "**Regional education associations**"

Page 7, line 29, replace "An area service provider" with "A regional education association"

Page 8, line 1, replace "an area" with "a regional education association"

Page 8, line 2, remove "service provider"

Page 8, line 3, replace "provider's" with "association's"

Page 8, line 5, replace "**Area service provider**" with "**Regional education association**"

Page 8, line 6, replace "an area service provider" with "a regional education association"

Page 8, line 8, replace "provider" with "association"

Page 8, line 10, replace "area service" with "regional education association"

Page 8, line 11, remove "provider" and replace "provider's" with "association's"

Page 8, line 13, replace "an area service provider" with "a regional education association"

Page 8, line 18, replace "**area service provider**" with "**a regional education association**"

Page 8, line 21, replace "an area service provider" with "a regional education association" and replace "area service provider of" with "association in"

Page 8, line 22, replace "is a member" with "participates"

Page 8, line 27, replace "an area service provider" with "a regional education association"

Page 8, after line 29, insert:

**"SECTION 5.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Student teaching requirements - Teachers licensed in other states.** If an individual who is or was licensed to teach in another state applies for a license to teach in this state, the education standards and practices board may not impose on the individual any student teaching requirements as a condition of licensure. This section is applicable to an individual who graduated from a state-approved regular education program but not to an individual who completed an alternative education program as a condition of licensure.

Page 9, line 4, replace "an area service provider" with "a regional education association"

Page 9, after line 18, insert:

**"SECTION 8. LEGISLATIVE COUNCIL STUDY - HIGH SCHOOL CURRICULA.** The legislative council shall consider studying, during the 2007-08 interim, the appropriateness and adequacy of high school curricula, with respect to preparing students for higher education and for the workplace. The study should examine curricular changes implemented in other states and expectations placed on students in other countries. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 9. LEGISLATIVE COUNCIL STUDY - SERVICES TO ENGLISH LANGUAGE LEARNERS.** The legislative council shall consider studying, during the 2007-08 interim, the delivery of services to English language learners, including federal requirements, instructional options, assistance from the private sector, and the short-term and long-term budgetary impacts on the school districts and taxpayers of the state. The legislative council shall report its findings and recommendations,

together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 10. LEGISLATIVE COUNCIL STUDY - REAUTHORIZATION OF THE NO CHILD LEFT BEHIND ACT.** The legislative council shall consider studying, during the 2007-08 interim, the reauthorization of the No Child Left Behind Act, including the effect of proposed changes on the students, teachers, and school districts of this state, the manner in which state assessments are conducted, the reporting and utilization of assessment results, and the performance of North Dakota students. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 11. LEGISLATIVE COUNCIL STUDY - AFTERSCHOOL PROGRAMS.** The legislative council shall consider studying, during the 2007-08 interim, federally funded afterschool programs being offered to North Dakota students, including the content of the programs, applicable regulations, targeted students, and the direct and indirect costs and benefits of the programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 12. P-16 EDUCATION TASK FORCE - CONTINUATION OF STUDY - REPORTS TO LEGISLATIVE COUNCIL.** The P-16 education task force, as created during the 2005-06 interim through the joint efforts of the state board of public school education, the state board of higher education, the education standards and practices board, and the state board for career and technical education shall continue its study of the relationship between providers of elementary and secondary education and providers of higher education, the relationship between all education providers and employers, and the commonalities between educational success, employment opportunities, worker advancement, and local, regional, and statewide economic growth and development. The task force shall develop practical short-term and long-term recommendations that will result in seamless transitions from school to work and ultimately enable North Dakota students to compete efficiently and effectively in a global environment. The task force shall present its recommendations, together with periodic updates regarding its efforts, to the North Dakota commission on education improvement and the North Dakota legislative council."

Page 9, line 19, replace "AREA SERVICE PROVIDERS" with "REGIONAL EDUCATION ASSOCIATIONS"

Page 9, line 20, remove "GOVERNED BY JOINT POWERS AGREEMENTS"

Page 9, line 22, replace "area service provider" with "regional education association"

Page 9, line 24, replace "area service provider" with "regional education association"

Page 9, line 25, replace "area service providers" with "regional education associations"

Page 9, after line 29, insert:

**"SECTION 14. LEGISLATIVE COUNCIL STUDY - REGIONAL EDUCATION ASSOCIATIONS.** The legislative council shall study, during the 2007-08 interim, the short-term and long-term evolution of regional education associations and shall include the feasibility and desirability of regional education associations becoming political subdivisions; whether teachers should be employed directly by regional education associations, and whether that employment should include bargaining rights, contract renewal and nonrenewal provisions, participation in the teachers' fund for

retirement, and participation in the state's uniform group insurance program; the impact that allowing regional education associations to hire teachers directly would have on the recruitment and retention of teachers currently employed by school districts and on teacher salary levels; whether teacher employment contracts, if offered by regional education associations, would have to parallel those of participating school districts with respect to common school calendars, annual or personal leave provisions, and other contractual benefits; the conduct of evaluations, if teachers are employed directly by regional education associations, including who will conduct the evaluations, their frequency, and the criteria upon which the evaluations are based; the organizational structure of regional education associations, including the qualifications of administrative or supervisory personnel; the governance structure of regional education associations; and state level oversight. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 9, after line 31, insert:

**"SECTION 16. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Date: 27 Mar 07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2030

House Education Committee

☐ Check here for Conference Committee

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

Action Taken Reconsider SB 2030

Motion Made By Hanson Seconded By Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunskor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukut					
Rep Wall					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

Carried



Date: 27 Mar 07  
Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2030

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Page 11 Line 27

Action Taken Insert "consider studying" instead  
Motion Made By Mueller Seconded By Solberg of "Skull Study"

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunskor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukut					
Rep Wall					

Total Yes \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

Carried

Date: 27 Mar 07  
Roll Call Vote #: 3

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2030

House Education Committee

☐ Check here for Conference Committee

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

Action Taken

Ad Pass as Amended

Motion Made By

Hanson

Seconded By

Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep Hanson	✓	
V Chairman Meier	✓		Rep Hunskor	✓	
Rep Haas	✓		Rep Mueller	✓	
Rep Herbel	✓		Rep Myxter	✓	
Rep Johnson	✓		Rep Solberg	✓	
Rep Karls	✓				
Rep Sukut	✓				
Rep Wall	✓				

Total Yes 13 No 0

Absent 0

Floor  
Assignment

Meier

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

**REPORT OF STANDING COMMITTEE**

**SB 2030, as engrossed and amended: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2030, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1101-1103 of the House Journal, Engrossed Senate Bill No. 2030 is amended as follows:

Page 1, line 1, after "15.1-09.1" insert "and a new section to chapter 15.1-13"

Page 1, line 2, replace "area service providers" with "regional education associations and teacher licensure requirements"

Page 1, line 6, replace "educational" with "regional education", after "agreements" insert "; to provide for legislative council studies", and remove "and"

Page 1, line 7, after "council" insert "; and to declare an emergency"

Page 1, line 13, replace "area service providers" with "regional education associations"

Page 1, line 15, replace "area service providers" with "regional education associations"

Page 4, line 7, replace "area service provider" with "regional education association"

Page 4, line 11, replace "**Area service provider**" with "**Regional education association**"

Page 4, line 13, replace "an area service provider" with "a regional education association"

Page 5, line 1, replace "area service providers" with "regional education associations"

Page 5, line 2, replace "area service providers from providing" with "regional education associations to provide"

Page 5, line 9, replace "an area service provider" with "a regional education association"

Page 5, line 12, replace "an area service provider" with "a regional education association"

Page 5, line 15, replace "an area service provider" with "a regional education association"

Page 6, line 19, replace "an area service provider" with "a regional education association"

Page 7, line 11, replace "area service provider" with "regional education association"

Page 7, line 13, replace "area service provider" with "regional education association"

Page 7, line 16, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 17, replace "An area service provider" with "A regional education association"

Page 7, line 20, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 21, replace "An area service provider" with "A regional education association"

Page 7, line 28, replace "**Area service providers**" with "**Regional education associations**"

Page 7, line 29, replace "An area service provider" with "A regional education association"

Page 8, line 1, replace "an area" with "a regional education association"

Page 8, line 2, remove "service provider"

Page 8, line 3, replace "provider's" with "association's"

Page 8, line 5, replace "**Area service provider**" with "**Regional education association**"

Page 8, line 6, replace "an area service provider" with "a regional education association"

Page 8, line 8, replace "provider" with "association"

Page 8, line 10, replace "area service" with "regional education association"

Page 8, line 11, remove "provider" and replace "provider's" with "association's"

Page 8, line 13, replace "an area service provider" with "a regional education association"

Page 8, line 18, replace "**area service provider**" with "**a regional education association**"

Page 8, line 21, replace "an area service provider" with "a regional education association" and replace "area service provider of" with "association in"

Page 8, line 22, replace "is a member" with "participates"

Page 8, line 27, replace "an area service provider" with "a regional education association"

Page 8, after line 29, insert:

**"SECTION 5.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Student teaching requirements - Teachers licensed in other states.** If an individual who is or was licensed to teach in another state applies for a license to teach in this state, the education standards and practices board may not impose on the individual any student teaching requirements as a condition of licensure. This section is applicable to an individual who graduated from a state-approved regular education program but not to an individual who completed an alternative education program as a condition of licensure.

Page 9, line 4, replace "an area service provider" with "a regional education association"

Page 9, after line 18, insert:

**"SECTION 8. LEGISLATIVE COUNCIL STUDY - HIGH SCHOOL CURRICULA.** The legislative council shall consider studying, during the 2007-08 interim, the appropriateness and adequacy of high school curricula, with respect to preparing students for higher education and for the workplace. The study should examine curricular changes implemented in other states and expectations placed on students in other countries. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 9. LEGISLATIVE COUNCIL STUDY - SERVICES TO ENGLISH LANGUAGE LEARNERS.** The legislative council shall consider studying, during the 2007-08 interim, the delivery of services to English language learners, including federal requirements, instructional options, assistance from the private sector, and the

short-term and long-term budgetary impacts on the school districts and taxpayers of the state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 10. LEGISLATIVE COUNCIL STUDY - REAUTHORIZATION OF THE NO CHILD LEFT BEHIND ACT.** The legislative council shall consider studying, during the 2007-08 interim, the reauthorization of the No Child Left Behind Act, including the effect of proposed changes on the students, teachers, and school districts of this state, the manner in which state assessments are conducted, the reporting and utilization of assessment results, and the performance of North Dakota students. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 11. LEGISLATIVE COUNCIL STUDY - AFTERSCHOOL PROGRAMS.** The legislative council shall consider studying, during the 2007-08 interim, federally funded afterschool programs being offered to North Dakota students, including the content of the programs, applicable regulations, targeted students, and the direct and indirect costs and benefits of the programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 12. P-16 EDUCATION TASK FORCE - CONTINUATION OF STUDY - REPORTS TO LEGISLATIVE COUNCIL.** The P-16 education task force, as created during the 2005-06 interim through the joint efforts of the state board of public school education, the state board of higher education, the education standards and practices board, and the state board for career and technical education shall continue its study of the relationship between providers of elementary and secondary education and providers of higher education, the relationship between all education providers and employers, and the commonalities between educational success, employment opportunities, worker advancement, and local, regional, and statewide economic growth and development. The task force shall develop practical short-term and long-term recommendations that will result in seamless transitions from school to work and ultimately enable North Dakota students to compete efficiently and effectively in a global environment. The task force shall present its recommendations, together with periodic updates regarding its efforts, to the North Dakota commission on education improvement and the North Dakota legislative council."

Page 9, line 19, replace "AREA SERVICE PROVIDERS" with "REGIONAL EDUCATION ASSOCIATIONS"

Page 9, line 20, remove "GOVERNED BY JOINT POWERS AGREEMENTS"

Page 9, line 22, replace "area service provider" with "regional education association"

Page 9, line 24, replace "area service provider" with "regional education association"

Page 9, line 25, replace "area service providers" with "regional education associations"

Page 9, after line 29, insert:

**"SECTION 14. LEGISLATIVE COUNCIL STUDY - REGIONAL EDUCATION ASSOCIATIONS.** The legislative council shall consider studying, during the 2007-08 interim, the short-term and long-term involvement of regional education associations and shall include the feasibility and desirability of regional education associations becoming political subdivisions; whether teachers should be employed directly by

regional education associations, and whether that employment should include bargaining rights, contract renewal and nonrenewal provisions, participation in the teachers' fund for retirement, and participation in the state's uniform group insurance program; the impact that allowing regional education associations to hire teachers directly would have on the recruitment and retention of teachers currently employed by school districts and on teacher salary levels; whether teacher employment contracts, if offered by regional education associations, would have to parallel those of participating school districts with respect to common school calendars, annual or personal leave provisions, and other contractual benefits; the conduct of evaluations, if teachers are employed directly by regional education associations, including who will conduct the evaluations, their frequency, and the criteria upon which the evaluations are based; the organizational structure of regional education associations, including the qualifications of administrative or supervisory personnel; the governance structure of regional education associations; and state level oversight. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 9, after line 31, insert:

"**SECTION 16. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

2007 SENATE EDUCATION

CONFERENCE COMMITTEE

SB 2030

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2030

Senate Education Committee

☒ Check here for Conference Committee

Hearing Date: April 11, 2007

Recorder Job Number: 5898

Committee Clerk Signature

Minutes:

**Senator Lee** called the Conference Committee to order to discuss SB 2030, a bill relating to educational associations governed by joint powers agreements; relating to accounting procedures and school district business managers; relating to criteria for and expenditures by educational associations governed by joint powers agreements. All members were present.

**Senator Lee** asked the House to explain the changes the House made to SB 2030.

**Rep. Meier** explained what they did:

- They renamed JPA's REA's (Regional Educational Association).
- Special Education had already been added to the bill.
- Added an amendment to allow teachers licensed in another state to teach in this state without having to do any student teaching requirements.
- They added a few studies: The newest study was for the short term and long term involvement of regional education associations and to look at the feasibility of their associations becoming political subdivisions. The other ones were studies on 2200 and to add the emergency measure.

**Rep. Kelsch** said that they were planning on putting the studies on to 2200 but they didn't. All would be new studies to the Senate. The reason the House put them onto this bill was that



they felt it was better to encumber this bill than to put everything on to SB 2200. She said that as you look at the studies they certainly are issues that should probably be discussed. The only question they had is some of these issues are things that the Commission on Educational Improvement would be looking at during the adequacy study and if so, some may have to be directed as studies that the commission would do. Some of these would be studies that a Legislative Interim committee would do. She said that she had discussions with her school board president and she asked what we were going to do with the bill renaming the JPAs. are called. She told her that they were thinking of calling them Joint Powers Association (JPA). She objected to JPA because when they went to \nNational meetings, her associates didn't recognize what a JPA is. One of the reasons they choose REA is so it would also be recognized nationally.

**Rep. Meier** said that they had a list of names that other states were using. She said Rep. Mueller and herself were on the subcommittee and they felt that the Regional Educational Association fits the bill.

**Senator Flakoll** asked the Chairman if the intern could do a search to see if the acronym for that is a registered trademark.

**Senator Taylor** had a question on the No Child Left behind Study. Senator Lee said that was an ongoing study. And second, he had a question on the requirements for licensure of an out of state teacher for student teaching if the teacher had been out of the classroom for a long time.

**Rep. Kelsh** said that the discussion they had regarded college graduates graduating in another state and student teaching and then coming to North Dakota and having to student teach all over again. She said they didn't think that was the right thing to do. She said if you

were changing your major and coming in to teach you would have to go back and student teach because of the highly qualified requirements.

**Senator Taylor** asked if was appropriate to have language that they have been in the classroom in the area that they are in. Their license is current but it doesn't necessarily mean that they have been in the classroom.

**Rep. Meier** said that they had talked with Janet Welk and she felt that they language decided on was reasonable.

**Rep. Mueller** said that there is one other notable piece in section of 5 and they chose to exclude those that are in alternative education programs. These teachers would need to student teach.

**Senator Lee** said that if someone has teaching experience and comes to North Dakota , it could be that they would have to take a course or class but no student teaching.

**Rep. Meier** said right.

**Rep. Kelsh** said in section 8 that it comes form SB 2309 (course requirements). This gives us an opportunity to look at what type of expectations there are on students in other states, and what type of expectations there are in students in other countries and this should help us become more competitive nationally and globally. So this is a new study that was put in.

**Senator Lee** asked about section nine.

**Rep. Kelsh** said that they have had a lot of issues on ELL and thought that it would be good to take a look at what kinds of programs are out there and what are other states are doing. Are there other public/private partnerships and what are the options to further those English language learners?

**Senator Lee** said in 2200 there is a new definition of new immigrant ELL.

**Rep. Muller** said that he thought it was an offshoot of a bill that was brought in that ended up being too spendy but certainly the issues brought forward were some legitimate concerns.

**Rep. Kelsh** said that it was the English emersion bill and it was defeated in the House. She said that before they jumped into an English emersion program we should look at what we are doing for ELL.

**Senator Taylor** said that they had a bill that actually appropriated ELL money to JPAs. So this study actually fits in the bill.

**Senator Lee** asked about section 10 the reauthorization of NCLB.

**Rep. Kelsh** said that we know it will be reauthorized but there will be numerous changes.

**Senator Lee** asked for an explanation on Section 11, after school programs.

**Rep. Kelsh** said that the House had a bill dealing with after school programs and it would have appropriated \$5 million. Currently the programs that are run in North Dakota are federally funded at about \$4.5 million. A couple of issues came up: the federal dollars are distributed in grants, they know there are benefits to the program. If the state is gets involved in after school programs, what happens if the federal funding is lost, does the state have to pick it up? We need to analyze our involvement and the programs would need more consistency and uniformity.

**Senator Lee** said that up to this point all the studies that the House added are optional in terms of Legislative Council. Senator Lee asked about sec. 12, P16.

**Rep. Kelsh** said the reason for putting this in is that there was not any bill that addressed the P16 commission. It just encourages them to continue their work and having them give periodical updates to the Commission on Education Improvement.

**Senator Lee** asked about funding source?

**Rep. Kelsh** said there was no funding source. The P16 commission, last time, was funded through a grant and she doesn't know if there is grant money available.

**Senator Lee** asked if there was any money tucked away anywhere?

**Rep. Kelsh** said no.

**Senator Flakoll** said that there was a bill that was going to put \$300,000 toward P16 and the Senate took that out. It has not been added to the contingency line yet.

**Senator Lee** asked about section 14, REA.

**Rep. Meier** said questions have come up regarding expanding the powers of REAs. If the REA's begin to hire teachers, how would they expand, how would benefits be handled. We need to look at if the REA's did become political subdivisions how the powers would be carried out, and that is why the study is in.

**Rep. Mueller** said the issues revolve around hiring and salary schedules. They had a good gathering with the JPA's and they want to do it so the House wanted a study to look at it in depth.

**Senator Lee** said he was under the impression that it was an insurance issue and that it was taken care of. Was this discussed at all?

**Rep. Mueller** said that there are liability issues that became part of the discussion but he didn't recall what they included.

**Rep. Meier** said she thought there were still questions and that is why we need the study.

**Senator Lee** asked about Section 16 and why the emergency?

**Rep. Meier** said mainly because of the funding for these organizations and name change.

**Senator Lee** still questioned emergency fund.

**Rep. Meier** said that with the accounting, it would allow the funding to flow through the JPA.

**Rep. Kelsh** didn't remember.

**Rep. Meier** said also because of the name change.

**Rep. Kelsh** said she remembered that it was because of the fact that they are negotiating with the special education units.

**Senator Lee** adjourned the conference committee.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2030

Senate Education Committee

☒ Check here for Conference Committee

Hearing Date: April 12, 2007

Recorder Job Number: 5950

Committee Clerk Signature



Minutes:

**Senator Gary Lee** opened the Conference Committee on SB 2030. All members were present.

**Senator Lee** asked the intern if he had found any trademark on REA.

**Peter** said he didn't find anything.

**Senator Taylor** said he had an amendment. He said that the amendment is actually written off the .0900 version but it wouldn't be his intent to change anything else in the 1200 version with the amendment as far as the studies. It adds a repealer of 54-35-21 which is the statutory committee for no child left behind.

**Rep. Meier** said that it is her understanding that the federal government is actually working on different elements of NCLB and she said that she would like to see the standing committee remain. Because of this, she is opposed to the amendment.

**Senator Lee** said that while the committee is chaired well, they met two times the last interim for a half day and he also thinks it could be covered in the interim education committee, even if it had to meet one more time.

**Rep. Kelsch** said that she will resist Senator Taylor's amendment. Substantial change is coming. This is a smaller committee than the interim education committee and could be brought in more quickly if necessary.

**Senator Taylor** said he thought since both committees do not meet very often maybe they should down size to one committee and accomplish the same thing with less expense.

**Rep. Mueller** asked if there was a termination time in the NCLB Act.

**Senator Lee** said he thinks that it has to be reauthorized periodically.

**Rep. Kelsch** said the ESEA is the Education Act and periodically (about every 4 years) that is reauthorized and each time the ESEA is reauthorized there is a theme behind it. This time the theme is NCLB. When it is reauthorized it is actually the reauthorization of ESEA.

**Senator Taylor** said he didn't know what the time window was for sure but he said when the legislative council looks at studies including this NCLB study they could name an interim committee called NCLB if they wanted too. He said that it just wouldn't be in statute if they put the repealer in.

**Senator Flakoll** moved the .0914 amendment, seconded by Senator Taylor. The cliff notes on the amendment is they take the one provision out that the House had placed in with respect to section 12 of the 1100 version which is the removal of the P16 education task force.

**Rep. Meier** asked Senator Flakoll to explain why he would want to do that.

**Senator Flakoll** said that he thought that could be done on their own if they so choose, we don't have an appropriation for it. He didn't believe there was a requirement last session for a P16 committee and it happened. There is some concern by a variety of folks about the outcomes that occurred out of the P16 commission, for example the bill we neutered this morning (2309). The bill will still have options for studies: REA; reorganization; after school programs; NCLB; ELL; high school curriculum; and studies in other bills including the North

Dakota Commission on Education. He also added that the funding came from grant money and that could be an option.

**Senator Taylor** said that having served on both committees and looking toward the future, will some of what the P16 commission studied be picked up by the Commission on Education Improvement in the adequacy study?

**Senator Flakoll** said yes. He was a co sponsor on several bills that came from the P16 task force. They had good business people on the task force but he wished there was more noteworthy help during the session to promote the findings of the P16 task force. (14:43)

**Rep. Kelsch** said her biggest frustration with P16 task force was the fact that there was no plan. They came out with 26 recommendations but only a few of them were picked up and they were not supported by the task force members. We needed the private sector representatives that were on the task force to testify. We may have had more success. We had no follow through.

**Rep. Meier** asked how much funding came through grants.

**Rep. Kelsch** said she thought it was a grant that ESPB received and the funding paid for some of the expenses of the speakers that came in and mileage and per diem.

**Senator Flakoll** thought it was a number around \$70,000 plus a unique match. As part of the match they had to write down how much they got paid back home and they were counted in lieu of dollars. The legislators were not compensated. It was a very unique situation.

**Rep. Mueller** said it was news to him that the committee didn't follow through but that could be right, he wasn't a part of the group. He said that they referenced P16 as they went through the session. He said he had some concern about the connection to the work force. He thought that was the focus of this. He would have concerns about eliminating that component.



**Rep. Kelsch** said she had thought about that and if you look at #8 study regarding the high school curriculum they talk in there about the appropriateness of adequacy of high school curriculum for preparing for higher education and the workplace. These issues could be addressed in that study. She also asked if there is going to be a business round table again.

**Senator Flakoll** said he thought good things came out of this but some of the K12 felt picked on. We were at the eleventh hour in terms of introduction of bills and there was no assignment of the 26 wish list items. There was no plan to follow through. No bill draft was developed.

**Senator Taylor** said he served on the economic development committee the last two sessions and they did bring forth the "work force congress". He said he didn't serve on P16 but in his committee when they had the pre kindergarden bill they did have good testimony from Joe Rothschiller. He said that he really stepped up to the plate. He also said that they had a notably absent member.

Senator Gary Lee noted Mr. Rothschiller happened to be in town the same day as the hearing but did not come specifically to testify.

**Rep. Kelsch** said that the P16 task force did not talk about P and K, it was more about high school reform. That was her frustration. There were no conversations on the benefits of kindergarten and pre kindergarten. She was surprised that pre K passed in the House. They had letters from businessmen but no lives testimony. With participation, we can make it happen but we need follow through.

**Senator Flakoll** said that one of the differences between the round table for higher ed. versus P16 is that the round table members pounded on people to make their point and still are pounding for their ideas. P16 begged for people to weigh in on the issues. It would be good to have a balance.

The amendment passed 5-1-0.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2030

Senate Education Committee

☒ Check here for Conference Committee

Hearing Date: April 13, 2030

Recorder Job Number: 6008

Committee Clerk Signature

Minutes:

**Senator Gary Lee** opened the Conference Committee on SB 2030. All committee members were present.

**Rep. Mueller** moved amendment .0912, seconded by Senator Taylor.

Representative Mueller said the amendment authorizes the state of North Dakota to become involved and public schools to become involved in prekindergarten. He said that there is no money in the bill.

**Rep. Meier** asked if we studied this amendment before.

**Senator Flakoll** asked if the intent of this was to access federal funds.

**Rep. Mueller** said yes, they already have access to some funds currently. He received an email from Laurie Matzke, State Title1 Director (attached). The significant information in this is the second and third paragraph.

"It is absolutely imperative that our 2007 legislative session pass HB 1320. This bill, even without the funding, would provide state authority for school districts to operate early childhood program. There are numerous school districts interested in providing a preschool program with their Title 1 funds. Mr. Charles Guthrie, Superintendent at Warwick Public School District, has been working with the Title 1 office to get approval for a Title 1 paid preschool program.

Without state authority for a preschool program, he runs into several problems. The most significant concern pertains to staffing issues. He can not offer a staff member a teaching contract, complete with benefits, since such a program is not recognized by the state. Therefore, it is nearly impossible to find a highly qualified individual who is interested in such a position."

"As schools and districts are under increased pressure to make adequate yearly progress and meet the goals of the NCLB Act, many are contemplating preschool services as one of many initiatives to help them attain proficiency. This bill is desperately needed to help North Dakota schools continue to raise academic achievement in an era where expectations have dramatically increased. Funding for piloting preschool programs will help North Dakota participate in this national endeavor. However, at minimum, we need state authority to proceed with preschool programming with local or federal dollars."

**Rep. Mueller** said that simply stated this amendment authorizes school districts to operate early childhood programs. It allows them without state money to move ahead.

**Rep. Meier** asked if there were any schools presently set up for a pre K program.

**Rep. Mueller** said he thought there were some variations on it. He said he didn't know how exactly they were doing it. This amendment allows them to be square with DPI. He said putting it in code paves the way for it to happen.

**Senator Taylor** said that we heard testimony from Dickinson and how they are structuring but the example from Warwick is apt in what we want to do in the amendment.

**Senator Lee** said that this will not provide more Title 1 money.

**Rep. Mueller** said that was his understanding. He said that they believed they could access AYP funds and move them into a position to service four year olds if that is what the school district would have done.

**Senator Lee** asked Rep. Mueller if some schools already have pre K.

**Rep. Mueller** said that he wasn't sure they were calling it pre K. It is more like loosely structured variations of the concept.

**Senator Flakoll** asked if we were robbing from one fund to pay another?

**Rep. Mueller** said he did not know how they would do that.

**Senator Taylor** said he had a discussion with Senator Krauter and it was his understanding that there were some targeted Title 1 funds that would be applied for to pre K programs that do not come at the detriment of other programs that they have in place.

**Senator Lee** said he had talked with Laurie Matzke and he did not think that was the case. He said there are some schools that don't spend all the Title 1 money and they could potentially use it in this area but there are others that have no additional money.

The motion passed 5-1-0.

**Senator Lee** introduced amendment .0915 that was proposed by someone else.

**Tom Decker** said there was already language in the bill that allowed JPA's to get into the business of allowing Special Ed services. They believe they can do great things. It makes no sense for anyone else to do it. If the JPA's can put together grants, they could gather resources for pre K. They need to be authorized to receive and use funds.

**Rep. Meier** asked if he could explain the terminology of state lawful activities.

**Tom Decker** said that general JPA authority allows JPAs to engage in any activity that is lawful to any political subdivision. They have pretty broad authority already. He stated that anything a school district can do a JPA can do.

**Rep. Mueller** asked if this amendment dealt with the issue of employment of staff.

**Tom Decker** said no. The amendments that would do that were drafted by the AG office and they go beyond what this amendment does. This amendment simply clarifies that JPAs can receive dollars the same as the school districts can.

**Senator Flakoll** moved the .0915, seconded by Representative Mueller.

The motion passed 6-0-0.

**Rep. Mueller** said since that we have the education study bill before us, he introduced an additional study that the committee may want to consider. The amendment adds a legislative council study of teacher mentoring. This study was a part of another bill that was killed. In this amendment it needs to be "shall consider studying". The written amendment is enclosed.

**Senator Lee** asked if by adding all these amendments to a good bill do we take the chance of jeopardizing the bill.

**Rep. Mueller** said that is a good point but he doesn't think this amendment will jeopardize the bill.

**Senator Lee** said there is a mentoring program out there now.

**Rep. Mueller** said that there are some programs out there, but we are asking to take a look at the study and the benefits we may gain from it.

**Senator Taylor** said that if we put "shall consider" it shouldn't jeopardize the bill. This may be something to help the rural schools.

**Rep. Meier** said that in the House this mentoring program was a very important issue.

**Senator Flakoll** asked how he would rank this proposed amendment against the other studies that we will have.

**Rep. Mueller** said that they are all important or they wouldn't be in the bill. The answer to his question was that he hadn't ranked them.

**Rep. Mueller** moved the Mueller amendment, (teacher mentoring program) with the "shall consider" added, seconded by Representative Kelsch.

**Senator Flakoll** said we will spend money studying this when we could have used this money for boots on the ground.

**Rep. Mueller** said that is a point well taken but he would imagine that they are going to study so many things and if it doesn't make the cut, they don't study it.

The motion passed 6-0-0.

**Senator Taylor** moved the .0913 amendment, seconded by Representative Mueller.

**Senator Taylor** said this will leave more money for other studies.

The motion failed 4-2-0 with two members of the House voting no..

**Senator Flakoll** asked since that amendment failed do we still need section 10 as it relates to NCLB.

**Rep. Kelsch** suggested we should probably think about this.

**Senator Lee** adjourned the meeting of the conference committee.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2030

Senate Education Committee

☒ Check here for Conference Committee

Hearing Date: April 16, 2007

Recorder Job Number: 6053 (tape failed, mike didn't work)

Committee Clerk Signature

Minutes:

Senator Gary Lee opened the meeting of the conference committee on SB 2030. All members were present.

Senator Gary Lee asked if there is anything else we can do with the bill.

Senator Flakoll said he was at one time considering introducing a study resolution but he was grabbing with the wording. He has been thinking about a study of education environment. It seems like the kids are running the show and are getting by with many things. The environment in the classroom and out of the classroom, in study halls for example, is not conducive to education. There was an op ed piece in the paper recently that addressed this issue. He asked if anyone on the committee had any thoughts about it. It seems parents are the first to back the kids rather than the school board or the administration. Of course, he is not advocating a return to corporal punishment but he would like a way to make classrooms less disruptive.

Senator Gary Lee asked if he would like more time to draft an amendment.

Senator Flakoll said he is looking for feedback. This is a continuing problem.

Representative Mueller said he knows what Senator Flakoll is talking about, 2309 begins to speak to it. The senior year could become more productive if students will need 24 credits for

graduation. Higher graduation requirements make a lot of sense and will cause students to more wisely use their time in school. When students are interested and challenged, they are less disruptive.

Senator Flakoll said it is systemic. It occurs in high school sports as well. We are not preparing our young people for the realities of life by coddling them.

Representative Kelsch said this should be dealt with at home, how do we teach it?

Representative Mueller said in the Bismarck Public Schools parents take issues to the school board.

Senator Flakoll said he agrees in principle with Representative Kelsch. If kids have a proper home environment, this is where it should occur. However, over the last 25 years, some people expect the schools to fix the problems some parents create.

Representative Mueller asked if there are words to construct a study. We can't legislate morality and we can't mandate policy that is counter productive to what they are trying to do.

Senator Flakoll said he was thinking more in terms of best practice or a template for school boards to adopt. While on a tour for higher education at Dickinson State, he discovered they have a great program for substance abuse that could help other schools. This may not translate into legislation, we would be facilitators.

Representative Kelsch said she would allow Senator Flakoll to work on the language.

Senator Flakoll said he is looking for an education environment that is free of impediments that detract from education. He is looking at the environment holistically, to include study hall, extra curricular activities. If parents can be part of the solution, we would be much better off.

When teachers and administrators conduct themselves properly, they should have their play backed by parents.



Representative Mueller said on another topic, our discussion at the last meeting, he is concerned about how it translates to the interim education committee or the NCLB committee.

We have a laundry list of studies, do we need one committee or two for the interim.

Senator Gary Lee said legislative council will make the choice on the studies.

Representative Kelsch said she thinks there will not be a committee called Education Finance.

We could have two committees, one will probably be enough. Adequacy will be heavily studied by the commission. We have had two in the past, we have had education services, NCLB and education finance.

Senator Gary Lee said we will meet again in a few more days and adjourned the meeting of the conference committee.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2030

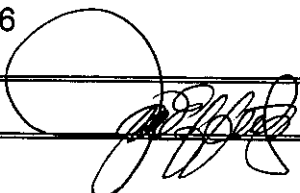
Senate Education Committee

☒ Check here for Conference Committee

Hearing Date: April 18, 2007

Recorder Job Number: 6106

Committee Clerk Signature



Minutes:

Senator Gary Lee called the meeting of the conference committee on SB 2030 to order. All members were present.

Senator Gary Lee reviewed the changes the committee has made to the bill.

Representative Kelsch asked what version Senator Gary Lee was using.

Senator Gary Lee said the .0914, it is an amendment.

Senator Flakoll explained an amendment he was going to distribute. Earlier in the session a bill passed both houses unanimously. This amendment should have been added to that bill but it is already law. The bill dealt with a person in a high school. As an example, who would have knowledge of a shooting incident such as Columbine. We have covered all those situations with a bill we passed earlier in the session. If someone "tells" that person is immune as long as no harm has been done. The events of this week in Virginia led us to reevaluate the bill and we realized the bill passed without a provision for higher education and that is what the amendments will essentially do.

Senator Gary Lee clarified if two people had a plot to do something in a school and one of them decides they don't want to be involved and rats on the other person, the first person is immune from prosecution.

Senator Flakoll said yes, as long as the event has not occurred. One could argue the germaneness of this bill but there is nothing in Judiciary right now and this is the closest we can come with an education bill. The original bill went through education. It is a much better fit in this bill which has a potpourri of things in it.

Senator Flakoll moved amendment .0918, seconded by Representative Kelsch.

Representative Kelsch said this is germane, REA's partner with universities.

Representative Mueller said on the surface this sounds like a good idea. Have the legal channels been examined? He recalls the bill and the discussion in his committee. Are we satisfied we are covered legally?

Senator Flakoll said he thinks the bill is SB 2240. This situation was brought to our attention by Senator Hacker. Senator Hacker has met with the Attorney General's office and they say there are no unintended consequences if we were to adopt this language.

Representative Mueller said that satisfies his concerns.

The motion passed 6-0-0.

Senator Flakoll introduced amendment .0916. There has been rigorous discussion and significant support for teacher mentoring. This amendment provides from the \$1 million on the contingency line for JPA's \$5000 per JPA for the biennium to facilitate teacher mentoring programs. We would have up to nine programs spread across the state. There had been some concerns in discussion about the bill regarding who would get them and spreading them across the state and this should help alleviate those concerns. It changes the JPA money slightly.

Senator Flakoll moved amendment .0916, seconded by Representative Kelsch.

Representative Meier said in the event a JPA would not utilize the funds, would the money just pool then?

Representative Kelsch said no, on the bottom is what has become standard language.

Senator Gary Lee asked if this is coming from the contingency line.

Senator Flakoll said it is on the contingency line for the current 05-07 biennium. In a way you could still deem it REA money.

Senator Gary Lee asked where it fits in the priority list.

Senator Flakoll said it will be prioritized. The intent when we codify everything into 2013, there will be a rank order established that will be forwarded from the policy committee to the members of the conference committee for 2013.

Senator Gary Lee said this priority has not been established yet but it will be.

Senator Flakoll said this currently would put it in third.

Representative Kelsch asked if the amendment could have read in subsection 2, \$1 million to the REAs of which \$45,000 would be used... Her concern is about it potentially being lost. If it is something that is important, we want it to be part of the JPAs. She thinks it should be in subsection 2 where it is part of the \$1 million appropriation. It may be cleaner that way.

Senator Flakoll said they discussed it.

Senator Flakoll said if the chair and the committee are fine with it we can do it that way.

Senator Gary Lee asked for an explanation.

Representative Kelsch said keep subsection 2 at \$1 million and add the language to that subsection.

Senator Gary Lee asked if we are telling the JPA's to spend the money on that.

Senator Flakoll said Anita Thomas said we can do subsection 2 a and b.

Representative Mueller said Representative Kelsch makes a good point. As we stretch this laundry list out, someone may say time out. We have talked a lot about teacher mentoring.

Have we discussed this with the REA folks? What kind of problems might this cause for the JPA people?

Senator Flakoll said he has had no more direct contact with the JPAs. They like teacher mentoring. We have helped establish the JPAs. We are connecting the dots.

Senator Gary Lee said if he likes mentoring programs. He is not sure about designating the money to the JPAs who may or may not want to spend it in that way.

Representative Kelsch said a JPA could chose not to participate and the rest of the money would be distributed on per student payments to the school districts participating in the REAs.

Senator Gary Lee said ESPB already has a mentoring program and resources. Could they tap into that resource if they wanted to?

Representative Kelsch said ESPB does not have money. They have a resource individual that monitors and manages the program. If she has learned anything and become warmer towards JPAs it is because they have told her we can more efficiently provide regional services. As she looks at a mentoring program, she thinks it may be better on a regional basis. There are a lot of school districts that cannot provide a mentoring program. The large school districts can provide it. Some of the small school districts probably can't. It may be a good way for JPAs to get involved in the program. The language is permissive.

Senator Gary Lee asked Representative Kelsch what her suggestion would be on the amendment.

Representative Kelsch said she likes Anita Thomas' suggestion that there would be an a and b in subsection 2. The \$1 million to the JPAs with \$955,000 in a and \$45,000 for the purpose of providing the grant for teacher mentoring in b. You would keep the two together.

Representative Mueller asked Anita Thomas if this would work and do what the committee intends.

Anita Thomas said she would have no problem doing it as Representative Kelsch has described.

Senator Gary Lee asked Senator Flakoll if it is ok to change the amendment and the motion.

Senator Flakoll said it is ok with him.

Representative Meier said she likes that we are able to do something for teacher mentoring this session and we are spreading it throughout the state.

Senator Gary Lee said the motion is for .0916 to include a subsection a and b under subsection 2.

The motion passed 6-0-0.

Senator Flakoll said his quiver is empty.

Representative Mueller said a point of discussion has been brought to his attention regarding an effort early on from the JPA folks to set \$50,000 aside up front as a payment to each of the 9 JPAs. He is not sure what the rationale was. The balance of the \$3 million going out would then go out on an ADM basis. It would change the funding structure at least a little because all would be guaranteed the \$50,000 after which they would all get a payment of the balance on an ADM basis. There was a concern and a desire on the part of the JPA folks to do it that way. It just came to his attention a few days ago. Perhaps some other conference committee members have also had some conversations and emails. He does not have any amendments prepared.

Senator Flakoll said they had discussions on the commission regarding this and there was not the support to move the initiative forward. Part of the reason could be the confusion on the dollars with two biennium's contingencies. It would have to be the hard dollars.

Representative Kelsch said also the discussion at the time was for \$50,000 for an administrator and there was some resistance to that. The feeling was if the JPA wants an

administrator, that should be their decision, not the state's decision to give them \$50,000 to pay for an administrator.

Senator Taylor said he has also received an email. They do not necessarily want to tie it to an administrator now. He would be interested to look at the student population of the JPAs. There are some discrepancies and must be some variations.

Senator Gary Lee distributed a handout (A attached). Regarding the NCLB committee, is section 10 necessary since this is the charge of that committee.

Senator Taylor said he still has the amendment in his folder regarding the NCLB committee.

Senator Gary Lee said it was a point of information and we will return to it.

Tom Decker said he has two print outs, one with all of the \$3 million on ADM and one with \$50,000 to each JPA and the balance on ADM.

Senator Gary Lee said we will take some time to look this over. These will be the last two things. He adjourned the meeting of the conference committee.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2030

Senate Education Committee

☒ Check here for Conference Committee

Hearing Date: April 19, 2007

Recorder Job Number: 6146

Committee Clerk Signature

Minutes:

Senator Gary Lee opened the meeting of the conference committee. All members were present.

Senator Flakoll distributed amendment .0919. It is the amendment we adopted yesterday but now it has been drafted and he wanted the committee review it to be sure it was acceptable. Senator Gary Lee said we did have a .0916 version.

Senator Flakoll said the committee further amended .0916 which these would be in essence. He is not looking for the adoption of .0919 but it is what would be put into the final amendments for 2030 so the committee is in full agreement this is what we did with yesterday's action.

Representative Mueller said it looks as if the amendment does exactly what we intended it to do. From a procedural standpoint do we need to adopt .0919?

Anita Thomas said that would make things clear.

Representative Mueller moved the .0919 amendment, seconded by Representative Kelsch. The motion passed 6-0-0.

Senator Taylor said he still has his amendment .0913 for the repealer of the statutory committee for NCLB. He would like to take another run at it.



Senator Taylor moved amendment .0913, seconded by Representative Mueller.

The motion passed 6-0-0.

Representative Mueller said he has received a number of emails regarding the \$50,000 issue for JPA's. He does not have much problem with it one way or the other. He can understand the implication and the necessity from a small JPA viewpoint. The dilemma is the small JPAs would be taking money away from the large JPAs.

Representative Mueller moved the Mueller amendment, seconded by Senator Taylor.

The committee has copies of the 1000 version of the amendment that were passed out yesterday.

Senator Taylor said we can work off this amendment even though it will eventually have to be drafted by council. It gives us the idea of what we are looking at.

Senator Taylor asked how the payments have been made in the past.

Tom Decker said now the payments are made at the end of the year. Under the bill, they are made with the formula and on an ADM basis.

Senator Flakoll said when we originally did it, the first dollars were on the contingency line so those all went out at one time because of that. Now that we have established hard dollars in subsequent years, we are transitioning into having them paid on a more sequential basis with hard dollars.

Representative Kelsch asked how it will work because there are no hard dollars this time. How will it work for the distribution and how would it work to distribute the \$50,000 to each JPA? It is easier when you are distributing hard dollars than it is when you are distributing contingency dollars, that is why she is asking. When this amendment was first discussed it was hard

dollars, not it is contingency dollars.

Tom Decker said now that we know how many dollars there are it appears there will be a payment at the beginning of the biennium and another payment at the end of the biennium. That may not be ideal but it works. Department of Public Instruction can split those funds along the lines of the \$50,000 base payment and per pupil based on whatever distribution we are making at the time.

Representative Mueller asked if anyone has done the math.

Tom Decker distributed two handouts showing payments to the JPA's with the \$50,000 plan and without the \$50,000 plan (A and B attached) based on \$3 million over the biennium.

Representative Kelsch asked if 50% of the JPAs would be losers and 50% would be winners.

Tom Decker said that is about right. They have been in discussion about this since last summer. Only one JPA has indicated opposition to the idea, MREC. Every other JPA

including Fargo is ok with it. They may not benefit individually but they understand the bigger issue which is each JPA needs some minimum amount of capability and the base payment assures they have the ability to do that.

Representative Kelsch said MREC loses \$40,000, she can understand their opposition.

Representative Mueller said if you look at the first on the list, it is the smallest JPA. Except for Devils Lake, the schools in that JPA are all small. The JPAs are supposed to help small schools offer services they can't offer alone. Maybe they need more help.

Senator Taylor said we have had a lot of discussions about equity. When he looks at the 9 JPAs he looks at equity in terms of how can they raise dollars and that is on a per student basis. If we could have drawn the borders so all had the same number of students, there would have been equity but we couldn't do that. Yet we are asking the JPAs in our more rural areas to do a lot of things we agree should be done in terms of sharing services and finding efficiencies. We all know not all of these schools are going to survive but we will find a way to

serve the kids and give them an education through these REAs. That is not always done on a per student funding basis. It will be of some pain to some but for the greater good it is a move we ought to adopt.

Senator Gary Lee asked if the services are going to go away within the JPA if they don't get the dollars. Aren't they still going to be available?

Senator Taylor said there are fixed costs and there are variable costs and variable benefits. If we fund them at a lower rate because of a lower student population, we will see a different offering of services. There would have to be less services available with a smaller budget. Representative Meier said some of the smaller JPAs have received some very significant grants. She was surprised and pleased to see it. It is quite a cut to MREC and she can't support the amendment.

Representative Kelsch said she has one more question. What is the purpose of giving \$50,000 to every REA? Is it to level the playing field? Is there something specific they want to do with the money? The only people she has heard from is the smallest JPA. She has not heard from anyone else.

Senator Gary Lee said it provides a base of funding, perhaps to hire a coordinator.

Senator Taylor said he has not received an email from MREC but he has received 4 emails so not just the smallest but 4 of the smaller. It is like a lot of the debate when we are delivering services. When you have a small JPA, there are still a certain amount of fixed costs that need to be covered whether serving 10,000 students or 20,000 students. It is an equity payment for JPAs.

Representative Kelsch asked how.

Senator Taylor said because they do not have enough taxable students in their district.

Representative Kelsch asked the average mill from those districts.

Senator Taylor said that would be another portion of the debate.

Representative Mueller said he heard from 4 or 5 JPAs and they say it is ok. It appears the JPAs by and large are ok with the concept.

The motion failed 3-3.

Senator Flakoll moved the House recede from the House amendments and adopt the amendments as approved by the conference committee, seconded by Representative Kelsch. Senator Flakoll said there was an amendment that was related to the mentoring program that will be reconciled with 2013.

The motion passed 6-0-0.

Senator Gary Lee dissolved the meeting of the conference committee.

April 12, 2007

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 1, after "15.1-09.1" insert "and a new section to chapter 15.1-13"

Page 1, line 2, replace "area service providers" with "regional education associations and teacher licensure requirements"

Page 1, line 6, replace "educational" with "regional education", after "agreements" insert "; to provide for legislative council studies", and remove "and"

Page 1, line 7, after "council" insert "; and to declare an emergency"

Page 1, line 13, replace "area service providers" with "regional education associations"

Page 1, line 15, replace "area service providers" with "regional education associations"

Page 4, line 7, replace "area service provider" with "regional education association"

Page 4, line 11, replace "**Area service provider**" with "**Regional education association**"

Page 4, line 13, replace "an area service provider" with "a regional education association"

Page 5, line 1, replace "area service providers" with "regional education associations"

Page 5, line 2, replace "area service providers from providing" with "regional education associations to provide"

Page 5, line 9, replace "an area service provider" with "a regional education association"

Page 5, line 12, replace "an area service provider" with "a regional education association"

Page 5, line 15, replace "an area service provider" with "a regional education association"

Page 6, line 19, replace "an area service provider" with "a regional education association"

Page 7, line 11, replace "area service provider" with "regional education association"

Page 7, line 13, replace "area service provider" with "regional education association"

Page 7, line 16, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 17, replace "An area service provider" with "A regional education association"

Page 7, line 20, replace "Area service providers" with "Regional education association"

Page 7, line 21, replace "An area service provider" with "A regional education association"

Page 7, line 28, replace "Area service providers" with "Regional education associations"

Page 7, line 29, replace "An area service provider" with "A regional education association"

Page 8, line 1, replace "an area" with "a regional education association"

Page 8, line 2, remove "service provider"

Page 8, line 3, replace "provider's" with "association's"

Page 8, line 5, replace "Area service provider" with "Regional education association"

Page 8, line 6, replace "an area service provider" with "a regional education association"

Page 8, line 8, replace "provider" with "association"

Page 8, line 10, replace "area service" with "regional education association"

Page 8, line 11, remove "provider" and replace "provider's" with "association's"

Page 8, line 13, replace "an area service provider" with "a regional education association"

Page 8, line 18, replace "area service provider" with "a regional education association"

Page 8, line 21, replace "an area service provider" with "a regional education association" and replace "area service provider of" with "association in"

Page 8, line 22, replace "is a member" with "participates"

Page 8, line 27, replace "an area service provider" with "a regional education association"

Page 8, after line 29, insert:

**"SECTION 5.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Student teaching requirements - Teachers licensed in other states.** If an individual who is or was licensed to teach in another state applies for a license to teach in this state, the education standards and practices board may not impose on the individual any student teaching requirements as a condition of licensure. This section is applicable to an individual who graduated from a state-approved regular education program but not to an individual who completed an alternative education program as a condition of licensure."

Page 9, line 4, replace "an area service provider" with "a regional education association"

Page 9, after line 18, insert:

**"SECTION 8. LEGISLATIVE COUNCIL STUDY - HIGH SCHOOL CURRICULA.** The legislative council shall consider studying, during the 2007-08 interim, the appropriateness and adequacy of high school curricula, with respect to preparing students for higher education and for the workplace. The study should

examine curricular changes implemented in other states and expectations placed on students in other countries. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 9. LEGISLATIVE COUNCIL STUDY - SERVICES TO ENGLISH LANGUAGE LEARNERS.** The legislative council shall consider studying, during the 2007-08 interim, the delivery of services to English language learners, including federal requirements, instructional options, assistance from the private sector, and the short-term and long-term budgetary impacts on the school districts and taxpayers of the state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 10. LEGISLATIVE COUNCIL STUDY - REAUTHORIZATION OF THE NO CHILD LEFT BEHIND ACT.** The legislative council shall consider studying, during the 2007-08 interim, the reauthorization of the No Child Left Behind Act, including the effect of proposed changes on the students, teachers, and school districts of this state, the manner in which state assessments are conducted, the reporting and utilization of assessment results, and the performance of North Dakota students. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 11. LEGISLATIVE COUNCIL STUDY - AFTERSCHOOL PROGRAMS.** The legislative council shall consider studying, during the 2007-08 interim, federally funded afterschool programs being offered to North Dakota students, including the content of the programs, applicable regulations, targeted students, and the direct and indirect costs and benefits of the programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 9, line 19, replace "AREA SERVICE PROVIDERS" with "REGIONAL EDUCATION ASSOCIATIONS"

Page 9, line 20, remove "GOVERNED BY JOINT POWERS AGREEMENTS"

Page 9, line 22, replace "area service provider" with "regional education association"

Page 9, line 24, replace "area service provider" with "regional education association"

Page 9, line 25, replace "area service providers" with "regional education associations"

Page 9, after line 29, insert:

**"SECTION 13. LEGISLATIVE COUNCIL STUDY - REGIONAL EDUCATION ASSOCIATIONS.** The legislative council shall consider studying, during the 2007-08 interim, the short-term and long-term evolution of regional education associations and shall include the feasibility and desirability of regional education associations becoming political subdivisions; whether teachers should be employed directly by regional education associations, and whether that employment should include bargaining rights, contract renewal and nonrenewal provisions, participation in the teachers' fund for retirement, and participation in the state's uniform group insurance program; the impact that allowing regional education associations to hire teachers directly would have on the recruitment and retention of teachers currently employed by school districts and on teacher salary levels; whether teacher employment contracts, if offered by regional education associations, would have to parallel those of participating school districts with respect to common school calendars, annual or personal leave provisions, and other contractual benefits; the conduct of evaluations, if teachers are employed directly by regional education associations, including who will conduct the evaluations, their

frequency, and the criteria upon which the evaluations are based; the organizational structure of regional education associations, including the qualifications of administrative or supervisory personnel; the governance structure of regional education associations; and state level oversight. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 9, after line 31, insert:

"**SECTION 15. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly



Date: 4/12/07  
Roll Call Vote #: 1

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2030**

SENATE Conference Committee on SB 2030 Committee

x Check here for Conference Committee

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

Action Taken . 0914 Amendment

Motion Made By Sen. Flakoll Seconded By Sen. Taylor

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller		✓

Total (Yes) 5 No 1

Absent 0

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

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

removal of 816  
Carried

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 1, after "enact" insert "a new section to chapter 15.1-09 and"

Page 1, line 2, after the first "to" insert "authorization for prekindergarten programs and"

Page 4, after line 4, insert:

**"SECTION 4.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**Prekindergarten program - Authorization - Support.** The board of a school district may establish a prekindergarten program and may receive and expend any state moneys specifically appropriated for the program, any federal funds specifically appropriated or approved for the program, and any gifts, grants, and donations specifically given for the program."

Renumber accordingly

Date: 4/13/07  
Roll Call Vote #: 2

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2030**

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken amendment 0912

Motion Made By Rep. Mueller Seconded By Sen. Taylor

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee		✓	Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 5 No 1

Absent 0

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

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

*Carried*

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 7, after line 31, insert:

**"15.1-09.1-06. Area service providers - Receipt and use of moneys. The board of an area service provider may receive and expend moneys for the provision of administrative functions, student services, and any other lawful activities."**

Page 8, line 1, replace "**15.1-09.1-06**" with "**15.1-09.1-07**"

Page 8, line 5, replace "**15.1-09.1-07**" with "**15.1-09.1-08**"

Page 8, line 12, replace "**15.1-09.1-08**" with "**15.1-09.1-09**"

Page 8, line 18, replace "**15.1-09.1-09**" with "**15.1-09.1-10**"

Renumber accordingly

SL 4/13/07

Date: 4/13/07  
Roll Call Vote #: 3

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2030

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken amendment 0915

Motion Made By Sen. Flakoll Seconded By Rep. Mueller

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 6 No 0

Absent 0

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

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

*Carried*

Amendment to SB2030

Page 12, Line 14, add:

Section 15. Legislative Council Study-Teacher Mentoring

*consider*

The legislative council shall study during the 2007-08 interim the feasibility and desirability of supporting teacher mentoring programs in urban and rural school districts and the most effective and efficient ways teacher mentoring programs could be implemented and delivered, including consideration of the identification and preparation of mentors and the styles, strategies, and professional development needs that would assist novice teachers in surviving, thriving and ultimately deciding to consider teaching as a lifelong career. The legislative council shall report its findings and recommendations, together with any legislative requirement to implement the recommendations, to the sixty-first legislative assembly.

Renumber Accordingly

*Mueller* <sup>amendment</sup> ~~edit~~

*R.M. 4/13/07*

Date: 4/13/07  
Roll Call Vote #: 4

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2030**

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken Mueller amendment

Motion Made By Rep. Mueller Seconded By Rep. Kelsch

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 6 No 0

Absent 0

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

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

*add "shall consider studying"*

April 12, 2007

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 5, remove the first "and" and after "15.1-27-40" insert ", and 54-35-21"

Page 1, line 6, after "agreements" insert "and the no child left behind statutory committee"

Page 9, line 30, remove "and" and after "15.1-27-40" insert ", and 54-35-21"

Renumber accordingly

*ST 4/12/07*



Date: 4/13/07  
Roll Call Vote #: 5

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2030**

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken Amendment . 09/13

Motion Made By Sen. Taylor Seconded By Rep. Mueller

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch		✓
Senator Flakoll	✓		Representative Meier		✓
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 3/1 No 1/2

Absent \_\_\_\_\_

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

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

*failed*

April 18, 2007

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 2, after "sections" insert "12.1-06-05,"

Page 1, line 3, after "to" insert "the renouncement of criminal intent,"

Page 1, line 4, after "procedures" insert a comma

Page 1, line 6, remove "and"

Page 1, line 7, after "council" insert "; and to declare an emergency"

Page 1, after line 8, insert:

**"SECTION 1. AMENDMENT.** Section 12.1-06-05 of the North Dakota Century Code, as amended by section 1 of Senate Bill No. 2262, as approved by the sixtieth legislative assembly, is amended and reenacted as follows:

**12.1-06-05. General provisions.**

1. The definition of an offense in sections 12.1-06-01 to 12.1-06-04 does not apply to another offense also defined in sections 12.1-06-01 to 12.1-06-04.
2. Whenever "attempt" or "conspiracy" is made an offense outside this chapter, it means attempt or conspiracy, as the case may be, as defined in this chapter.
3.
  - a. Other than as provided in subsection 4, in a prosecution under section 12.1-06-01, it is an affirmative defense that, under circumstances manifesting a voluntary and complete renunciation of criminal intent, the defendant avoided the commission of the crime attempted by abandoning any criminal effort and, if mere abandonment was insufficient to accomplish such avoidance, by taking further and affirmative steps which prevented the commission thereof.
  - b. Other than as provided in subsection 4, in a prosecution under section 12.1-06-03 or 12.1-06-04, it is an affirmative defense that, under circumstances manifesting a voluntary and complete renunciation of criminal intent, the defendant prevented the commission of the crime solicited or of the crime or crimes contemplated by the conspiracy.
  - c. A renunciation is not "voluntary and complete" within the meaning of this section if it is motivated in whole or in part by (1) a belief that a circumstance exists which increases the probability of detection or apprehension of the defendant or another participant in the criminal operation, or which makes more difficult the consummation of the crime, or (2) a decision to postpone the criminal conduct until another time or to substitute another victim, or another but similar objective.

4. An individual ~~under the age of twenty-one~~ is immune from prosecution under this chapter if:
- a. The individual voluntarily and completely renounced the individual's criminal intent;
  - b. The individual is a student enrolled in an elementary school, middle school, or a high school in this state or is enrolled at an institution of higher education in this state;
  - c. The offense would have resulted in:
    - (1) Harm to another student enrolled in an elementary school, middle school, or a high school in this state;
    - (2) Harm to another student enrolled in an institution of higher education in this state;
    - (3) Harm to an employee of a school district or a nonpublic school in this state; ~~or~~
    - ~~(3)~~ (4) Harm to an employee of an institution of higher education in this state; or
    - (5) Damage to a school building or school property of a school district in this state or property of an institution of higher education in this state; and
  - d. The renunciation was given to a law enforcement officer ~~or~~, to an administrator of a school or school district in this state, or to an official of an institution of higher education in this state before any harm to others or damage to property occurs."

Page 9, after line 31, insert:

**"SECTION 10. EMERGENCY.** Section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

Date: 4/18/07  
Roll Call Vote #: 6

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2030**

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken amendment .0918

Motion Made By Sen. Flakoll Seconded By Rep. Kelsch

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 6 No 0

Absent 0

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

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

*Carried*

April 17, 2007

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 3, after "Code" insert "and section 28 of chapter 167 of the 2005 Session Laws"

Page 1, line 4, replace "and" with a comma and after "managers" insert ", and contingent distributions of per student payments"

Page 1, line 6, remove "and"

Page 1, line 7, after "council" insert "; and to declare an emergency"

Page 9, after line 29, insert:

**"SECTION 8. AMENDMENT.** Section 28 of chapter 167 of the 2005 Session Laws is amended and reenacted as follows:

**SECTION 28. CONTINGENCY.** If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in House Bill No. 1013, as approved by the fifty-ninth legislative assembly, remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2005, and ending June 30, 2007, and after the superintendent of public instruction has fulfilled any directives contained in section 27 of this Act, the superintendent shall distribute the remaining moneys as follows:

1. The superintendent of public instruction shall use the first \$450,000, or so much of that amount as may be necessary, to provide additional payments to school districts serving English language learners in accordance with section 15.1-27-12.
2. The superintendent of public instruction shall use the next ~~\$1,000,000~~ \$955,000, or so much of that amount as may be necessary, for the purpose of providing additional per student payments to school districts participating in eligible educational associations in accordance with section 32 of this Act.
3. The superintendent of public instruction shall use the next \$45,000, or so much of that amount as may be necessary, for the purpose of providing grants in the amount of five thousand dollars to each educational association that commits to the development and implementation of a teacher mentoring program for first-year, second-year, and third-year teachers employed by school districts participating in the association. If any of this amount remains after meeting the requirements of this subsection, the superintendent shall distribute those funds as additional per student payments on a prorated basis to school districts participating in educational associations.
4. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis

according to the latest available average daily membership of each school district."

Page 9, after line 31, insert:

**"SECTION 10. EMERGENCY.** Section 8 of this Act is declared to be an emergency measure."

Renumber accordingly

Date: 4/18/07  
Roll Call Vote #: 7

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2030

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken amendment 10916 with change as below

Motion Made By Sen. Flakoll Seconded By Rep. Kelsch

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 6 No 0

Absent 0

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

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

Subsection 2 a+b

\$1M to JPA's

a. \$955,000

b. \$45,000 grants for teacher mentoring

Carried

April 18, 2007

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 3, after "Code" insert "and section 28 of chapter 167 of the 2005 Session Laws"

Page 1, line 4, replace "and" with a comma and after "managers" insert ", and contingent distributions of per student payments"

Page 1, line 6, remove "and"

Page 1, line 7, after "council" insert "; and to declare an emergency"

Page 9, after line 29, insert:

**"SECTION 8. AMENDMENT.** Section 28 of chapter 167 of the 2005 Session Laws is amended and reenacted as follows:

**SECTION 28. CONTINGENCY.** If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in House Bill No. 1013, as approved by the fifty-ninth legislative assembly, remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2005, and ending June 30, 2007, and after the superintendent of public instruction has fulfilled any directives contained in section 27 of this Act, the superintendent shall distribute the remaining moneys as follows:

1. The superintendent of public instruction shall use the first \$450,000, or so much of that amount as may be necessary, to provide additional payments to school districts serving English language learners in accordance with section 15.1-27-12.
2. The superintendent of public instruction shall use the next \$1,000,000, or so much of that amount as may be necessary, for the purpose of providing additional ~~per student~~ payments to school districts participating in eligible educational associations in accordance with section 32 of this Act.
  - a. The superintendent of public instruction shall distribute during the 2007-09 biennium \$45,000, or so much of that amount as may be necessary, as grants in the amount of five thousand dollars each to any educational association that commits to the development and implementation of a teacher mentoring program for first-year, second-year, and third-year teachers employed by school districts participating in the association. If any of this amount remains after meeting the requirements of this subdivision, the superintendent shall distribute those funds as additional per student payments on a prorated basis to school districts participating in educational associations.
  - b. The superintendent of public instruction shall distribute \$955,000, or so much of the sum as may be necessary, as additional per student



payments to school districts participating in eligible educational associations as provided in section 32 of chapter 167 of the 2005 Session Laws.

3. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis according to the latest available average daily membership of each school district."

Page 9, after line 31, insert:

**"SECTION 10. EMERGENCY.** Section 8 of this Act is declared to be an emergency measure."

Renumber accordingly

Date: 4/19/07  
Roll Call Vote #: 8

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2030**

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken - 0919

Motion Made By Rep Mueller Seconded By Rep Kelsch

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 6 No 0

Absent 0

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

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

*(replaces .0916 passed  
yesterday)*

Date: 4/19/07  
Roll Call Vote #: 9

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2030**

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken .0913

Motion Made By Sen. Taylor Seconded By Rep. Meier

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller	✓	

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

Absent \_\_\_\_\_

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

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

(NCLB Committee)

SB 2030  
(70043.1000)

Proposed Amendment:  
Page 8, line 31

2. The Superintendent of Public Instruction shall make payments on the schedule outline in section 1 of NDCC 15.1-09.1-09 with 50% of the available appropriations paid each year of the biennium. Further, these payments shall consist of a fifty thousand dollar payment to each regional education association and the balance of the annual amount paid as per student amount based on total public school enrollment in each unit.

*Rep. Mueller 4/18/07*

Date: 4/19/07  
Roll Call Vote #: 10

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2030

Senate Conference Committee on 2030

Committee

☒ Check here for Conference Committee

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

Action Taken Mueller amendment

Motion Made By Rep. Mueller Seconded By Sen. Taylor

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee		✓	Representative Kelsch	✓	
Senator Flakoll		✓	Representative Meier		✓
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 3 No 3

Absent \_\_\_\_\_

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

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

*facial*

( \$50,000 to each JPA then  
balance in ADM )

April 19, 2007

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 1, after "enact" insert "a new section to chapter 15.1-09," and after "15.1-09.1" insert ", and a new section to chapter 15.1-13"

Page 1, line 2, replace "area service providers" with "authorization for prekindergarten programs, regional education associations, and student teaching requirements" and after "sections" insert "12.1-06-05,"

Page 1, line 3, after "Code" insert "and section 28 of chapter 167 of the 2005 Session Laws" and after "to" insert "the renouncement of criminal intent,"

Page 1, line 4, replace "and" with a comma and after "managers" insert ", and contingent distributions of per student payments"

Page 1, line 5, remove the first "and" and after "15.1-27-40" insert ", and 54-35-21"

Page 1, line 6, after "agreements" insert "and the no child left behind statutory committee", remove "and", and after "provide" insert "for legislative council studies; to provide"

Page 1, line 7, after "council" insert "; to provide an effective date; and to declare an emergency"

Page 1, after line 8, insert:

**"SECTION 1. AMENDMENT.** Section 12.1-06-05 of the North Dakota Century Code, as amended by section 1 of Senate Bill No. 2262, as approved by the sixtieth legislative assembly, is amended and reenacted as follows:

**12.1-06-05. General provisions.**

1. The definition of an offense in sections 12.1-06-01 to 12.1-06-04 does not apply to another offense also defined in sections 12.1-06-01 to 12.1-06-04.
2. Whenever "attempt" or "conspiracy" is made an offense outside this chapter, it means attempt or conspiracy, as the case may be, as defined in this chapter.
3. a. Other than as provided in subsection 4, in a prosecution under section 12.1-06-01, it is an affirmative defense that, under circumstances manifesting a voluntary and complete renunciation of criminal intent, the defendant avoided the commission of the crime attempted by abandoning any criminal effort and, if mere abandonment was insufficient to accomplish such avoidance, by taking further and affirmative steps which prevented the commission thereof.
- b. Other than as provided in subsection 4, in a prosecution under section 12.1-06-03 or 12.1-06-04, it is an affirmative defense that, under circumstances manifesting a voluntary and complete renunciation of

*Summary of all amendments  
from SL*

criminal intent, the defendant prevented the commission of the crime solicited or of the crime or crimes contemplated by the conspiracy.

- c. A renunciation is not "voluntary and complete" within the meaning of this section if it is motivated in whole or in part by (1) a belief that a circumstance exists which increases the probability of detection or apprehension of the defendant or another participant in the criminal operation, or which makes more difficult the consummation of the crime, or (2) a decision to postpone the criminal conduct until another time or to substitute another victim, or another but similar objective.
- 4. An individual ~~under the age of twenty-one~~ is immune from prosecution under this chapter if:
  - a. The individual voluntarily and completely renounced the individual's criminal intent;
  - b. The individual is a student enrolled in an elementary school, middle school, or a high school in this state or is enrolled at an institution of higher education in this state;
  - c. The offense would have resulted in:
    - (1) Harm to another student enrolled in an elementary school, middle school, or a high school in this state;
    - (2) Harm to another student enrolled in an institution of higher education in this state;
    - (3) Harm to an employee of a school district or a nonpublic school in this state; ~~or~~
    - ~~(3)~~ (4) Harm to an employee of an institution of higher education in this state; or
    - (5) Damage to a school building or school property of a school district in this state or property of an institution of higher education in this state; and
  - d. The renunciation was given to a law enforcement officer ~~or~~, to an administrator of a school or school district in this state, or to an official of an institution of higher education in this state before any harm to others or damage to property occurs."

Page 1, line 13, replace "area service providers" with "regional education associations"

Page 1, line 15, replace "area service providers" with "regional education associations"

Page 4, after line 4, insert:

**"SECTION 5.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**Prekindergarten program - Authorlization - Support.** The board of a school district may establish a prekindergarten program and may receive and expend any state moneys specifically appropriated for the program, any federal funds specifically appropriated or approved for the program, and any gifts, grants, and donations specifically given for the program."

Page 4, line 7, replace "area service provider" with "regional education association"

Page 4, line 11, replace "**Area service provider**" with "**Regional education association**"

Page 4, line 13, replace "an area service provider" with "a regional education association"

Page 5, line 1, replace "area service providers" with "regional education associations"

Page 5, line 2, replace "area service providers from providing" with "regional education associations to provide"

Page 5, line 9, replace "an area service provider" with "a regional education association"

Page 5, line 12, replace "an area service provider" with "a regional education association"

Page 5, line 15, replace "an area service provider" with "a regional education association"

Page 6, line 19, replace "an area service provider" with "a regional education association"

Page 7, line 11, replace "area service provider" with "regional education association"

Page 7, line 13, replace "area service provider" with "regional education association"

Page 7, line 16, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 17, replace "An area service provider" with "A regional education association"

Page 7, line 20, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 21, replace "An area service provider" with "A regional education association"

Page 7, line 28, replace "**Area service providers**" with "**Regional education associations**"

Page 7, line 29, replace "An area service provider" with "A regional education association"

Page 7, after line 31, insert:

**"15.1-09.1-06. Regional education associations - Receipt and use of moneys. The board of a regional education association may receive and expend moneys for the provision of administrative functions, student services, and any other lawful activities."**

Page 8, line 1, replace "**15.1-09.1-06**" with "**15.1-09.1-07**" and replace "an area" with "a regional education association"

Page 8, line 2, remove "service provider"

Page 8, line 3, replace "provider's" with "association's"

Page 8, line 5, replace "**15.1-09.1-07. Area service provider**" with "**15.1-09.1-08. Regional education association**"



Page 8, line 6, replace "an area service provider" with "a regional education association"

Page 8, line 8, replace "provider" with "association"

Page 8, line 10, replace "area service" with "regional education association"

Page 8, line 11, remove "provider" and replace "provider's" with "association's"

Page 8, line 12, replace "15.1-09.1-08" with "15.1-09.1-09"

Page 8, line 13, replace "an area service provider" with "a regional education association"

Page 8, line 18, replace "15.1-09.1-09" with "15.1-09.1-10" and replace "area service provider" with "a regional education association"

Page 8, line 21, replace "an area service provider" with "a regional education association" and replace "area service provider of" with "association in"

Page 8, line 22, replace "is a member" with "participates"

Page 8, line 27, replace "an area service provider" with "a regional education association"

Page 8, after line 29, insert:

**"SECTION 7.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Student teaching requirements - Teachers licensed in other states.** If an individual who is or was licensed to teach in another state applies for a license to teach in this state, the education standards and practices board may not impose on the individual any student teaching requirements as a condition of licensure. This section is applicable to an individual who graduated from a state-approved regular education program but not to an individual who completed an alternative education program as a condition of licensure.

Page 9, line 4, replace "an area service provider" with "a regional education association"

Page 9, after line 18, insert:

**"SECTION 10. AMENDMENT.** Section 28 of chapter 167 of the 2005 Session Laws is amended and reenacted as follows:

**SECTION 28. CONTINGENCY.** If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in House Bill No. 1013, as approved by the fifty-ninth legislative assembly, remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2005, and ending June 30, 2007, and after the superintendent of public instruction has fulfilled any directives contained in section 27 of this Act, the superintendent shall distribute the remaining moneys as follows:

1. The superintendent of public instruction shall use the first \$450,000, or so much of that amount as may be necessary, to provide additional payments to school districts serving English language learners in accordance with section 15.1-27-12.
2. The superintendent of public instruction shall use the next \$1,000,000, or so much of that amount as may be necessary, for the purpose of providing

additional ~~per student~~ payments to school districts participating in eligible educational associations in accordance with section 32 of this Act.

- a. The superintendent of public instruction shall distribute during the 2007-09 biennium \$45,000, or so much of that amount as may be necessary, as grants in the amount of five thousand dollars each to any educational association that commits to the development and implementation of a teacher mentoring program for first-year, second-year, and third-year teachers employed by school districts participating in the association. If any of this amount remains after meeting the requirements of this subdivision, the superintendent shall distribute those funds as additional per student payments on a prorated basis to school districts participating in educational associations.
  - b. The superintendent of public instruction shall distribute \$955,000, or so much of the sum as may be necessary, as additional per student payments to school districts participating in eligible educational associations as provided in section 32 of chapter 167 of the 2005 Session Laws.
3. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis according to the latest available average daily membership of each school district.

**SECTION 11. LEGISLATIVE COUNCIL STUDY - HIGH SCHOOL CURRICULA.** The legislative council shall consider studying, during the 2007-08 interim, the appropriateness and adequacy of high school curricula, with respect to preparing students for higher education and for the workplace. The study should examine curricular changes implemented in other states and expectations placed on students in other countries. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 12. LEGISLATIVE COUNCIL STUDY - SERVICES TO ENGLISH LANGUAGE LEARNERS.** The legislative council shall consider studying, during the 2007-08 interim, the delivery of services to English language learners, including federal requirements, instructional options, assistance from the private sector, and the short-term and long-term budgetary impacts on the school districts and taxpayers of the state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 13. LEGISLATIVE COUNCIL STUDY - REAUTHORIZATION OF THE NO CHILD LEFT BEHIND ACT.** The legislative council shall consider studying, during the 2007-08 interim, the reauthorization of the No Child Left Behind Act, including the effect of proposed changes on the students, teachers, and school districts of this state, the manner in which state assessments are conducted, the reporting and utilization of assessment results, and the performance of North Dakota students. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 14. LEGISLATIVE COUNCIL STUDY - AFTERSCHOOL PROGRAMS.** The legislative council shall consider studying, during the 2007-08 interim, federally funded afterschool programs being offered to North Dakota students, including the content of the programs, applicable regulations, targeted students, and the direct and indirect costs and benefits of the programs. The legislative council shall

report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 15. LEGISLATIVE COUNCIL STUDY - TEACHER MENTORING.**

The legislative council shall consider studying, during the 2007-08 interim, the feasibility and desirability of supporting teacher mentoring programs in urban and rural school districts and the most effective and efficient ways teacher mentoring programs could be implemented and delivered, including consideration of the identification and preparation of mentors and the styles, strategies, and professional development needs that would assist novice teachers in surviving, thriving, and ultimately deciding to consider teaching as a lifelong career. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-first legislative assembly.

**SECTION 16. LEGISLATIVE COUNCIL STUDY - REGIONAL EDUCATION ASSOCIATIONS.** The legislative council shall consider studying, during the 2007-08 interim, the short-term and long-term evolvement of regional education associations and shall include the feasibility and desirability of regional education associations becoming political subdivisions; whether teachers should be employed directly by regional education associations, and whether that employment should include bargaining rights, contract renewal and nonrenewal provisions, participation in the teachers' fund for retirement, and participation in the state's uniform group insurance program; the impact that allowing regional education associations to hire teachers directly would have on the recruitment and retention of teachers currently employed by school districts and on teacher salary levels; whether teacher employment contracts, if offered by regional education associations, would have to parallel those of participating school districts with respect to common school calendars, annual or personal leave provisions, and other contractual benefits; the conduct of evaluations, if teachers are employed directly by regional education associations, including who will conduct the evaluations, their frequency, and the criteria upon which the evaluations are based; the organizational structure of regional education associations, including the qualifications of administrative or supervisory personnel; the governance structure of regional education associations; and state level oversight. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 9, line 19, replace "AREA SERVICE PROVIDERS" with "REGIONAL EDUCATION ASSOCIATIONS"

Page 9, line 20, remove "GOVERNED BY JOINT POWERS AGREEMENTS"

Page 9, line 22, replace "area service provider" with "regional education association"

Page 9, line 24, replace "area service provider" with "regional education association"

Page 9, line 25, replace "area service providers" with "regional education associations"

Page 9, line 30, remove "and" and after "15.1-27-40" insert ", and 54-35-21"

Page 9, after line 31, insert:

**"SECTION 19. EFFECTIVE DATE.** Sections 2 through 9 and sections 11 through 18 of this Act are effective on July 1, 2007.

**SECTION 20. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

April 19, 2007

*Jo*  
*4-20-07*  
*loft*

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2030

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 1, after "enact" insert "a new section to chapter 15.1-09," and after "15.1-09.1" insert ", and a new section to chapter 15.1-13"

Page 1, line 2, replace "area service providers" with "authorization for prekindergarten programs, regional education associations, and student teaching requirements" and after "sections" insert "12.1-06-05,"

Page 1, line 3, after "Code" insert "and section 28 of chapter 167 of the 2005 Session Laws" and after "to" insert "the renouncement of criminal intent,"

Page 1, line 4, replace "and" with a comma and after "managers" insert ", and contingent distributions of per student payments"

Page 1, line 5, remove the first "and" and after "15.1-27-40" insert ", and 54-35-21"

Page 1, line 6, after "agreements" insert "and the no child left behind statutory committee", remove "and", and after "provide" insert "for legislative council studies; to provide"

Page 1, line 7, after "council" insert "; to provide an effective date; and to declare an emergency"

Page 1, after line 8, insert:

**"SECTION 1. AMENDMENT.** Section 12.1-06-05 of the North Dakota Century Code, as amended by section 1 of Senate Bill No. 2262, as approved by the sixtieth legislative assembly, is amended and reenacted as follows:

**12.1-06-05. General provisions.**

1. The definition of an offense in sections 12.1-06-01 to 12.1-06-04 does not apply to another offense also defined in sections 12.1-06-01 to 12.1-06-04.
2. Whenever "attempt" or "conspiracy" is made an offense outside this chapter, it means attempt or conspiracy, as the case may be, as defined in this chapter.
3.
  - a. Other than as provided in subsection 4, in a prosecution under section 12.1-06-01, it is an affirmative defense that, under circumstances manifesting a voluntary and complete renunciation of criminal intent, the defendant avoided the commission of the crime attempted by abandoning any criminal effort and, if mere abandonment was insufficient to accomplish such avoidance, by taking further and affirmative steps which prevented the commission thereof.
  - b. Other than as provided in subsection 4, in a prosecution under section 12.1-06-03 or 12.1-06-04, it is an affirmative defense that, under circumstances manifesting a voluntary and complete renunciation of

20f7  
criminal intent, the defendant prevented the commission of the crime solicited or of the crime or crimes contemplated by the conspiracy.

- c. A renunciation is not "voluntary and complete" within the meaning of this section if it is motivated in whole or in part by (1) a belief that a circumstance exists which increases the probability of detection or apprehension of the defendant or another participant in the criminal operation, or which makes more difficult the consummation of the crime, or (2) a decision to postpone the criminal conduct until another time or to substitute another victim, or another but similar objective.
- 4. An individual ~~under the age of twenty one~~ is immune from prosecution under this chapter if:
  - a. The individual voluntarily and completely renounced the individual's criminal intent;
  - b. The individual is a student enrolled in an elementary school, middle school, or a high school in this state or is enrolled at an institution of higher education in this state;
  - c. The offense would have resulted in:
    - (1) Harm to another student enrolled in an elementary school, middle school, or a high school in this state;
    - (2) Harm to another student enrolled in an institution of higher education in this state;
    - (3) Harm to an employee of a school district or a nonpublic school in this state; ~~or~~
    - ~~(3)~~ (4) Harm to an employee of an institution of higher education in this state; or
    - (5) Damage to a school building or school property of a school district in this state or property of an institution of higher education in this state; and
  - d. The renunciation was given to a law enforcement officer ~~or~~, to an administrator of a school or school district in this state, or to an official of an institution of higher education in this state before any harm to others or damage to property occurs."

Page 1, line 13, replace "area service providers" with "regional education associations"

Page 1, line 15, replace "area service providers" with "regional education associations"

Page 4, after line 4, insert:

**"SECTION 5.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**Prekindergarten program - Authorization - Support.** The board of a school district may establish a prekindergarten program and may receive and expend any state moneys specifically appropriated for the program, any federal funds specifically appropriated or approved for the program, and any gifts, grants, and donations specifically given for the program."

3 of 7

Page 4, line 7, replace "area service provider" with "regional education association"

Page 4, line 11, replace "**Area service provider**" with "**Regional education association**"

Page 4, line 13, replace "an area service provider" with "a regional education association"

Page 5, line 1, replace "area service providers" with "regional education associations"

Page 5, line 2, replace "area service providers from providing" with "regional education associations to provide"

Page 5, line 9, replace "an area service provider" with "a regional education association"

Page 5, line 12, replace "an area service provider" with "a regional education association"

Page 5, line 15, replace "an area service provider" with "a regional education association"

Page 6, line 19, replace "an area service provider" with "a regional education association"

Page 7, line 9, replace "area service provider" with "regional education association"

Page 7, line 11, replace "area service provider" with "regional education association"

Page 7, line 12, replace "area service provider" with "regional education association"

Page 7, line 13, replace "area service provider" with "regional education association"

Page 7, line 14, remove "area service"

Page 7, line 15, remove "provider"

Page 7, line 16, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 17, replace "An area service provider" with "A regional education association"

Page 7, line 20, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 21, replace "An area service provider" with "A regional education association"

Page 7, line 28, replace "**Area service providers**" with "**Regional education association**"

Page 7, line 29, replace "An area service provider" with "A regional education association"

Page 7, after line 31, insert:

**"15.1-09.1-06. Regional education associations - Receipt and use of moneys. The board of a regional education association may receive and expend moneys for the provision of administrative functions, student services, and any other lawful activities."**

Page 8, line 1, replace "**15.1-09.1-06**" with "**15.1-09.1-07**" and replace "an area" with "a regional education association"

Page 8, line 2, remove "service provider"

Page 8, line 3, replace "provider's" with "association's"

Page 8, line 4, replace "provider's" with "association's"

Page 8, line 5, replace "15.1-09.1-07. Area service provider" with "15.1-09.1-08. Regional education association"

Page 8, line 6, replace "an area service provider" with "a regional education association"

Page 8, line 8, replace "provider" with "association"

Page 8, line 10, replace "area service" with "regional education association"

Page 8, line 11, remove "provider" and replace "provider's" with "association's"

Page 8, line 12, replace "15.1-09.1-08" with "15.1-09.1-09"

Page 8, line 13, replace "an area service provider" with "a regional education association"

Page 8, line 18, replace "15.1-09.1-09" with "15.1-09.1-10" and replace "area service provider" with "a regional education association"

Page 8, line 21, replace "an area service provider" with "a regional education association" and replace "area service provider of" with "association in"

Page 8, line 22, replace "is a member" with "participates"

Page 8, line 27, replace "an area service provider" with "a regional education association"

Page 8, after line 29, insert:

**"SECTION 7.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Student teaching requirements - Teachers licensed in other states.** If an individual who is or was licensed to teach in another state applies for a license to teach in this state, the education standards and practices board may not impose on the individual any student teaching requirements as a condition of licensure. This section is applicable to an individual who graduated from a state-approved regular education program but not to an individual who completed an alternative education program as a condition of licensure.

Page 9, line 4, replace "an area service provider" with "a regional education association"

Page 9, after line 18, insert:

**"SECTION 10. AMENDMENT.** Section 28 of chapter 167 of the 2005 Session Laws is amended and reenacted as follows:

**SECTION 28. CONTINGENCY.** If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in House Bill No. 1013, as approved by the fifty-ninth legislative assembly, remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2005, and ending June 30, 2007, and after the superintendent of public instruction has fulfilled any directives contained in section 27 of this Act, the superintendent shall distribute the remaining moneys as follows:

- 5 of 7
1. The superintendent of public instruction shall use the first \$450,000, or so much of that amount as may be necessary, to provide additional payments to school districts serving English language learners in accordance with section 15.1-27-12.
  2. The superintendent of public instruction shall use the next \$1,000,000, or so much of that amount as may be necessary, for the purpose of providing additional ~~per student~~ payments to school districts participating in eligible educational associations in accordance with section 32 of this Act.
    - a. The superintendent of public instruction shall distribute during the 2007-09 biennium \$45,000, or so much of that amount as may be necessary, as grants in the amount of five thousand dollars each to any educational association that commits to the development and implementation of a teacher mentoring program for first-year, second-year, and third-year teachers employed by school districts participating in the association. If any of this amount remains after meeting the requirements of this subdivision, the superintendent shall distribute those funds as additional per student payments on a prorated basis to school districts participating in educational associations.
    - b. The superintendent of public instruction shall distribute \$955,000, or so much of the sum as may be necessary, as additional per student payments to school districts participating in eligible educational associations as provided in section 32 of chapter 167 of the 2005 Session Laws.
  3. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis according to the latest available average daily membership of each school district.

**SECTION 11. LEGISLATIVE COUNCIL STUDY - HIGH SCHOOL CURRICULA.** The legislative council shall consider studying, during the 2007-08 interim, the appropriateness and adequacy of high school curricula, with respect to preparing students for higher education and for the workplace. The study should examine curricular changes implemented in other states and expectations placed on students in other countries. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 12. LEGISLATIVE COUNCIL STUDY - SERVICES TO ENGLISH LANGUAGE LEARNERS.** The legislative council shall consider studying, during the 2007-08 interim, the delivery of services to English language learners, including federal requirements, instructional options, assistance from the private sector, and the short-term and long-term budgetary impacts on the school districts and taxpayers of the state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 13. LEGISLATIVE COUNCIL STUDY - REAUTHORIZATION OF THE NO CHILD LEFT BEHIND ACT.** The legislative council shall consider studying, during the 2007-08 interim, the reauthorization of the No Child Left Behind Act, including the effect of proposed changes on the students, teachers, and school districts of this state, the manner in which state assessments are conducted, the reporting and utilization of assessment results, and the performance of North Dakota students. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.



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**SECTION 14. LEGISLATIVE COUNCIL STUDY - AFTERSCHOOL PROGRAMS.** The legislative council shall consider studying, during the 2007-08 interim, federally funded afterschool programs being offered to North Dakota students, including the content of the programs, applicable regulations, targeted students, and the direct and indirect costs and benefits of the programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 15. LEGISLATIVE COUNCIL STUDY - TEACHER MENTORING.** The legislative council shall consider studying, during the 2007-08 interim, the feasibility and desirability of supporting teacher mentoring programs in urban and rural school districts and the most effective and efficient ways teacher mentoring programs could be implemented and delivered, including consideration of the identification and preparation of mentors and the styles, strategies, and professional development needs that would assist novice teachers in surviving, thriving, and ultimately deciding to consider teaching as a lifelong career. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-first legislative assembly.

**SECTION 16. LEGISLATIVE COUNCIL STUDY - REGIONAL EDUCATION ASSOCIATIONS.** The legislative council shall consider studying, during the 2007-08 interim, the short-term and long-term evolvement of regional education associations and shall include the feasibility and desirability of regional education associations becoming political subdivisions; whether teachers should be employed directly by regional education associations, and whether that employment should include bargaining rights, contract renewal and nonrenewal provisions, participation in the teachers' fund for retirement, and participation in the state's uniform group insurance program; the impact that allowing regional education associations to hire teachers directly would have on the recruitment and retention of teachers currently employed by school districts and on teacher salary levels; whether teacher employment contracts, if offered by regional education associations, would have to parallel those of participating school districts with respect to common school calendars, annual or personal leave provisions, and other contractual benefits; the conduct of evaluations, if teachers are employed directly by regional education associations, including who will conduct the evaluations, their frequency, and the criteria upon which the evaluations are based; the organizational structure of regional education associations, including the qualifications of administrative or supervisory personnel; the governance structure of regional education associations; and state level oversight. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 9, line 19, replace "AREA SERVICE PROVIDERS" with "REGIONAL EDUCATION ASSOCIATIONS"

Page 9, line 20, remove "GOVERNED BY JOINT POWERS AGREEMENTS"

Page 9, line 22, replace "area service provider" with "regional education association"

Page 9, line 24, replace "area service provider" with "regional education association"

Page 9, line 25, replace "area service providers" with "regional education associations"

Page 9, line 30, remove "and" and after "15.1-27-40" insert ", and 54-35-21"

Page 9, after line 31, insert:

**"SECTION 19. EFFECTIVE DATE.** Sections 2 through 9 and sections 11 through 18 of this Act become effective on July 1, 2007.

**SECTION 20. EMERGENCY.** This Act is declared to be an emergency measure."

7047

Renumber accordingly

Date: 4/19/07  
Roll Call Vote #: 11

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2030**

Senate Conference Committee on 2030 Committee

☒ Check here for Conference Committee

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

Action Taken House reads from House amendments and adopts amendments accepted by committee

Motion Made By Sen. Flakoll Seconded By Rep. Kelsch

Senators	Yes	No	Representatives	Yes	No
Senator Gary Lee	✓		Representative Kelsch	✓	
Senator Flakoll	✓		Representative Meier	✓	
Senator Taylor	✓		Representative Mueller	✓	

Total (Yes) 6 No 0

Absent 0

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

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

**REPORT OF CONFERENCE COMMITTEE**

**SB 2030, as engrossed:** Your conference committee (Sens. G. Lee, Flakoll, Taylor and Reps. R. Kelsch, L. Meier, Mueller) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1214-1217, adopt amendments as follows, and place SB 2030 on the Seventh order:

That the House recede from its amendments as printed on pages 1214-1217 of the Senate Journal and pages 1247-1250 of the House Journal and that Engrossed Senate Bill No. 2030 be amended as follows:

Page 1, line 1, after "enact" insert "a new section to chapter 15.1-09," and after "15.1-09.1" insert ", and a new section to chapter 15.1-13"

Page 1, line 2, replace "area service providers" with "authorization for prekindergarten programs, regional education associations, and student teaching requirements" and after "sections" insert "12.1-06-05,"

Page 1, line 3, after "Code" insert "and section 28 of chapter 167 of the 2005 Session Laws" and after "to" insert "the renouncement of criminal intent,"

Page 1, line 4, replace "and" with a comma and after "managers" insert ", and contingent distributions of per student payments"

Page 1, line 5, remove the first "and" and after "15.1-27-40" insert ", and 54-35-21"

Page 1, line 6, after "agreements" insert "and the no child left behind statutory committee", remove "and", and after "provide" insert "for legislative council studies; to provide"

Page 1, line 7, after "council" insert "; to provide an effective date; and to declare an emergency"

Page 1, after line 8, insert:

**"SECTION 1. AMENDMENT.** Section 12.1-06-05 of the North Dakota Century Code, as amended by section 1 of Senate Bill No. 2262, as approved by the sixtieth legislative assembly, is amended and reenacted as follows:

**12.1-06-05. General provisions.**

1. The definition of an offense in sections 12.1-06-01 to 12.1-06-04 does not apply to another offense also defined in sections 12.1-06-01 to 12.1-06-04.
2. Whenever "attempt" or "conspiracy" is made an offense outside this chapter, it means attempt or conspiracy, as the case may be, as defined in this chapter.
3.
  - a. Other than as provided in subsection 4, in a prosecution under section 12.1-06-01, it is an affirmative defense that, under circumstances manifesting a voluntary and complete renunciation of criminal intent, the defendant avoided the commission of the crime attempted by abandoning any criminal effort and, if mere abandonment was insufficient to accomplish such avoidance, by taking further and affirmative steps which prevented the commission thereof.
  - b. Other than as provided in subsection 4, in a prosecution under section 12.1-06-03 or 12.1-06-04, it is an affirmative defense that,

under circumstances manifesting a voluntary and complete renunciation of criminal intent, the defendant prevented the commission of the crime solicited or of the crime or crimes contemplated by the conspiracy.

- c. A renunciation is not "voluntary and complete" within the meaning of this section if it is motivated in whole or in part by (1) a belief that a circumstance exists which increases the probability of detection or apprehension of the defendant or another participant in the criminal operation, or which makes more difficult the consummation of the crime, or (2) a decision to postpone the criminal conduct until another time or to substitute another victim, or another but similar objective.
- 4. An individual ~~under the age of twenty-one~~ is immune from prosecution under this chapter if:
  - a. The individual voluntarily and completely renounced the individual's criminal intent;
  - b. The individual is a student enrolled in an elementary school, middle school, or a high school in this state or is enrolled at an institution of higher education in this state;
  - c. The offense would have resulted in:
    - (1) Harm to another student enrolled in an elementary school, middle school, or a high school in this state;
    - (2) Harm to another student enrolled in an institution of higher education in this state;
    - (3) Harm to an employee of a school district or a nonpublic school in this state; ~~or~~
    - ~~(4)~~ (4) Harm to an employee of an institution of higher education in this state; or
    - (5) Damage to a school building or school property of a school district in this state or property of an institution of higher education in this state; and
  - d. The renunciation was given to a law enforcement officer ~~or~~ to an administrator of a school or school district in this state, or to an official of an institution of higher education in this state before any harm to others or damage to property occurs."

Page 1, line 13, replace "area service providers" with "regional education associations"

Page 1, line 15, replace "area service providers" with "regional education associations"

Page 4, after line 4, insert:

"**SECTION 5.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**Prekindergarten program - Authorization - Support.** The board of a school district may establish a prekindergarten program and may receive and expend any

state moneys specifically appropriated for the program, any federal funds specifically appropriated or approved for the program, and any gifts, grants, and donations specifically given for the program."

Page 4, line 7, replace "area service provider" with "regional education association"

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Page 4, line 13, replace "an area service provider" with "a regional education association"

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Page 7, line 12, replace "area service provider" with "regional education association"

Page 7, line 13, replace "area service provider" with "regional education association"

Page 7, line 14, remove "area service"

Page 7, line 15, remove "provider"

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Page 7, after line 31, insert:

**"15.1-09.1-06. Regional education associations - Receipt and use of moneys. The board of a regional education association may receive and expend moneys for the provision of administrative functions, student services, and any other lawful activities."**

Page 8, line 1, replace "**15.1-09.1-06**" with "**15.1-09.1-07**" and replace "an area" with "a regional education association"

Page 8, line 2, remove "service provider"

Page 8, line 3, replace "provider's" with "association's"

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Page 8, line 5, replace "15.1-09.1-07. Area service provider" with "15.1-09.1-08. Regional education association"

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Page 8, line 13, replace "an area service provider" with "a regional education association"

Page 8, line 18, replace "15.1-09.1-09" with "15.1-09.1-10" and replace "area service provider" with "a regional education association"

Page 8, line 21, replace "an area service provider" with "a regional education association" and replace "area service provider of" with "association in"

Page 8, line 22, replace "is a member" with "participates"

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Page 8, after line 29, insert:

**"SECTION 7.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Student teaching requirements - Teachers licensed in other states.** If an individual who is or was licensed to teach in another state applies for a license to teach in this state, the education standards and practices board may not impose on the individual any student teaching requirements as a condition of licensure. This section is applicable to an individual who graduated from a state-approved regular education program but not to an individual who completed an alternative education program as a condition of licensure."

Page 9, line 4, replace "an area service provider" with "a regional education association"

Page 9, after line 18, insert:

**"SECTION 10. AMENDMENT.** Section 28 of chapter 167 of the 2005 Session Laws is amended and reenacted as follows:

**SECTION 28. CONTINGENCY.** If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in House Bill No. 1013, as approved by the fifty-ninth legislative assembly, remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2005, and ending June 30, 2007, and after the

superintendent of public instruction has fulfilled any directives contained in section 27 of this Act, the superintendent shall distribute the remaining moneys as follows:

1. The superintendent of public instruction shall use the first \$450,000, or so much of that amount as may be necessary, to provide additional payments to school districts serving English language learners in accordance with section 15.1-27-12.
2. The superintendent of public instruction shall use the next \$1,000,000, or so much of that amount as may be necessary, for the purpose of providing additional ~~per student~~ payments to school districts participating in eligible educational associations in accordance with section 32 of this Act.
  - a. The superintendent of public instruction shall distribute during the 2007-09 biennium \$45,000, or so much of that amount as may be necessary, as grants in the amount of five thousand dollars each to any educational association that commits to the development and implementation of a teacher mentoring program for first-year, second-year, and third-year teachers employed by school districts participating in the association. If any of this amount remains after meeting the requirements of this subdivision, the superintendent shall distribute those funds as additional per student payments on a prorated basis to school districts participating in educational associations.
  - b. The superintendent of public instruction shall distribute \$955,000, or so much of the sum as may be necessary, as additional per student payments to school districts participating in eligible educational associations as provided in section 32 of chapter 167 of the 2005 Session Laws.
3. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis according to the latest available average daily membership of each school district.

**SECTION 11. LEGISLATIVE COUNCIL STUDY - HIGH SCHOOL CURRICULA.** The legislative council shall consider studying, during the 2007-08 interim, the appropriateness and adequacy of high school curricula, with respect to preparing students for higher education and for the workplace. The study should examine curricular changes implemented in other states and expectations placed on students in other countries. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

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**SECTION 13. LEGISLATIVE COUNCIL STUDY - REAUTHORIZATION OF THE NO CHILD LEFT BEHIND ACT.** The legislative council shall consider studying, during the 2007-08 interim, the reauthorization of the No Child Left Behind Act,



including the effect of proposed changes on the students, teachers, and school districts of this state, the manner in which state assessments are conducted, the reporting and utilization of assessment results, and the performance of North Dakota students. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 14. LEGISLATIVE COUNCIL STUDY - AFTERSCHOOL PROGRAMS.** The legislative council shall consider studying, during the 2007-08 interim, federally funded afterschool programs being offered to North Dakota students, including the content of the programs, applicable regulations, targeted students, and the direct and indirect costs and benefits of the programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 15. LEGISLATIVE COUNCIL STUDY - TEACHER MENTORING.** The legislative council shall consider studying, during the 2007-08 interim, the feasibility and desirability of supporting teacher mentoring programs in urban and rural school districts and the most effective and efficient ways teacher mentoring programs could be implemented and delivered, including consideration of the identification and preparation of mentors and the styles, strategies, and professional development needs that would assist novice teachers in surviving, thriving, and ultimately deciding to consider teaching as a lifelong career. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-first legislative assembly.

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Page 9, line 19, replace "AREA SERVICE PROVIDERS" with "REGIONAL EDUCATION ASSOCIATIONS"

Page 9, line 20, remove "GOVERNED BY JOINT POWERS AGREEMENTS"

Page 9, line 22, replace "area service provider" with "regional education association"

Page 9, line 24, replace "area service provider" with "regional education association"

Page 9, line 25, replace "area service providers" with "regional education associations"

Page 9, line 30, remove "and" and after "15.1-27-40" insert ", and 54-35-21"

Page 9, after line 31, insert:

**"SECTION 19. EFFECTIVE DATE.** Sections 2 through 9 and sections 11 through 18 of this Act become effective on July 1, 2007.

**SECTION 20. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Engrossed SB 2030 was placed on the Seventh order of business on the calendar.

2007 TESTIMONY

SB2030

L. Anita Thomas  
January 9, 2008

*2030*  
**SB 2032 - JPAs**

Mr. Chairman - Members of the Committee:

Much of the bill is underscored and therefore it looks like there is a lot of new language. That's not the case. In the current education title, language relating to JPAs is placed in the chapter pertaining to school districts. A JPA is not a school district. That, coupled with the fact that people keep talking about giving JPAs more duties, lead the committee to decide that JPAs should really be in their own chapter. We accomplish that by repealing the existing sections, and literally recreating them as new sections in this new chapter - 15.1-09.1.

In terms of actual changes from the current law, the bill draft - in section 1 - gives the Superintendent of Public Instruction the authority to implement a uniform system of accounting, budgeting, and reporting of data for JPAs - Just as he already does for school districts.

The second change has to do with school district business managers. We think of school business managers as people - as individuals. If you look at page 3 of the bill, you will see that that perspective is broadened. It allows a school district to continue employing an individual as its business manager. However, it also recognizes that those functions can be performed by a variety of entities - including another school district, a JPA, or an accounting firm. Remember, the term "person" under the code may be an individual or an entity.

Another change that was necessitated as a result of what I just described, can be found on page one. School district business managers are to be bonded. The change in language would require any person - any entity performing those functions to likewise be bonded.

The next change comes on page 4 - lines 7 through 10. There, we have included a definition of an "educational association." People have taken to colloquially calling these "associations" JPAs. JPA however is an acronym for a joint powers agreement. It is literally a "contract". To be statutorily precise, we need to be referencing an educational association that is governed by a contract -- i.e. that is governed by a joint powers agreement. This definition allows us to refer in the bill simply to "educational associations."

The next change comes at the top of page 7. The first 7 lines deal with governing boards. Under current law, a JPA must provide for a governing board that consists only of individuals who serve on the board of participating school districts or designees of those board members. Current law puts no limitation on who can serve as a designee. It could be another board member, a superintendent, a teacher, a spouse, a friend, etc. Current law does not require the individual to be elected. This bill continues the requirement that governing board members be individuals serving on school boards of participating districts. It however extends that same requirement to designees.

On page 7, lines 16 through 19, you'll see reference to the joint operating fund. This bill continues the requirement that JPAs maintain joint operating funds. It however provides that those joint operating funds may be managed by an individual, or by an entity, including a school district.

The last page of the bill is another interim reporting requirement. This is similar in concept to that which was required this past interim. This version cleans up some of the specific reporting requirements.

Finally, the repeal section would remove two sections of the law that are currently located in the school district's chapter and one section that is found in the finance chapter. As I said earlier, all three sections have been redrafted so that they are located in the new JPA chapter.

SB 2030  
ND Senate Education Committee  
January 9, 2007

**Senators:**

Chairman Layton Freborg  
Tim Flakoll  
Gary Lee  
JoNell Bakke  
Ryan Taylor

Testimony to the Senate Education Committee  
Missouri River Room  
Tuesday, January 9, 2007  
9:00-10:00 am

**NDJPA Testimony Agenda**

- |                                       |               |      |
|---------------------------------------|---------------|------|
| 1. Overview of SB 2030                | Anita Thomas  |      |
| 2. Brief History and Overview of JPAs | Lois Myran    | RESP |
| 3. JPA Teacher Perspective            | Tracie Welk   | NCEC |
| 4. JPA Student Perspective            | Jacob Holm    | SCEC |
| 5. JPA School Board Perspective       | Maurice Hardy | RESP |
| 6. Closing Comments and Questions     | Denise Wolf   | NESC |

Chairman Freborg and members of the Senate Education Committee My name is Lois Myran and I am the Coordinator for the Roughrider Education Services Program – RESP. I am here to testify on SB 2030.

**Points covered in my presentation:**

- ✓ Brief history of NDJPAs
- ✓ Overview of the NDJPA map
- ✓ Overview of the JPA data
- ✓ Overview chart of the development of student and administrative services
- ✓ Highlight of a service activity from each JPA
- ✓ More information can be found at [www.ndjpa.org](http://www.ndjpa.org)
- ✓ Each JPA is represented today and would welcome discussion on their services

# JOINT POWERS AGREEMENTS

Updated: January, 2007

JPA	NUMBER OF DISTRICTS	ENROLLMENT	SQUARE MILES
Great Northwest Ed. Coop. (GNWEC)	17	5,737	8,972.76
Mid-Dakota Education Council (MDEC)	9	8,608	2,003.44
Missouri River Ed. Coop. (MREC)	32	19,393	11,001.73
North Central Ed. Coop. (NCEC)	15	6,055	6,541.96
Northeast Ed. Services Coop. (NESC)	19	4,653	6,623.80
Red River Valley Education Coop. (RRVEC)	24	14,590	6,475.22
Roughrider Ed. Services Program (RESP)	19	5,816	9,882.93
South Central Education Coop. (SCEC)	23	7,047	8,305.69
South East Education Coop. (SEEC)	18	22,573	3,748.89
JPA Totals	176	94,472	63,556.42
State Totals	198	97,120	70,704.00
Percent of State Totals	89%	97%	90%

For additional information regarding JPAs see <http://www.dpi.state.nd.us/finance/jtpower.shtml>

## NON - MEMBER SCHOOL DISTRICTS

<u>District Name</u>	<u>Co/Dist. No</u>	<u>Enrollment</u>	<u>Sq. Miles</u>
Yellowstone	27014	48	147.00
Horse Creek	27032	5	223.00
Earl	27018	5	270.00
White Shield	28085	123	190.69
Ft. Yates	43004	212	338.00
Baldwin	8029	21	84.87
Linton	15036	343	413.51
Strasburg	15015	184	312.15
Bakker	15010	7	83.63
Pleasant Valley	52035	20	135.25
Wing	8028	81	407.75
Robinson	22014	9	251.00
Pettibone-Tuttle	22011	10	210.50
Gackle Streeter	24056	116	605.37
Carrington	16049	670	777.76
Oberon	3016	39	93.05
<b>TOTAL</b>	16	1,893	4,544
<b>STATE TOTAL</b>	198	97,120	70,704.00
<b>PERCENTAGE</b>	8%	2%	6%



# Joint Powers Agreement (2006-2007)

01/09/2007



- Northeast Ed Service Cooperative
- Roughrider Ed Services Program
- Mid-Dakota Ed Council
- Missouri River Ed Cooperative
- South Central Ed Cooperative

- South East Ed Cooperative
- Red River Valley Ed Cooperative
- North Central Ed Cooperative
- Great Northwest Ed Cooperative

[www.dpi.state.nd.us](http://www.dpi.state.nd.us)

The State of North Dakota  
 Department of Public Instruction  
 Dr. Wayne G. Sanstead, Superintendent  
 Office of School District Finance and Organization  
 600 East Boulevard Avenue Dept 201  
 Bismarck, North Dakota 58505-0440

## North Dakota Joint Powers Agreements and Service Activities

ND Defined JPA Services	GNWEC 2005			MREC 2003						NESC 2001			RES 2005						SEE 2005					
Administration Services	03	05	07	03	05	07	03	05	07	03	05	07	03	05	07	03	05	07	03	05	07	03	05	07
Business Management				X																		X	V	
Career & Technical Ed.		V		X				V				V		X	V						V			
Curriculum Mapping					V				P	X				V		P	X	V			X	V		X
Data Analysis					V		P	X	V	P	X			V			X	V			V		X	V
Federal Program Support	X				V			X	V								X	V						
Federal Title Prog.Mgmt					V																			
Grant Writing	X	V		X				V		P	X			X	V	P	X	V		X		X	V	X
School Improvement		V			V		P	X		P	X			X	V		X	V			X	V		
School Safety & Environment Mgmt.		V		X							X										X	V		X
Special Ed. Service Mgmt.		V		X						P	X			X	V			V					X	V
Staff Development	X	V		P	X		P	X	V	P	X		P	X	V	P	X	V		X	V	X	V	X
Staff Retention & Recruitment		V			V			X	V		X			X	V									
Staff Sharing	X				V									V				V		X	V			V
Technology Support	X			X	V			X	V				P	X	V			V					X	V
Other Functions	X	V		P	X	V	P	X	V		X		P	X	V		X	V			V	X	V	X
Total Admin. Services	6	8		2	8	9	4	7	8	6	9	1	3	8	11	3	7	11		3	4		6	10
Advanced Placement Classes					V			V				V			V			V			V			
Alternative HS Programs		V			V			V				V			V	P	X				V			V
Career & Technical Ed.	X	V		X	V			V				V		X	V			V		X	V			V
Counseling Services		V			V			X	V			V	P	X	V		X	V		X	V		X	V
Common Elementary Curricula		V		X	V					P	X			X	V	P	X	V		X			X	V
Distance Learning Classes	X	V		P	X	V	P	X	V					X	V	P	X	V			V		X	V
Dual Credit Classes	X	V			V		P	X	V				P	X	V			V		X	V			
Foreign Language Classes	X	V			V									X	V			V						
Library & Media Services					V								P	X	V									
Summer Programs				P	X		P	X	V					X	V			V			X	V		V
Supplemental Instruction Programs		V			V					P	X			X	V			V						V
Other Functions								X	V					X	V		X	V		X	V			V
Total Student Services	4	8		2	4	10	3	5	8	2	2	4	3	10	12	3	5	7		3	8		4	8
	\$45,715			\$70,995			\$133,041			\$49,900			\$39,000			\$47,603			\$120,265			\$186,067		
	\$73,136			\$113,625			\$259,847			\$83,000			\$62,000			\$77,668			\$191,487			\$304,203		

**JPA LEGEND:**

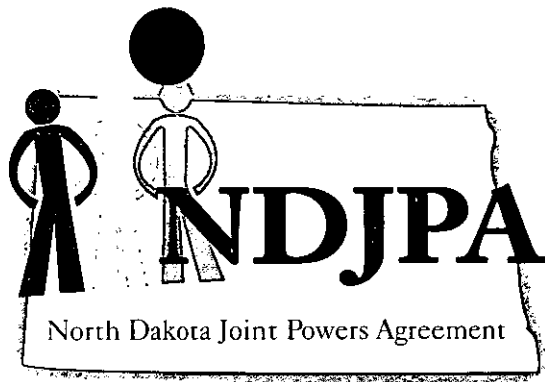
**P = Previous Service**  
**X = Current Service**  
**V = Vision**

**Great Northwest Education Cooperative  
Mid-Dakota Education Council**

**North Central Education Cooperative**  
**Northeast Education Services Cooperative**

**Roughrider Education Services Program**  
**Red River Valley Education Cooperative**  
 South East Education Cooperative  
**South Central Education Cooperative**

**January 9, 2007**



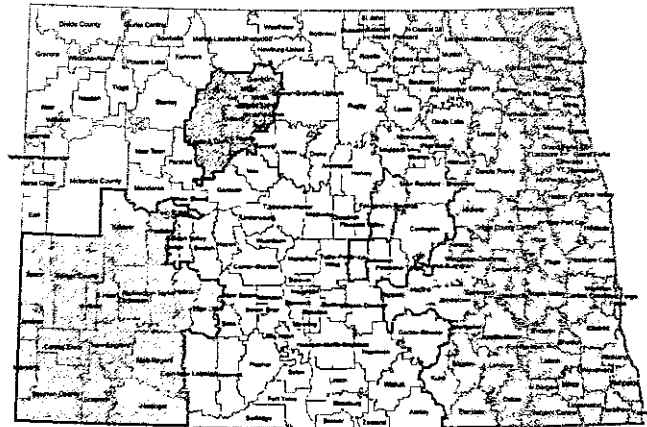
## The Vision for the Future

- Provide equal opportunities for all K-12 students
- Integrate with higher education
- Partner for economic development
- Collaborate with state agencies
- Support local control

## Our Mission

We exist to improve student achievement across North Dakota.

## Joint Powers Agreement (As of 01/07)



*89% of all Districts belong to JPAs  
97% of all K-12 students  
JPAs cover 90 % of the sq.miles in ND*

## Benefits of a Joint Powers Agreement

- Protection for local authority in education decision making
- Respect for local community identity values
- Means to meet property taxpayer goals
- Improved student education opportunities
- Increased efficient use of education funding
- Links between K-12 and area colleges and universities
- Provides the infrastructure for legislatures, educators, and other stakeholders to use in providing equity and administrative efficiency to all schools
- School system support for requirements of additional state mandates

## FAQ

### What is a joint powers agreement (JPA)?

A JPA permits school districts to identify and meet their goals by combining resources.

### What are the characteristics of a JPA?

A JPA provides flexibility to meet school district goals, protection for local identity interests, opportunity to meet district and state fiscal needs, and "opportunity equity" for students.

### How are decisions of the JPA implemented?

A governing board made up of elected school board member school districts sets the policy direction for the JPA.

## The History of North Dakota Education Joint Powers Agreements (JPAs)

In the 2003 legislative session JPAs were endorsed by lawmakers as a way for school districts to obtain education services and administrative services by means of regional cooperation. A list of approved services were developed, and a system of state incentives was established to cost share with JPAs on the basis of the number of services offered to member school districts. JPA governance consisted of a school board member from each district, and the budget and scope of activity were left entirely to each JPA. State funding for 2003-05 was \$250,000 in contingency funds.

In 2005, the legislature saw that JPAs were functioning well and funded the cost share program with a General Fund appropriation of \$1,000,000 and a contingent appropriation of an additional \$1,000,000 from any surplus Foundation Aid funds at the end of the biennium. JPAs are expected to receive these funds in the 2005-07 biennium.

## Testimonials About NDJPAs

"I have participated in activities through RESP that have changed the way I teach. My colleagues no longer consist of the fifteen teachers in my school but the many teachers working to educate students in southwest ND."

-RESP Educator

"The trip was great, the students were great. The exhibit is definitely a once-in-a-lifetime opportunity."

-Jean Legge, Litchville Marion  
*Body World Fieldtrip to St. Paul, MN*

"I think this is a great experience not only for high school students, but for the three of us (college students) presenting as well. The high school seniors get a chance to hear what college is really like and we get a chance to share our stories with them."

-Molly Shultz, VCSU student  
*Transition to College presentations*

"Created an avenue for me to feel like there are others who understand what I do because they do what I do! This makes a big difference in feeling valued and understanding the day to day stuff that other professionals in the building just may not understand."

-RRVEC Educator

"Students need teachers that are life-long learners to model the learning process and stay fresh in the educational field. NCEC helps me accomplish that goal and assists me in staying abreast of the latest research and best instructional practices. NCEC supports schools in a way that they couldn't do alone. The sharing of ideas and resources makes schools stronger. We need each other in order to address the many challenges we face"

-Tracie Welk, NCEC Educator

## Joint Powers Agreements in North Dakota

**Great Northwest Education Cooperative**  
David Richter, Coordinator  
d.richter@wsc.nodak.edu  
(701) 774-4263 Williston

**Mid-Dakota Education Cooperative**  
Kathryn Pederson, Coordinator  
kathryn.pederson@minot.k12.nd.us  
(701) 857-4448 Minot

**Missouri River Education Cooperative**  
Tanya Lunde-Neumiller, Coordinator  
tneumiller@bis.midco.net  
(701) 258-1971 Bismarck

**North Central Education Cooperative**  
Deb Syvertson, Coordinator  
deb.syvertson@sendit.nodak.edu  
(701) 228-3743 ext 14 Bottineau

**Northeast Education Cooperative**  
Denise Wolf, Coordinator  
denis.wolf@sendit.nodak.edu  
(701) 662-7650 Devils Lake

**Red River Valley Education Cooperative**  
Judy Streifel-Reller, Coordinator  
judy.streif-el-reller@gfschools.org  
(701) 746-2205 ext 167 Grand Forks

**Roughrider Education Services Program**  
Lois Myran, Coordinator  
lois.myran@sendit.nodak.edu  
(701) 456-0002 Dickinson

**South Central Education Cooperative**  
Pat Beil, Coordinator  
pat.beil@sendit.nodak.edu  
(701) 845-7221 Valley City

**South East Education Cooperative**  
Kyle Davison, Coordinator  
kdavison@trainfargo.com  
(701) 231-6901 Fargo



Finding Opportunities in  
an Era of Obstacles

Jan. 20, 2007

Pierce  
County  
Tribune

# Strength in numbers

## Education co-op offers plenty for area districts

By Matt Mullally  
Tribune Editor

Debra Syvertson knows all about the demands and challenges of administering a school district.

Syvertson is a former superintendent of Willow City School, which is now closed.

Today, her educational role is helping schools in the region — large and small — meet those challenges together.

Syvertson is working as coordinator for the North Central Education Cooperative (NCEC), an entity established in the summer of 2005 which includes the school districts of: Rugby, Bottineau, Rolla, St. John, Rulo, Harvey, Drake, Anamoose, Towner-Granville, Ipham, Mohall, Velva, Westhope, Dunseith, Sawyer and Newburg.

NCEC spans over 6,000 square miles and represents over 6,000 students and 600 teachers and administrators.

Many of those educators were in Towner last week to attend the NCEC-sponsored "Fun in the

### NCEC

Established: Aug., 2005

Member schools: Rugby, Harvey, Bottineau, Rolla, Rulo, Dunseith, Westhope, Mohall, Newburg, T-G-U, Velva, Drake, Anamoose, Sawyer, Newburg, St. John

Mission: The purpose of the North Central Education Cooperative schools is to ensure, through a comprehensive K-12 curriculum, that students will develop and demonstrate scholastic, technological, physical, social, and problem solving skills essential for achieving academic, occupational, and personal success today and in the future.

Sun" professional development day.

"This (day) is one of the benefits of the cooperative," Syvertson said of the development day.

"It's an opportunity for schools to save costs by coming together to hold diverse workshops to learn new skills as well as network with fellow teachers."

Perhaps networking is one of the most important aspects of the NCEC. "Teachers sharing ideas and experiences can only help in

their efforts to become better teachers, and that helps students," Syvertson added.

The in-service included over 24 sessions for educators ranging from topics on math, science and language skills to promoting healthy lifestyles and good character. There were also round-table discussions for school officials. Vendors were on site, and a guest speaker, Bob Edwards, wrapped up the day's events.

The NCEC is now one of nine state-recognized co-ops or Joint Powers Agreements (JPAs) established in North Dakota. Syvertson said about 89 percent of schools in the state are part of one.

School districts that make up a JPA receive funding reimbursement from the state. Those funds largely pay the membership fees for these cooperatives. The idea behind JPAs for schools is to form partnerships that share resources, save money and ultimately improve K-12 public education.

Syvertson pointed out that long before JPAs were formed, many neighboring schools were already working together to save on costs,

solve problems and better educate students.

The establishment of JPAs formally recognizes those past partnerships and provides funding to create programs and services that help districts meet the education challenges now and in the future.

### Benefits of the JPA

Membership in the NCEC affords schools the opportunity to access as many or as few services and resources as desired. Schools still have control over their level of participation in the cooperative, Syvertson said.

School board members from the representing districts serve as the governing board. Administrators and teachers also play active roles in the direction of the cooperative.

One of the benefits of the JPA is that it often saves administrators time. If one partnering district has a policy in place, it can easily be tailored for others.

Syvertson said an example of that was a recent wellness policy which was required for districts

See NCEC, Page 8

across the state. Many districts in the cooperative used a uniform one established by NCEC partners.

The NCEC provides professional development training, as was offered last week, and testing opportunities and data collection, among other benefits.

"In a lot of ways, we're insuring services that rival those of large school districts like Minot or Grand Forks," she said.

Greg Foster, high school principal at TGU-Towner, said the cooperative has been positive for that district. "By coming together, we can offer so much more to each school, and ultimately that benefits the students," he said.

### **Promoting consolidation?**

While talk surfaces now and then about the creation of "super school districts" in the future to address dwindling enrollment, the high cost of education and concerns about the availability of a quali-

ty public education, Syvertson doesn't believe JPAs are a prelude to large-scale consolidation.

"To me, JPAs are what's keeping small schools going," she said. "Logistically, we have to keep small schools in operation. It's unrealistic to think about busing students many miles (to one central school)."

Many are already going 30 miles one way to reach a school. What cooperatives can do is draw on resources from partners that insure a diverse curriculum by using interactive television through distance learning and access to professionals with specialized skills to help students with particular needs.

"What we want is for students in Anamoose to have the same educational opportunities as those in Rugby or Grand Forks," she said.

### **What's next?**

While the NCEC is still very much in its infancy,

as pointed out by Rugby School Superintendent Jeff Lind, there are services that could be included in the future.

Future legislation may call for JPAs to include a career counselor and school nurse on staff, services that would be available for the 17 NCEC schools. It may also soon decide to adopt an ITV schedule, establish a special education unit and vocational technology training.

"There are so many possibilities to help schools in our region," Syvertson said. "It's exciting to part of it."

County/ District Number	School District Name	School District Type	Enroll. Kinder.	Enroll. Grades 1 - 6	Enroll. Grades 7 - 8	Enroll. Grades 9 - 12	Enroll. Grades K - 12
1	2	3	5	6	7	8	9
Codist	Dname	DTYPE	DENK	DEN16	DEN78	DEN912	DENK12
43004	Fl Yates 4	1	-	50	148	-	198
3016	Oberon 16	2	7	25	8	-	40
4001	Billings Co 1	2	5	33	10	-	48
8029	Baldwin 29	2	3	15	1	-	19
8033	Menoken 33	2	-	9	3	-	12
8035	Sterling 35	2	9	19	10	-	38
8039	Apple Creek 39	2	10	45	-	-	55
9007	Mapleton 7	2	11	56	-	-	67
9080	Page 80	2	9	89	-	-	98
13008	Dodge 8	2	2	13	-	-	15
13037	Twin Buttes 37	2	5	23	16	-	44
15010	Bakker 10	2	-	4	-	-	4
17006	Lone Tree 6	2	2	17	14	-	33
18125	Manvel 125	2	13	91	43	-	147
18127	Emerado 127	2	8	42	17	-	67
19018	Roosevelt 18	2	9	66	60	-	135
22011	Pettibone-Tuttle 11	2	-	6	-	-	6
22014	Robinson 14	2	1	6	-	-	7
27014	Yellowstone 14	2	3	31	13	-	47
30004	Little Heart 4	2	1	9	6	-	16
30008	Sims 8	2	2	8	10	-	20
37002	Sheldon 2	2	1	20	-	-	21
37006	Fl Ransom 6	2	6	17	-	-	23
44012	Marmarth 12	2	-	8	2	-	10
44032	Central Elementary 32	2	1	5	-	-	6
47026	Spiritwood 26	2	-	10	-	-	10
50051	Nash 51	2	1	12	5	-	18
50128	Adams 128	2	10	57	-	-	67
51004	Nedrose 4	2	18	148	58	-	224
51010	Bell 10	2	16	115	26	-	157
51019	Eureka 19	2	-	10	-	-	10
51070	S Prairie 70	2	13	94	34	-	141
52035	Pleasant Valley 3	2	3	10	3	-	16
53008	New 8	2	21	141	40	-	202
8025	Naughton 25	3	-	3	-	-	3
8045	Manning 45	3	1	4	-	-	5
27018	Earl 18	3	-	3	-	-	3
27032	Horse Creek 32	3	-	4	2	-	6
30017	Sweet Briar 17	3	2	5	2	-	9
27002	Alexander 2	1	7	21	7	6	41
26004	Zeeland 4	1	4	28	9	11	52
53099	Grenora 99	1	8	29	3	13	53
43008	Selfridge 8	1	2	19	9	14	44
13019	Halliday 19	1	-	5	8	15	28
22020	Tuttle-Pettibone 20	1	-	-	5	18	23
35001	Wolford 1	1	4	12	11	19	46
47019	Kensal 19	1	3	19	9	19	50
7014	Bowbells 14	1	-	29	18	21	68
48028	North Central 28	1	-	32	9	21	62
29020	Golden Valley 20	1	-	-	15	22	37
48002	Bisbee-Egeland 2	1	-	22	11	23	56
8028	Wing 28	1	7	47	12	24	90
42016	Goodrich 16	1	-	11	6	24	41

County/ District Number	School District Name	School District Type	Enroll. Kinder.	Enroll. Grades 1 - 6	Enroll. Grades 7 - 8	Enroll. Grades 9 - 12	Enroll. Grades K - 12
1	2	3	5	6	7	8	9
Codist	Dname	DTYPE	DENK	DEN16	DEN78	DEN912	DENK12
5054	Newburg-United 54	1	4	31	13	25	73
7036	Burke Central 36	1	12	33	13	29	87
25014	Anamoose 14	1	6	25	16	32	79
39018	Fairmount 18	1	12	57	21	35	125
22028	Tappen 28	1	8	34	12	36	90
34043	St Thomas 43	1	9	56	18	36	119
28085	White Shield 85	1	14	51	22	37	124
42019	McClusky 19	1	9	41	15	37	102
50005	Fordville-Lankin 5	1	5	33	17	39	94
50106	Edinburg 106	1	7	56	20	39	122
24056	Gackle 56	1	4	43	14	40	101
36044	Starkweather 44	1	1	29	17	40	87
20007	Midkota 7	1	4	53	20	41	118
23007	Kulm 7	1	7	48	23	43	121
5017	Westhope 17	1	5	49	19	44	117
27036	Mandaree 36	1	18	88	23	45	174
47014	Montpelier 14	1	6	43	16	46	111
2082	Wimbledon-Courtenay 82	1	10	66	27	47	150
2065	N Central 65	1	9	68	23	48	148
25057	Drake 57	1	10	54	16	49	129
43003	Solen 3	1	13	69	26	49	157
51016	Sawyer 16	1	10	63	12	49	134
7027	Powers Lake 27	1	5	40	23	50	118
10019	Munich 19	1	8	36	12	50	106
26009	Ashley 9	1	13	61	24	50	148
28050	Max 50	1	5	69	20	51	145
34019	Drayton 19	1	13	53	27	51	144
34012	Valley 12	1	15	68	27	52	162
36002	Edmore 2	1	-	-	26	53	79
15006	Hazleton-Moffit-Braddock	1	5	50	28	54	137
30013	Hebron 13	1	9	70	29	54	162
46019	Finley-Sharon 19	1	5	76	33	57	171
40029	Rolette 29	1	12	69	29	58	168
53002	Nesson 2	1	6	68	27	58	159
6033	Scranton 33	1	12	65	27	59	163
47003	Medina 3	1	10	70	21	59	160
30048	Glen Ullin 48	1	12	70	31	60	173
47010	Pingree-Buchanan	1	8	69	18	61	156
3009	Maddock 9	1	11	72	37	63	183
15015	Strasburg 15	1	7	69	21	64	161
3005	Minnewaukan 5	1	16	100	34	67	217
28072	Turtle Lake-Mercer 72	1	12	63	24	67	166
2046	Litchville-Marion 46	1	5	66	26	68	165
3006	Leeds 6	1	13	63	23	68	167
39028	Lidgerwood 28	1	11	88	29	68	196
21009	New England 9	1	13	64	23	69	169
31003	Parshall 3	1	12	139	49	70	270
26019	Wishek 19	1	14	107	38	71	230
3029	Warwick 29	1	16	74	27	72	189
41003	N Sargent 3	1	28	100	34	72	234
48008	Southern 8	1	13	88	31	72	204
53006	Eight Mile 6	1	20	91	39	75	225
18128	Midway 128	1	22	114	45	76	257



County/ District Number	School District Name	School District Type	Enroll. Kinder.	Enroll. Grades 1 - 6	Enroll. Grades 7 - 8	Enroll. Grades 9 - 12	Enroll. Grades K - 12
1	2	3	5	6	7	8	9
Codist	Dname	DTYPE	DENK	DEN16	DEN78	DEN912	DENK12
24002	Napoleon 2	1	21	112	34	78	245
23003	Edgeley 3	1	16	86	35	79	216
28008	Underwood 8	1	10	89	32	79	210
30039	Flasher 39	1	17	98	26	79	220
28001	Montefiore 1	1	8	88	40	80	216
50020	Minto 20	1	14	103	39	80	236
45013	Belfield 13	1	13	73	37	81	204
53015	Tioga 15	1	14	94	41	85	234
32066	Lakota 66	1	8	88	34	87	217
22026	Steele-Dawson 26	1	20	128	44	90	282
49007	Halton 7	1	10	84	37	90	221
45034	Richardton-Taylor 34	1	15	117	33	91	256
46010	Hope 10	1	-	-	29	91	120
9004	Maple Valley 4	1	14	104	50	93	261
45009	South Heart 9	1	16	92	35	93	236
40004	Mt Pleasant 4	1	18	96	51	94	259
41006	Sargent Central 6	1	14	116	49	94	273
39008	Hankinson 8	1	21	147	48	96	312
41002	Milnor 2	1	19	122	55	96	292
38001	Mohall-Lansford-Sherwoo	1	24	131	64	98	317
39042	Wyndmere 42	1	17	92	35	98	242
52025	Fessenden-Bowdon 25	1	7	51	30	98	186
49003	Central Valley 3	1	11	108	45	99	263
33001	Center-Stanton 1	1	20	97	37	101	255
20018	Griggs County Central 18	1	14	136	45	102	297
18129	Northwood 129	1	8	142	42	103	295
12001	Divide County 1	1	11	83	39	104	237
21001	Mott-Regent 1	1	15	88	35	104	242
51028	Kenmare 28	1	21	114	44	104	283
11040	Ellendale 40	1	27	165	60	106	358
23008	LaMoure 8	1	26	142	46	107	321
40003	St John 3	1	28	137	43	107	315
28004	Washburn 4	1	20	132	44	109	305
31002	Stanley 2	1	32	161	47	110	350
19049	Elgin-New Leipzig 49	1	9	49	-	111	169
51041	Surrey 41	1	13	150	58	111	332
38026	Glenburn 26	1	10	101	37	112	260
51161	Lewis and Clark 161	1	22	174	62	112	370
32001	Dakota Prairie 1	1	19	105	36	113	273
39044	Richland 44	1	16	144	42	115	317
15036	Linton 36	1	19	127	64	116	326
28051	Garrison 51	1	17	147	51	116	331
37022	Enderlin 22	1	19	123	47	116	305
13016	Killdeer 16	1	17	151	72	120	360
25060	TGU 60	1	24	137	61	122	344
1013	Hettinger 13	1	16	113	55	128	312
30007	New Salem 7	1	24	126	50	129	329
17003	Beach 3	1	18	99	42	130	289
50078	Park River 78	1	27	195	56	137	415
49009	Hillsboro 9	1	32	173	59	141	405
25001	Velva 1	1	26	159	81	144	410
18061	Thompson 61	1	29	182	68	146	425
40001	Dunseith 1	1	33	178	62	150	-

County/ District Number	School District Name	School District Type	Enroll. Kinder.	Enroll. Grades 1 - 6	Enroll. Grades 7 - 8	Enroll. Grades 9 - 12	Enroll. Grades K - 12
1	2	3	5	6	7	8	9
Codist	Dname	DTYPE	DENK	DEN16	DEN78	DEN912	DENK12
14002	New Rockford 2	2	27	180	61	153	421
34100	North Border 100	1	44	209	62	162	477
11041	Oakes 41	1	37	242	82	166	527
9097	Northern Cass	1	32	215	90	168	505
34006	Cavalier 6	1	27	161	75	168	431
52038	Harvey 38	1	28	168	70	170	436
3030	Ft Totten 30	1	-	-	-	176	176
6001	Bowman County 1	1	37	160	65	180	442
18044	Larimore 44	1	20	204	71	194	489
27001	McKenzie Co 1	1	37	204	96	202	539
51007	United 7	1	25	229	88	203	545
49014	May-Port CG 14	1	38	236	87	204	565
9002	Kindred 2	1	55	304	119	213	691
35005	Rugby 5	1	33	187	95	213	528
16049	Carrington 49	1	46	255	99	216	616
10023	Langdon Area 23	1	17	148	63	221	449
31001	New Town 1	1	62	307	110	228	707
37019	Lisbon 19	1	37	276	100	228	641
29003	Hazen 3	1	34	252	111	243	640
9017	Central Cass 17	1	58	366	138	260	822
29027	Beulah 27	1	59	281	114	272	726
5001	Bottineau 1	1	27	239	116	285	667
50003	Grafton 3	1	64	389	131	311	895
2002	Valley City 2	1	61	442	200	391	1,094
39037	Wahpeton 37	1	56	543	204	492	1,295
36001	Devils Lake 1	1	125	695	338	598	1,756
40007	Belcourt 7	1	122	648	249	606	1,625
53001	Williston 1	1	129	870	375	762	2,136
47001	Jamestown 1	1	131	898	395	813	-
45001	Dickinson 1	1	177	1,057	418	947	2,599
30001	Mandan 1	1	186	1,382	513	1,063	3,144
9006	West Fargo 6	1	476	2,847	933	1,645	5,901
51001	Minot 1	1	513	2,906	892	2,100	6,411
18001	Grand Forks 1	1	523	3,226	1,125	2,442	7,316
9001	Fargo 1	1	782	4,826	1,631	3,407	10,646
8001	Bismarck 1	1	822	4,698	1,661	3,469	10,650
	North Dakota		6,648	41,418	15,333	32,201	95,600

## Benefits to Teachers

Al Feist, Hebron Public School

The Roughrider Educational Services Program, which was established in 2002 has made a difference in the educational services provided to schools—administration, teachers and students--in southwestern North Dakota. It has impacted school boards and their association with one another, it has impacted teachers—how we work with our colleagues and how we work to educate our students, and it has impacted students by the way they receive information and other educational services.

I can't speak to all of the services and advantages that have been provided to our schools as a result of the Joint Powers Agreement, but as a teacher, through RESP, I have participated in activities that have changed the way that I teach. First of all, RESP has made networking with other teachers easy. The grade-level or subject level teachers' meetings and the other in-services have given the teachers in southwest North Dakota an opportunity to get together to exchange ideas and to work at solving common problems. Also, as we shared at these gatherings, we got to know each other better. Many times since we have begun working with RESP, I have met colleagues from Beach, South Heart, and Dickinson or from other schools in the southwest at the mall or at sporting events. Since we now know each other, we talk and share about our work and our subject areas. Now I also know whom to call when I need something that would enhance my classroom teaching. My colleagues no longer consist of the fifteen or twenty teachers at Hebron Public School, but the many teachers working to educate students in southwest North Dakota. In addition to the opportunities for interaction between teachers, the in-services have also provided the teachers nationally known speakers on topics such as brain research, discipline, or mapping—speakers that could not have been afforded by one school district.

Through RESP, curriculum mapping has been instituted by schools throughout southwestern North Dakota. RESP has supported the curriculum mapping project by spearheading the teacher orientation in the initial phases of the project. Since then RESP has continued with new teacher orientation and periodic in-services for school leadership teams. Through curriculum mapping we as teachers have been able to evaluate the teaching that is going on in our classrooms. We are able to determine whether the curriculum we are teaching meets the North Dakota standards for our subject areas and whether we have gaps or repetitions in our curriculum. Through the use of consensus maps teachers in the same grade level or subject area can compare maps to make sure that students are not falling through the cracks. Curriculum mapping through the use of the Atlas website also allows us to share our curricula with the other teachers in southwestern North Dakota. Again, this collaboration, this networking, I believe, has made for better teaching and for more educational opportunities for our students. Roughrider Education Services Program has been responsible for keeping mapping and curriculum development in the forefront.

Another area in which I think RESP has been helpful has been in promoting study groups. We have had study groups ranging from curriculum mapping and development to brain research to improved student achievement through classroom management. The

*distributed by Lois Myran - SB 2030*

study groups, made up of teachers from different schools, have not only allowed us to better understand new research and innovative approaches to teaching but have also given teachers opportunities to earn college credits.

These are some of the areas in which Roughrider Education Services Program has affected teachers and education in southwestern North Dakota. We believe RESP as been a positive influence on education in our area.

Testimony on Senate Bill No. 2030  
Senate Education Committee  
January 9, 2007  
By Tracie Welk  
TGU Education Coordinator/Elementary Teacher  
537-5414

*Same  
Seven  
to House*

Mr. Chairman and members of the committee:

My name is Tracie Welk and I am an elementary teacher and Education Coordinator at TGU School District #60. I am here to provide information on JPA's from the perspective of a teacher.

I've taught in North Dakota for over 20 years and have been involved with a variety of educational initiatives. My involvement with North Central Education Cooperative (NCEC) has been one of the best professional experiences I've had.

Through the NCEC, I've had the chance to grow as an educator, therefore enhancing my professional skills. NCEC provides a wide variety of professional development opportunities on a regular basis. I am able to participate in activities, classes, workshops and meetings that encourage me to sharpen my skills and make me reflect upon, and assess my teaching practices. These things make a difference to my students. Students need teachers that are life-long learners to model the learning process and stay fresh in the educational field. NCEC helps me accomplish that goal and assists me in staying abreast of the latest research and best instructional practices. NCEC supports schools in a way that they couldn't do alone. The sharing of ideas and resources makes schools stronger. We need each other in order to address the many challenges we face. NCEC is the vehicle for that communication.

The word communication leads me to my next point. Teachers in small schools in North Dakota often feel isolated in their profession. There are many miles between our schools and few opportunities to talk, share ideas and support each other. Time is always an issue. Imagine trying to do your job without being able to compare notes, thoughts and information in a

timely manner! NCEC has filled this void by providing activities for this very important networking to take place. Teachers in the NCEC now have meetings called "Shop Talks" where teachers are able to gather to discuss curriculum, exchange ideas and discuss areas of concern. They are able to meet others with common problems and help each other find solutions. The activities and meetings sponsored by NCEC bring the state and national standards to the local level and give teachers ownership in the educational process. This hands-on approach strengthens the curriculum and provides a better understanding of what teachers need to do and what students need to learn.

I've only highlighted a few of the benefits that NCEC provides to our teachers. There are many, many more! I could go on with information on how valuable I feel the NCEC is for our school, but what we need to keep in mind is that NCEC is in place for the students. That's really what this is all about. The framework that NCEC provides teachers by supporting them in all of the ways you're hearing about today, translates into a sturdy foundation for students to grow, learn and become happy, productive citizens. We need to continue to work together and pool our ideas and resources in order to set the stage for student achievement and success. JPA's across that state serve that purpose and need your continued support.

Chairmen Freborg and other committee members, thank you for hearing us today. I'm Jacob Holm and I'm a senior at Maple Valley High School in Tower City. I stand before you today to testify of the great activities that the Joint Powers Agreement is doing for high school students. On personal basis with my individual JPA I had the privilege this fall of attending three JPA funded functions; each giving me a broader perspective of who I am as a person; and each teaching me about working as a group and being a good civic minded individual.

The first activity that I was able to participate in was the Ropes Courses in Kathryn North Dakota. Throughout the morning we students networked with each other to fine tune our leadership and teamwork skills. We learned the importance of teamwork, the true definite of leaders, what being a time player was, and how to be a better leader. Through various activates and projects on the ground we learned to work with each other; although many of us had never met before. The day reached a climax when we ascend the telephone poles and had to trust one another on the V wire. Walking out on ropes no larger then garden hoses we leaned into each other to stay up. Through this activate I learned the importance of relying on another mentally but also physically. As the North Dakota FCCLA State President and the ND SADD Student of the Year I have been through numerous leadership trainings, far too many to remember them all. But, I can honestly say that the Ropes courses has been the most beneficial training I have been apart of.

The second JPA funded activity was a trip to the St. Paul Science Museum to visit the Body Worlds exhibit. During the 6 hour drive to Minneapolis, I was able to network with students across my region. At the museum we were able to see the result of years of work on a process of plastination. As a student going into the field of medicine I was absolutely amazed by the exhibit. To be able to actually see the organs and how they work, to be able to physically see a hole in a heart or a unhealthy lung due to years of smoking or to actually see the brain of a person with Alzheimer's was absolutely amazing. Talking with members of the trip many told me that this trip had solidified there entering the medical profession. I stand before you today wanting to

become a cardiovascular surgeon because of my experiences with the Body Worlds exhibit. Being able to see this before I entered the field was a once in a life time opportunity.

The last active was the transitions program. In the transitions program college students came to our high school and discussed with our senior class life in college; tuition, classes, dorm life, college life, and what to expect. We all have heard of college experiences from friends, family, and classmate, but I believe that it was so much more effective from a stranger. Free of bias thoughts and actions, our presenters were able to speak freely and openly with us about **REAL** college experiences. Before the presentation many in my class were not sure if college life was for them. Many thought themselves quote "to dumb or just not the right candidate for college". But, after going through the transitions program those same students KNEW that college life was what they needed and wanted. They found out that college was just another rung on the ladder of life, same as a job or marriage.

All these activities individually could have been accomplished by my local school district. For a sum of \$2,000 our district could have sent us to the Ropes Course in Kathryn and for an equal amount could have sent us to St. Paul. But, for a smaller district which is comprised of five or more towns, that amount of money is unrealistic. No matter how probable it would have been for the local district to pay for these awesome experiences, it was very much impossible. It has been through the great programs that the JPA has sponsored that I have been able to face my college career and life with high hopes. The Joint Powers Agreement has done and will continue to do so much for high school students, please provided them with appropriate funding to continue with there great achievements.



Mr. Chairman, education committee members, I am Maurice Hardy from Beach School Board and Beach's representative on the Roughrider Education Services Program or JPA. I am here today to support and ask your support of SB 2030. I have been Beach's representative to the JPA for about 6 years now, and find it an exciting opportunity in education.

What I have experienced being on the governing board, isn't something that is headline making every time we meet. In fact I sometimes have to sit back and review what we have accomplished and how I feel RESP has made education better in my school and SW North Dakota and when I do I feel good about JPAs and the progress.

Our JPA, Roughrider Education Services Program has focused on Professional Development. From what I have seen from a board members perspective is that we have gotten high quality professional development, that we would never had been able to afford on our own as a school district.

I have asked teachers what they think of the JPA and what it provides. The teachers like the professional development and what they gain out of it. One teacher talked about grade level study groups, and how she really appreciates being able to talk and discuss with other teachers at her grade level the trials, tribulations, and explore what is working and what isn't.

Others have mentioned the collegiate study groups and how a group chooses an educational topic to explore. This is where they read an assigned topic, such as brain based learning, and then discuss it and how it applies to their students.

As a board member, what I see from these small services, is our professionals, willingly expanding their knowledge base, liking their jobs better, and finding support from those in their same area. I think that relates to better teachers, job satisfaction, doing a better job, and children benefiting from those efforts.

Part of the professional development was curriculum mapping. On the surface it didn't seem that big of a deal, it was a tool for teachers, and would help schools to get more in align with each other, kind of a tool to compare and see how we were doing. Beach was fortunate and took advantage of the professional development, had teachers trained in how it worked and they in turn trained the rest of our teachers. Essentially we got some high price professional development at a reasonable price.

Little did I know how important this simple tool would be to us. We had a science teacher quit in mid-semester. That is stressful enough, being it was core subject material she was teaching. Fortunately we were able to hire a fresh out college graduate in the area of science. She was able to enter the classroom, look at the curriculum map her predecessor had made, and not only see how far the students were in to the material, but what was planned for the rest of the semester.

We lost an experienced teacher, but because of RESP, professional development, and the work of our teachers, our new one was able to hit the ground running in her first experience. No it wasn't the best situation for our students, but it was a darn sight better than that college grade not knowing what had been done or what was planned for them.

Each time we hire a new teacher, and it has been 4 or 5 the last couple of years, I am not as concerned about their curriculum as much as I once was. I know they have the maps of their predecessors, and can access the maps of others teaching in their field and at their level to see where they need to be and what they need to do. I can't help but believe it adds confidence to a teacher, who may be the only one in their field in their school. They now have resources that weren't available that long ago.

We are not at a common calendar yet, but I am seeing schools looking at the days professional development is being offered and scheduling for those days so their teachers may attend. The amount of bang we are getting for our buck is more than any one school could afford on their own.

I have been fortunate to see JPAs first hand and when I think of what they can become it's kind of exciting. It is possible for JPAs to provide services to our students that our fiscally beyond the reach of any one school providing on their own.

With our 9 JPA's taking different focuses for themselves, it is only a matter of time each JPA will be able to share in the services from other JPAs. Not everyone will have to reinvent the wheel, and when our JPA moves into the other areas, we have blueprints and roadmaps on how to get there.

I have visited with people from JPAs and JPA type organizations outside the education field. The message was the same, when they got together it was for one or two things we wanted to do together, but it grew. Each completed goal seemed to open doors to more and more. The ND associations of counties was one of the examples, and it shows counties helping each other that wouldn't have known of their similar needs except through this kind of structure.

With the federal and state legislation that is proposed this year and in the years to come, schools are going to have deal with more issues of equality and adequacy. I see JPAs being a big coordinator in helping schools meets those challenges. Whether it be a special education unit under the JPA or the JPA hiring a hard to fill position so 2, 3 or more schools can provide that a needed class, or just having a data base of what each school has and can share, books, desks, etc....

JPAs provide opportunities to explore ways to educate that were out of reach in the past. It creates the atmosphere of cooperation and team problem solving. With the suggestions of P-16, the Governor's commission on educational improvement and declining enrollments, there will be plenty of problems to solve and schools, boards, and administrators will need new and dynamic solutions.

I believe JPAs will lead the way in the development of vocational education opportunities, assisting with the hard to fill positions, and give the students in the state access to opportunities that don't exist now or are beyond a schools means to provide, and maintain programs that are at risk of being eliminated. With the potential for more and more testing and evaluations, a source of data management, not just storing, but using that data to make our schools better would be better under a JPA with a shared service versus 19 separate ones.

When this bill passes, I believe we will see the JPA's not only take the lead in helping our state meet adequacy needs, but also allow our schools to meet the states constitutional mandate to provide a uniform system of education.

To me as a board member, the beauty of a JPA is it only will exist if the local boards and legislation allows it to. The JPA needs to and has to respond to the needs of the schools and it's students or it will cease to be.

Thank you for your time.

**Budget Issues Excerpt from the Education JPA Legislative Issues Committee (LIC)**  
**Meeting Summary of November 21, 2006.**

**Budget/ Funding Proposal:**

The participants agreed to a proposal that called for a base payment to each JPA (with an increase from the first year to the second), a per/student payment (consistent for both years of the biennium) and an annual allocation to each JPA to support and encourage system realignments and streamlining (specifically to incorporate special education units, career and technology education, distance learning – ITV – services and teachers centers into the local JPAs by June 30, 2009).

**2007 - 2008**

Base Rate:	\$135,000 for each of the nine JPAs	\$1,215,000
Per/Student Allocation (approximately \$16/student)		\$1,500,000
Realignment/Streamlining (\$75,000/each of nine JPAs)		\$ 675,000
Total:		\$3,390,000

**2008 - 2009**

Base Rate:	\$150,000 for each of the nine JPAs	\$1,350,000
Per/Student Allocation (approximately \$17/student)		\$1,500,000
Realignment/Streamlining (\$75,000/each of nine JPAs)		\$ 675,000
Total:		\$3,525,000

<b><u>2007 - 2009 Biennium</u></b>	<b>Total</b>	<b>\$6,915,000</b>
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**Base Rate:** Included in this category:

- One (1) full-time JPA coordinator (salary and benefits)
- One (1) 1/2 time administrative assistant (salary and benefits)
- Rent
- Phones/Internet
- Equipment
- Postage
- Travel
- Fiscal Management Costs
- 

**Per/Student Allocation:** Included in the category:

- All Student Services provided by or through the JPA
- All Administrative Functions provided by or through the JPA
- 

**Realignment/Streamlining Initiatives:** This category would provide funding for the incorporation of special education units (SE), distance learning services (ITV), career and technology education programs (CTE) and teachers centers into the JPAs by June 30, 2009.

*Denise Wolf, SB 2030*

SB 2030  
ND House Education Committee  
February 6, 2007

Representatives:  
Chairwoman RaeAnn Kelsch  
Lisa Meier  
C.B. Haas  
Lyle Hanson  
Gil Herbel  
Bob Hunsakor  
Dennis Johnson  
Karen Karls  
Phillip Mueller  
Lee Myxter  
Dorvan Solberg  
Gary Sukut  
John Wall

Testimony to the House Education Committee  
Pioneer Room  
Tuesday, February 6, 2006  
9:00 AM

NDJPA Testimony Agenda

- |  |                  |       |
|--|------------------|-------|
| 1. Overview of SB 2030                 | Anita Thomas     |       |
| 2. JPA History and Background          | Deb Syvertson    | NCEC  |
| 3. JPA Teacher Perspective             | Tracie Welk      | NCEC  |
| 4. JPA Student Perspective             | Jacob Holm       | SCEC  |
| 5. JPA School Board Member Perspective | Maurice Hardy    | RESP  |
|  | Jennifer Johnson | RRVEC |
| 6. JPA Benefits                        | David Richter    | GNWEC |
| 7. Collaboration and Funding Needs     | Dan Bauer        | SCEC  |
| 8. Closing Comments and Questions      | Denise Wolf      | NESC  |

More information can be found at [www.ndjpa.org](http://www.ndjpa.org)

## **Testimony to House Education Committee**

### **House Bill 2030**

**Jacob D. Holm, Student**

Madame Chair and Committee Members,

My name is Jacob Holm and I'm a senior at Maple Valley High School in Tower City, and I thank you for hearing us today. I stand before you today to testify of the great activities that the Joint Powers Agreement is doing for high school students. On a personal basis I had the privilege this fall of attending three JPA funded functions; each giving me a broader perspective of who I am as a person; each teaching me about working as a group and showing me to become a good civic minded individual.

But before diving into my personal experience I would like to talk about the classes that JPA's offer to high school students. Another function that many JPA District's sponsor is classes over the ITV system. Our personal ITV system is not funded by a JPA but it has given me many opportunities. I will currently graduate with nine college credits in communication and English Composition. Many students that I know will graduate with upwards of 20 college

credits because of a JPA funded ITV system. Students in my grade have utilized the foreign languages offered over ITV and I only regret that there are not more classes existing on the system; a regret that the JPA district will soon solve. The funding that they put forth allows me to network with a teacher and classroom that spans many many miles and many cities. It has introduced me to academia that I would otherwise have to wait until I got to college to take.

From my personal experience with JPA funded activities I was able to participate was the Ropes Courses in Kathryn North Dakota, an activity that involved over 60 students from 19 separate school districts. Throughout the morning we students networked with each other to fine tune our leadership and teamwork skills. We learned the importance of teamwork, the true definite of leaders, what being a time player was, and how to be a better leader. Through various activities and projects on the ground we learned to work with each other; although many of us had never met before. The day reached a climax when we ascended the telephone poles and had to trust one another on the V wire. Walking out on ropes no larger than garden hoses we leaned into each other to keep from falling to the ground. Through this

activate I learned the importance of relying on another not only mentally but also physically. As the Current North Dakota FCCLA State President and the ND SADD Student of the Year I have been through numerous leadership trainings, far too many to remember them all. But, I can honestly say that the Ropes courses has been the most beneficial training I have been apart of.

The second JPA funded activity was a trip to the St. Paul Science Museum to visit the Body Worlds exhibit, which involved students from fifteen school districts. During the 6 hour drive to Minneapolis, I was able to network with students across my region. At the museum we were able to see the result of years of work on a process called plastination. As a student going into the field of medicine I was absolutely amazed by the exhibit. To be able to actually see the organs and how they work, to be able to physically see a hole in a heart or an unhealthy lung due to years of smoking or to actually see the brain of a person with Alzheimer's Disease was absolutely amazing. Talking with members of the trip many told me that this tour had solidified there entering the medical profession. I stand before you today wanting to become a cardiovascular surgeon because of my experiences with the Body Worlds exhibit. Being able to see this before I entered the field was a once in a life time opportunity.



The last active was the transitions program. In the transitions program college students came to our high school and discussed with our senior class life in college; tuition, classes, dorm life, college life, and what to expect. We all have heard of college experiences from friends, family, and classmate, but I believe that it was so much more effective from a stranger. Free of bias thoughts and actions, our presenters were able to speak freely and openly with us about **REAL** college experiences. Before the presentation many in my class were not sure if college life was for them. Many thought themselves quote "to dumb or just not the right candidate for college". But, after going through the transitions program those same students KNEW that college life was what they needed and wanted. They found out that college was just another rung on the ladder of life, same as a job or marriage.

All these activities individually could have been accomplished by my local school district. For a sum of \$2,000 our district could have sent us to the Ropes Course in Kathryn and for an equal amount could have sent us to St. Paul. But, for a smaller district which is comprised of five or more towns, that amount of money is unrealistic. No matter how probable it would have been for the

local district to pay for these awesome experiences, it was very much impossible. Cooperation through the JPA's is a vehicle which not only allows but enables more schools to be involved in extended and enhanced student services which would not otherwise be available. Without the collaboration of schools through the JPA's, there would not be enough students within one district nor would there be enough students who would be interested in participating in these different activities. It has been through the great programs that the JPA has sponsored that I have been able to face my college career and life with high hopes. The Joint Powers Agreement has done and will continue to do so much for high school students, please provided them with appropriate funding to continue with there great achievements.

SB 2030  
6 Feb 07

Testimony of David Richter, Coordinator  
Great Northwest Education Cooperative  
Senate Bill 2030  
House Education Committee  
Pioneer Room

February 6, 2007

Chairperson Kelsch and members of the Committee, I am David Richter the Coordinator of the Great Northwest Education Cooperative which was created by Joint Powers Agreement between 16 school districts in NW North Dakota in July of 2005. I am here today in support of SB 2030.

In our first year of operation the GNWEC received \$45,000 of funding from the state through per student reimbursements. The legislation and the funding created our structure and I was hired as coordinator on a part-time bases. One of the initial goals of the GNWEC was to pursue grants. In that first year we wrote and received federal grant awards totaling \$1,116,800 to be used over three years. We would not have received any of this funding had we not been a consortium of public school districts. Currently we have one grant proposal submitted for \$249,000 and we are working on two others with a potential of \$500,000. These opportunities are also available because we are a consortium.

The GNWEC worked with NCEC on the Teaching American History grant and 30 school districts are participating. This is a "size" based grant competition and without all these districts we would not have been eligible for an award. The administrative structure of

Education service providers was a key not only in organizing the grant but also in administrating the grant.

We also received a Rural Utilities Service grant which will be used to purchase ITV equipment for 11 school districts for delivery of courses, including Foreign Language and Vocational Tech. Again, the structure of the GNWEC was important in garnering points in the grant.

The 21<sup>st</sup> Century Learning Communities grant was our first grant. Williston Public school had applied and was turned down. They approached the GNWEC with the idea of submitting the grant under the GNWEC. We submitted and were approved. This grant has allowed us to create k-6 After School programs in 13 schools.

We also have a small planning grant that our are Counselors we will use to plan and prepare an Elementary and Secondary School Counseling Program grant. We recently submitted a Region 8 EPA grant for upgrades and replacement of school busses in eight school districts.

Collaboration is a big part of the JPA structure, not only in grant efforts but in all other aspects. We are currently in conversation with the directors and the boards of the Special Education Units in our region. We are looking at ways the units can work together to provide services and combining some elements of the units. We are early in the process but there is a good mood of cooperation and openness to the idea.

SB 2030  
6 Feb 06

**House Education Committee**

Testimony Presented by

Dan M. Bauer, Superintendent Kulm Public School  
Member of the South Central Education Cooperative (SCEC)  
February 6, 2007

I ask the House Education Committee to support the provisions of SB2030. This legislation is necessary in order for the South Central Education Cooperative to proceed with the collaboration that is currently taking place within the SCEC. The SCEC needs the ability to "hire," "fire," and be its own "fiscal agent" if it is to truly become an Area Service Provider.

I would like to briefly address some of the collaborative efforts that are underway in the SCEC. The SCEC is comprised of 23 school districts and seven cooperating parties. The cooperating parties include two colleges—Valley City State University and Jamestown College; three Special Education Unit—Buffalo Valley, Sheyenne Valley and Dickey LaMoure Special Education Unit; and two Career Technology Centers—James Valley and Sheyenne Valley Career & Technology Center. The vision of the SCEC is to provide the highest level of educational opportunities to students.

In order to attain this vision, the SCEC has four standing committees. Each of the committees has been given a charge by Lead Administrator Bob Toso. One of the goals which was given to the Curriculum Committee which I chair is to explore options of combining the ITV Units within the SCEC into one unit. My committee has gathered information on the ITV units and we find that our SCEC has three major ITV consortiums out of the ten that exist state-wide amongst its members and schools have ties to at least three other ITV consortiums. Our committee has gathered operational information, course offering and bell schedules on each of the ITV consortiums. Our committee reached a road block when we needed to address "where do we go from here" with the information we collected. Our committee reported to the Administrative and Governing Boards that it would be necessary to hire a coordinator to pull these ITV services together. At the current time our JPA does not have the ability to hire nor does it have the resources. Our committee continues to look at encouraging schools to adopt a common bell schedule. This in itself would open up educational opportunities for students using distance learning.

Another goal being exploring by a committee within the SCEC is to look at options of combining special education units within the SCEC. In November the committee handling this goal reported to the Administrative/Governing Boards that three major SPED units exist in the SCEC along with schools having ties to at least another three SPED units. The committee has explored the fiscal structure of the SPED units—how they are similar and how they are difference. The committee continues to work and will be reporting back to the Administrative/Governing Board in the future. Again, a limitation that will exist under the current structure is the ability to hire the necessary coordination to carry out this goal.

These two collaborative efforts reflect the feelings of the schools involved in the SCEC. If the SCEC is truly to become an Area Service Provider, student services such as distance learning and special education need to be combined. This will take coordination and resources. We will need to prove to schools that better services will be available to students in the future through a collaborative effort with the SCEC. This will not be an easy task. We ask for the legislation contained in SB2030 and necessary funding to initiate these efforts.

SB 2030  
6 Jan 07



## North Dakota Education Association

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### MEMORANDUM

**TO:** North Dakota House of Representatives Education Committee

**FROM:** Nick Whitman, Executive Director

**DATE:** February 5, 2007

**RE:** Senate Bill No. 2030

During testimony before this Committee earlier in the legislative session, I have referenced my previous employment experiences in New York and Wisconsin. In both of these states, entities similar to the "area service providers" contemplated by Senate Bill 2030 were created to enhance and supplement the educational services/opportunities available from public school districts. The "area service providers" created by joint powers-type agreements in Wisconsin are known as CESA's (Cooperative Educational Services Agencies) and in New York they are known as BOCES (Board of Cooperative Educational Services).

In some cases, the area service providers referenced above have become large enough, powerful enough, and permanent enough to establish their own campuses. In most cases; however, the area service providers have made available specialized staff to enhance the educational offerings of the sponsoring/participating school districts. Typically, these staff members would visit the sponsoring/participating school districts one or more days a week to provide their services. Examples of staff typically employed by these entities would be – information technology instructors, speech pathologists, physical therapists, speech and language therapists, autism specialists, distance learning teachers, etc.

NDEA supports the revision and the expansion of the Joint Powers Agreements provisions of the Century Code because of the educational services and opportunities that the enhanced JPAs may be able to provide the children of North Dakota. For the same reasons, the NDEA supports Senate Bill 2030.

While our enthusiasm for Senate Bill 2030 and Joint Powers Agreements is high, the NDEA would make two suggestions to insure that the promise of the legislation does not fade into negativity and lost opportunity. The NDEA would suggest amendments to the current version of Senate Bill No. 2030 that would:

1. Insure that all "teachers" and professional service providers employed under a Joint Powers Agreement be fully licensed and certified by the Educational Standards and Practices Board; and,
2. Grant "teachers" and other professional service providers employed under a Joint Powers Agreement the same collective bargaining and representational rights as their school district counterparts.

The NDEA believes that amendments addressing these suggestions could easily be added to Senate Bill 2030. The NDEA would be very willing to assist committee members with drafting amendments to deal with these issues.

The NDEA encourages a Do Pass recommendation on (amended) Senate Bill 2030.



## Department of Public Instruction

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

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

Dr. Wayne G. Sanstead  
State Superintendent

February 7, 2007

The Honorable Wayne Stenehjem  
Attorney General  
600 East Boulevard Avenue  
Bismarck, North Dakota 58505

Dear General Stenehjem,

Since Chapter 54-40.3 NDCC was passed during the 1993 legislative session, hundreds, perhaps thousands of governmental entities in North Dakota have entered into "joint powers agreements." Nine "educational associations" have been formed in North Dakota through joint powers agreements now covering approximately 98% of the student population in grades K through 12.

One provision found in Section 54-40.3-01 NDCC is particularly relevant to my questions. It provides, in pertinent part, "Any . . . school district. . . upon approval of its respective governing body, may enter into an agreement with any other political subdivision of this state for the cooperative or joint administration of power or function that is authorized by law or assigned to one or more of them." Clearly, school districts can hire, fire and discipline employees. They can provide workers compensation and unemployment coverage, health, retirement benefits, and bonding. In sum, they are employers who provide compensation to employees.

That same NDCC section states that a joint powers agreement may provide for: "c. The precise organization, composition, and nature of any separate administrative or legal entity, including an administrator or joint board, committee, or joint service council or network, responsible for administering the cooperative or joint undertaking."

Section 15.1-07-28 NDCC provides in pertinent part that the Superintendent of Public Instruction is to review joint powers agreements and verify, among other provisions: "6. The joint powers agreement provides for the employment and compensation of any staff necessary to carry out the provisions of the agreement and the requirements of this Act."

During the current legislative session, the first engrossment of Senate Bill 2030, creates a new section, 15.1-09.1-02 NDCC which, among other things, slightly modifies that terminology to provide: "6. The joint powers agreement provides for the employment and compensation of staff." That bill also refers to the educational associations as "area service providers."

Based on these provisions and, perhaps, others not cited here, are educational associations or area service providers which have been created by joint powers agreements between school districts and comply with the provisions of the law employers which can hire and fire employees and bond, and provide workers compensation, unemployment coverage and retirement benefits for those they hire? Since they are created by political subdivisions, are they political subdivisions? If not, what are they and what would they need to do to comply with their employment and compensation authority provided by statute?

Because the educational associations would like to try to get the law amended if necessary during the current legislative session to provide for their full functionality, your prompt response would be greatly appreciated.

Sincerely,

Dr. Wayne Sanstead  
State Superintendent





## *North Dakota Education Association*

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**SB2030 – JPA Bill**  
**House Education Committee**  
**February 28, 2007**

Subject to certain conditions, NDEA can support granting JPAs the authority to employ teachers. NDEA believes JPA teachers must be accorded the same rights and privileges, responsibilities, protections, and requirements as regular public school teachers including, but not limited to:

- Licensure and credentialing
- Negotiations and representation
- Contract renewal and nonrenewal
- Evaluations
- Personnel files
- Group health insurance
- Sick leave
- Payroll dues deduction
- Minimum school calendar and holidays
- Minimum salary
- Participation in TFFR
- Business manager bonding
- Liability insurance

**Mueller, Phil**

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**From:** Matzke, Laurie A.**Sent:** Monday, April 02, 2007 3:53 PM**To:** Mueller, Phil

Representative Mueller,

Per our conversation this afternoon, I am following up on our discussion pertaining to HB 1320. The Department of Public Instruction feels very strongly that an appropriation is needed within HB 1320 to pilot some much needed preschool programs in North Dakota. There is a nationwide focus on the importance of providing high quality services to preschool age children, as they are at an optimal age for learning. Research shows that there is a window of opportunity for young children to attain knowledge and that if this opportunity is missed, it may be lost forever.

However, having stressed our hope for funding, it is absolutely imperative that our 2007 legislative session pass HB 1320. This bill, even without the funding, would provide state authority for school districts to operate early childhood programs. There are numerous school districts interested in providing a preschool program with their Title I funds. Mr. Charles Guthrie, Superintendent at Warwick Public School District, has been working with the Title I office to get approval for a Title I paid preschool program. Without state authority for a preschool program, he runs into several problems. The most significant concern pertains to staffing issues. He can not offer a staff member a teaching contract, complete with benefits, since such a program is not recognized by the state. Therefore, it is nearly impossible to find a highly qualified individual who is interested in such a position.

As schools and districts are under increased pressure to make adequate yearly progress and meet the goals of the NCLB Act, many are contemplating preschool services as one of many initiatives to help them attain proficiency. This bill is desperately needed to help North Dakota schools continue to raise academic achievement in an era where expectations have dramatically increased. Funding for piloting preschool programs will help North Dakota participate in this national endeavor. However, at minimum, we need state authority to proceed with preschool programming with local or federal dollars.

Thank you so much for your continued support regarding this issue. I, too, share a passion for early childhood education. In my position, I see both the need and the desire to expand services in this area by local school districts. If we can get the authority to proceed, it will have huge benefits for the children of North Dakota.

Laurie Matzke, State Title I Director

4/11/2007

*R Mu 4/13/07*

**JPA DISTRICT PARTICIPANTS  
by JPA Name**

A

**DRAFT**

**School Year 2007-08 Estimated District Payments**

Total Dollars Appropriated	\$ 1,500,000.00
Per Pupil Payment Amount	\$ 11.47
Base Rate \$ 50,000.00 x 9	\$ 450,000.00
Remaining for per pupil payment	\$ 1,050,000.00

JPA Name	JPA ID	Co. Dist #	Participating Districts	Start Year	School District Enrollment *	School District Enrollment**	Estimated Disbursement	Received Required Documentation	District Contributions to JPA	Final Disbursement Amount	Difference b/w Contributions and Disbursements
Northeast Education Service Cooperative (NESC)	70	50128	Adams	2005	67	66	\$ 756.78	Yes	\$ -	\$ -	\$ -
	70	48002	Bisbee-Egeland	2005	56	55	\$ 632.53	Yes	\$ -	\$ -	\$ -
	70	32001	Dakota Prairie	2005	273	269	\$ 3,083.58	Yes	\$ -	\$ -	\$ -
	70	36001	Devils Lake	2005	1756	1730	\$ 19,834.34	Yes	\$ -	\$ -	\$ -
	70	36002	Edmore	2005	79	78	\$ 892.32	Yes	\$ -	\$ -	\$ -
	70	03030	Ft. Totten	2005	176	173	\$ 1,987.95	Yes	\$ -	\$ -	\$ -
	70	32066	Lakota	2005	217	214	\$ 2,451.05	Yes	\$ -	\$ -	\$ -
	70	10023	Langdon Area	2005	449	442	\$ 5,071.54	Yes	\$ -	\$ -	\$ -
	70	03006	Leeds	2005	167	164	\$ 1,886.30	Yes	\$ -	\$ -	\$ -
	70	03009	Maddock	2005	183	180	\$ 2,067.02	Yes	\$ -	\$ -	\$ -
	70	03005	Minnewaukan	2005	217	214	\$ 2,451.05	Yes	\$ -	\$ -	\$ -
	70	10019	Munich	2005	106	104	\$ 1,197.29	Yes	\$ -	\$ -	\$ -
	70	48028	North Central	2005	56	55	\$ 632.53	Yes	\$ -	\$ -	\$ -
	70	40029	Rolette	2005	168	165	\$ 1,897.59	Yes	\$ -	\$ -	\$ -
	70	48008	Southern	2005	204	201	\$ 2,304.22	Yes	\$ -	\$ -	\$ -
	70	36044	Starkweather	2005	87	86	\$ 982.68	Yes	\$ -	\$ -	\$ -
	70	03029	Warwick	2005	189	186	\$ 2,134.79	Yes	\$ -	\$ -	\$ -
	70	35001	Wolford	2005	46	45	\$ 519.58	Yes	\$ -	\$ -	\$ -
Totals for NESC			Per Student Payment		4496	4429	\$ 50,783.13		\$ -	\$ -	\$ -
			Base Rate				\$ 50,000.00				
			Total Payment for NESC				\$ 100,783.13				
Roughrider Education Services Program (RESP)	71	17003	Beach	2005	289	285	\$ 3,264.31	Yes	\$ -	\$ -	\$ -
	71	45013	Belfield	2005	204	201	\$ 2,304.22	Yes	\$ -	\$ -	\$ -
	71	04001	Billings Co.	2005	48	47	\$ 542.17	Yes	\$ -	\$ -	\$ -
	71	06001	Bowman	2005	442	435	\$ 4,992.47	Yes	\$ -	\$ -	\$ -
	71	44032	Central Elem.	2005	6	6	\$ 67.77	Yes	\$ -	\$ -	\$ -
	71	45001	Dickinson	2005	2599	2560	\$ 29,356.17	Yes	\$ -	\$ -	\$ -
	71	30048	Glen Ullin	2005	173	170	\$ 1,954.07	Yes	\$ -	\$ -	\$ -
	71	13019	Halliday	2005	28	28	\$ 316.27	Yes	\$ -	\$ -	\$ -
	71	30013	Hebron	2005	162	160	\$ 1,829.82	Yes	\$ -	\$ -	\$ -
	71	01013	Heltinger	2005	312	307	\$ 3,524.10	Yes	\$ -	\$ -	\$ -
	71	13016	Killdeer	2005	360	355	\$ 4,066.27	Yes	\$ -	\$ -	\$ -
	71	17006	Lone Tree	2005	33	33	\$ 372.74	Yes	\$ -	\$ -	\$ -
	71	44012	Marmarth	2005	10	10	\$ 112.95	Yes	\$ -	\$ -	\$ -
	71	21001	Mott-Regent	2005	242	238	\$ 2,733.43	Yes	\$ -	\$ -	\$ -
	71	21009	New England	2005	169	166	\$ 1,908.89	Yes	\$ -	\$ -	\$ -
	71	45034	Richardton-Taylor	2005	256	252	\$ 2,891.57	Yes	\$ -	\$ -	\$ -
	71	06033	Scranton	2005	163	161	\$ 1,841.11	Yes	\$ -	\$ -	\$ -
	71	45009	South Heart	2005	236	232	\$ 2,665.66	Yes	\$ -	\$ -	\$ -
	71	13037	Twin Buttes	2006	44	43	\$ 496.99	Yes	\$ -	\$ -	\$ -
Totals for RESP			Per Student Payment		5776	5689	\$ 65,240.96		\$ -	\$ -	\$ -
			Base Rate				\$ 50,000.00				
			Total Payment for RESP				\$ 115,240.96				

TD 4/19/07

**JPA DISTRICT PARTICIPANTS  
by JPA Name**

Missouri River	73	08039	Apple Creek	2005	55	54	\$	621.23	Yes	\$	-	\$	-	\$	-
Education Cooperative (MREC)	73	26009	Ashley	2005	148	146	\$	1,671.69	Yes	\$	-	\$	-	\$	-
	73	29027	Beulah	2005	726	715	\$	8,200.30	Yes	\$	-	\$	-	\$	-
	73	08001	Bismarck	2005	10650	10490	\$	120,293.67	Yes	\$	-	\$	-	\$	-
	73	33001	Center-Stanton	2005	255	251	\$	2,880.27	Yes	\$	-	\$	-	\$	-
	73	13008	Dodge	2005	15	15	\$	169.43	Yes	\$	-	\$	-	\$	-
	73	19049	Elgin/New Leipzig	2005	169	166	\$	1,908.89	Yes	\$	-	\$	-	\$	-
	73	30039	Flasher	2005	220	217	\$	2,484.94	Yes	\$	-	\$	-	\$	-
	73	28051	Garrison	2005	331	326	\$	3,738.70	Yes	\$	-	\$	-	\$	-
	73	29020	Golden Valley	2005	37	36	\$	417.92	Yes	\$	-	\$	-	\$	-
	73	42016	Goodrich	2005	41	40	\$	463.10	Yes	\$	-	\$	-	\$	-
	73	15006	Hazleton-Moffit-Braddock	2005	137	135	\$	1,547.44	Yes	\$	-	\$	-	\$	-
	73	29003	Hazen	2005	640	630	\$	7,228.92	Yes	\$	-	\$	-	\$	-
	73	30004	Little Heart	2005	16	16	\$	180.72	Yes	\$	-	\$	-	\$	-
	73	30001	Mandan	2006	3144	3097	\$	35,512.05	Yes	\$	-	\$	-	\$	-
	73	28050	Max	2005	145	143	\$	1,637.80	Yes	\$	-	\$	-	\$	-
	73	42019	McClusky	2005	102	100	\$	1,152.11	Yes	\$	-	\$	-	\$	-
	73	08033	Menoken	2005	12	12	\$	135.54	Yes	\$	-	\$	-	\$	-
	73	28001	Montefiore (Wilton)	2005	216	213	\$	2,439.76	Yes	\$	-	\$	-	\$	-
	73	24002	Napoleon	2005	245	241	\$	2,767.32	Yes	\$	-	\$	-	\$	-
	73	08025	Naughton	2006	3	3	\$	33.89	Yes	\$	-	\$	-	\$	-
	73	30007	New Salem	2005	329	324	\$	3,716.11	Yes	\$	-	\$	-	\$	-
	73	19018	Roosevelt	2005	135	133	\$	1,524.85	Yes	\$	-	\$	-	\$	-
	73	43008	Selfridge	2006	44	43	\$	496.99	Yes	\$	-	\$	-	\$	-
	73	30008	Sims (Almont)	2005	20	20	\$	225.90	Yes	\$	-	\$	-	\$	-
	73	43003	Solen/Cannonball	2005	157	155	\$	1,773.34	Yes	\$	-	\$	-	\$	-
	73	22026	Steele-Dawson	2005	282	278	\$	3,185.24	Yes	\$	-	\$	-	\$	-
	73	08035	Sterling	2005	38	37	\$	429.22	Yes	\$	-	\$	-	\$	-
	73	30017	Sweet Briar	2005	9	9	\$	101.66	Yes	\$	-	\$	-	\$	-
	73	28072	Turtle-Lake-Mercer	2005	166	164	\$	1,875.00	Yes	\$	-	\$	-	\$	-
	73	28008	Underwood	2005	210	207	\$	2,371.99	Yes	\$	-	\$	-	\$	-
	73	28004	Washburn	2005	305	300	\$	3,445.03	Yes	\$	-	\$	-	\$	-
	73	26019	Wishek	2005	230	227	\$	2,597.89	Yes	\$	-	\$	-	\$	-
	73	26004	Zeeland	2005	52	51	\$	587.35	Yes	\$	-	\$	-	\$	-
Totals for MREC			Per Student Payment		19284	18995	\$	217,816.27		\$	-	\$	-	\$	-
			Base Rate				\$	50,000.00							
			Total Payment for MREC				\$	267,816.27							
South Central	74	23003	Edgeley	2005	216	213	\$	2,439.76	Yes	\$	-	\$	-	\$	-
Education Cooperative (SCEC)	74	11040	Ellendale	2005	358	353	\$	4,043.67	Yes	\$	-	\$	-	\$	-
	74	37022	Enderlin	2005	305	300	\$	3,445.03	Yes	\$	-	\$	-	\$	-
	74	52025	Fessenden-Bowdon	2005	186	183	\$	2,100.90	Yes	\$	-	\$	-	\$	-
	74	20018	Griggs Co Central	2005	297	293	\$	3,354.67	Yes	\$	-	\$	-	\$	-
	74	46010	Hope	2005	120	118	\$	1,355.42	Yes	\$	-	\$	-	\$	-
	74	47001	Jamestown	2005	2237	2203	\$	25,267.32	Yes	\$	-	\$	-	\$	-
	74	47019	Kensal	2005	50	49	\$	564.76	Yes	\$	-	\$	-	\$	-
	74	23007	Kulm	2005	121	119	\$	1,366.72	Yes	\$	-	\$	-	\$	-
	74	23008	LaMoure	2005	321	316	\$	3,625.75	Yes	\$	-	\$	-	\$	-
	74	02046	Litchville-Marion	2005	165	163	\$	1,863.70	Yes	\$	-	\$	-	\$	-
	74	09004	Maple Valley	2005	261	257	\$	2,948.04	Yes	\$	-	\$	-	\$	-
	74	47003	Medina	2005	160	158	\$	1,807.23	Yes	\$	-	\$	-	\$	-
	74	20007	Midkota	2005	118	116	\$	1,332.83	Yes	\$	-	\$	-	\$	-
	74	47014	Montpelier	2005	111	109	\$	1,253.77	Yes	\$	-	\$	-	\$	-
	74	02065	North Central	2005	148	146	\$	1,671.69	Yes	\$	-	\$	-	\$	-
	74	09080	Page	2005	98	97	\$	1,106.93	Yes	\$	-	\$	-	\$	-
	74	47010	Pingree-Buchanan	2005	156	154	\$	1,762.05	Yes	\$	-	\$	-	\$	-
	74	47026	Spiritwood	2005	10	10	\$	112.95	Yes	\$	-	\$	-	\$	-

**JPA DISTRICT PARTICIPANTS**  
by JPA Name

	74	22028	Tappen	2005	90	89	\$ 1,016.57	Yes	\$ -	\$ -	\$ -
	74	22020	Tuttle Pettibone	2005	23	23	\$ 259.79	Yes	\$ -	\$ -	\$ -
	74	02002	Valley City	2005	1094	1078	\$ 12,356.93	Yes	\$ -	\$ -	\$ -
	74	02082	Wimbledon-Courtney	2005	150	148	\$ 1,694.28	Yes	\$ -	\$ -	\$ -
Totals for SCEE			Per Student Payment		6795	6693	\$ 76,750.75		\$ -	\$ -	\$ -
			Base Rate				\$ 50,000.00				
			Total Payment for SCEE				\$ 126,750.75				
South East	75	09017	Central Cass	2005	822	810	\$ 9,284.64	Yes	\$ -	\$ -	\$ -
Education Cooperative	75	39018	Fairmount	2005	125	123	\$ 1,411.90	Yes	\$ -	\$ -	\$ -
	75	09001	Fargo	2005	10646	10486	\$ 120,248.49	Yes	\$ -	\$ -	\$ -
	75	37006	Ft Ransom	2005	23	23	\$ 259.79	Yes	\$ -	\$ -	\$ -
	75	39008	Hankinson	2005	312	307	\$ 3,524.10	Yes	\$ -	\$ -	\$ -
	75	09002	Kindred	2005	691	681	\$ 7,804.97	Yes	\$ -	\$ -	\$ -
	75	39028	Lidgerwood	2005	196	193	\$ 2,213.86	Yes	\$ -	\$ -	\$ -
	75	37019	Lisbon	2005	641	631	\$ 7,240.21	Yes	\$ -	\$ -	\$ -
	75	09007	Mapleton	2005	67	66	\$ 756.78	Yes	\$ -	\$ -	\$ -
	75	41002	Milnor	2005	292	288	\$ 3,298.19	Yes	\$ -	\$ -	\$ -
	75	41003	N Sargent	2005	234	230	\$ 2,643.07	Yes	\$ -	\$ -	\$ -
	75	11041	Oakes	2005	527	519	\$ 5,952.56	Yes	\$ -	\$ -	\$ -
	75	39044	Richland	2005	317	312	\$ 3,580.57	Yes	\$ -	\$ -	\$ -
	75	41006	Sargent Central	2005	273	269	\$ 3,083.58	Yes	\$ -	\$ -	\$ -
	75	37002	Sheldon	2005	21	21	\$ 237.20	Yes	\$ -	\$ -	\$ -
	75	39037	Wahpeton	2005	1295	1276	\$ 14,627.26	Yes	\$ -	\$ -	\$ -
	75	09006	West Fargo	2005	5901	5812	\$ 66,652.86	Yes	\$ -	\$ -	\$ -
	75	39042	Wyndmere	2005	242	238	\$ 2,733.43	Yes	\$ -	\$ -	\$ -
Totals for SEEC			Per Student Payment		22625	22286	\$ 255,553.46		\$ -	\$ -	\$ -
			Base Rate				\$ 50,000.00				
			Total Payment for SEEC				\$ 305,553.46				
Red River Valley	76	34006	Cavalier	2005	431	425	\$ 4,868.22	Yes	\$ -	\$ -	\$ -
Education Cooperative (RRVEC)	76	49003	Central Valley	2005	263	259	\$ 2,970.63	Yes	\$ -	\$ -	\$ -
	76	34019	Drayton	2005	144	142	\$ 1,626.51	Yes	\$ -	\$ -	\$ -
	76	50106	Edinburg	2005	122	120	\$ 1,378.01	Yes	\$ -	\$ -	\$ -
	76	18127	Emerado	2005	67	66	\$ 756.78	Yes	\$ -	\$ -	\$ -
	76	46019	Finley-Sharon	2005	171	168	\$ 1,931.48	Yes	\$ -	\$ -	\$ -
	76	50005	Fordville-Lankin	2005	94	93	\$ 1,061.75	Yes	\$ -	\$ -	\$ -
	76	50003	Grafton	2005	895	882	\$ 10,109.19	Yes	\$ -	\$ -	\$ -
	76	18001	Grand Forks	2005	7316	7206	\$ 82,635.54	Yes	\$ -	\$ -	\$ -
	76	49007	Hatton	2005	221	218	\$ 2,496.23	Yes	\$ -	\$ -	\$ -
	76	49009	Hillsboro	2005	405	399	\$ 4,574.55	Yes	\$ -	\$ -	\$ -
	76	18044	Lanmore	2005	489	482	\$ 5,523.34	Yes	\$ -	\$ -	\$ -
	76	18125	Manvel	2005	147	145	\$ 1,660.39	Yes	\$ -	\$ -	\$ -
	76	49014	May-Port CG	2005	565	557	\$ 6,381.78	Yes	\$ -	\$ -	\$ -
	76	18128	Midway	2005	257	253	\$ 2,902.86	Yes	\$ -	\$ -	\$ -
	76	50020	Minto	2005	236	232	\$ 2,665.66	Yes	\$ -	\$ -	\$ -
	76	50051	Nash	2005	18	18	\$ 203.31	Yes	\$ -	\$ -	\$ -
	76	34100	North Border	2005	477	470	\$ 5,387.80	Yes	\$ -	\$ -	\$ -
	76	09097	Northern Cass	2005	505	497	\$ 5,704.07	Yes	\$ -	\$ -	\$ -
	76	18129	Northwood	2005	295	291	\$ 3,332.08	Yes	\$ -	\$ -	\$ -
	76	50078	Park River	2005	415	409	\$ 4,687.50	Yes	\$ -	\$ -	\$ -
	76	34043	St. Thomas	2005	119	117	\$ 1,344.13	Yes	\$ -	\$ -	\$ -
	76	18061	Thompson	2005	425	419	\$ 4,800.45	Yes	\$ -	\$ -	\$ -
	76	34012	Valley	2005	162	160	\$ 1,829.82	Yes	\$ -	\$ -	\$ -
Totals for RRVEC			Per Student Payment		14239	14025	\$ 160,832.08		\$ -	\$ -	\$ -
			Base Rate				\$ 50,000.00				

**JPA DISTRICT PARTICIPANTS**  
**by JPA Name**

			<b>Total Payment for RRVEC</b>			<b>\$ 210,832.08</b>						
North Central	77	25014	Anamoose	2005	79	78	\$ 892.32	Yes	\$ -	\$ -	\$ -	-
Education Cooperative (NCEC)	77	40007	Belcourt	2005	1625	1601	\$ 18,354.67	Yes	\$ -	\$ -	\$ -	-
	77	05001	Bottineau	2005	667	657	\$ 7,533.89	Yes	\$ -	\$ -	\$ -	-
	77	25057	Drake	2005	129	127	\$ 1,457.08	Yes	\$ -	\$ -	\$ -	-
	77	40001	Dunseith	2005	423	417	\$ 4,777.86	Yes	\$ -	\$ -	\$ -	-
	77	52038	Harvey	2005	436	429	\$ 4,924.70	Yes	\$ -	\$ -	\$ -	-
	77	38001	MLS	2005	317	312	\$ 3,580.57	Yes	\$ -	\$ -	\$ -	-
	77	05054	Newburg United	2005	73	72	\$ 824.55	Yes	\$ -	\$ -	\$ -	-
	77	40004	Rolla-Mt. Pleasant	2005	259	255	\$ 2,925.45	Yes	\$ -	\$ -	\$ -	-
	77	35005	Rugby	2005	528	520	\$ 5,963.86	Yes	\$ -	\$ -	\$ -	-
	77	51016	Sawyer	2005	134	132	\$ 1,513.55	Yes	\$ -	\$ -	\$ -	-
	77	40003	St. John	2005	315	310	\$ 3,557.98	Yes	\$ -	\$ -	\$ -	-
	77	25060	TGU	2005	344	339	\$ 3,885.54	Yes	\$ -	\$ -	\$ -	-
	77	25001	Velva	2005	410	404	\$ 4,631.02	Yes	\$ -	\$ -	\$ -	-
	77	05017	Westhope	2005	117	115	\$ 1,321.54	Yes	\$ -	\$ -	\$ -	-
Totals for NCEC			Per Student Payment		5856	5768	\$ 66,144.58		\$ -	\$ -	\$ -	-
			Base Rate				\$ 50,000.00					
			<b>Total Payment for NCEC</b>				<b>\$ 116,144.58</b>					
Great Northwest	78	27002	Alexander	2005	41	40	\$ 463.10	Yes	\$ -	\$ -	\$ -	-
Education Cooperative (GNWEC)	78	07014	Bowbells	2005	68	67	\$ 768.07	Yes	\$ -	\$ -	\$ -	-
	78	07036	Burke Central	2005	87	86	\$ 982.68	Yes	\$ -	\$ -	\$ -	-
	78	12001	Divide County	2005	237	233	\$ 2,676.96	Yes	\$ -	\$ -	\$ -	-
	78	53006	Eight Mile	2005	225	222	\$ 2,541.42	Yes	\$ -	\$ -	\$ -	-
	78	53099	Grenora	2005	53	52	\$ 598.64	Yes	\$ -	\$ -	\$ -	-
	78	51028	Kenmare	2005	283	279	\$ 3,196.54	Yes	\$ -	\$ -	\$ -	-
	78	27001	McKenzie County	2005	539	531	\$ 6,088.10	Yes	\$ -	\$ -	\$ -	-
	78	53002	Nesson	2005	159	157	\$ 1,795.93	Yes	\$ -	\$ -	\$ -	-
	78	53008	New	2005	202	199	\$ 2,281.63	Yes	\$ -	\$ -	\$ -	-
	78	31001	Newtown	2005	707	696	\$ 7,985.69	Yes	\$ -	\$ -	\$ -	-
	78	07027	Powers Lake	2005	118	116	\$ 1,332.83	Yes	\$ -	\$ -	\$ -	-
	78	31002	Stanley	2005	350	345	\$ 3,953.31	Yes	\$ -	\$ -	\$ -	-
	78	53015	Tioga	2005	234	230	\$ 2,643.07	Yes	\$ -	\$ -	\$ -	-
non-operating this year	78	53091	Wildrose-Alamo	2005	0	0	\$ -	Yes	\$ -	\$ -	\$ -	-
	78	53001	Williston	2005	2136	2104	\$ 24,126.51	Yes	\$ -	\$ -	\$ -	-
Totals for GNWEC			Per Student Payment		5439	5357	\$ 61,434.49		\$ -	\$ -	\$ -	-
			Base Rate				\$ 50,000.00					
			<b>Total Payment for GNWEC</b>				<b>\$ 111,434.49</b>					
Mid-Dakota Education	72	51010	Bell	2005	157	155	\$ 1,773.34	Yes	\$ -	\$ -	\$ -	-
Council (MDEC)	72	51019	Eureka	2005	10	10	\$ 112.95	Yes	\$ -	\$ -	\$ -	-
	72	38026	Glenburn	2005	260	256	\$ 2,936.75	Yes	\$ -	\$ -	\$ -	-
	72	51001	Minot	2005	6411	6315	\$ 72,413.40	Yes	\$ -	\$ -	\$ -	-
	72	51004	Nedrose	2005	224	221	\$ 2,530.12	Yes	\$ -	\$ -	\$ -	-
	72	51070	South Prairie	2005	141	139	\$ 1,592.62	Yes	\$ -	\$ -	\$ -	-
	72	51161	Lewis & Clark	2005	370	364	\$ 4,179.22	Yes	\$ -	\$ -	\$ -	-
	72	51041	Surrey	2005	332	327	\$ 3,750.00	Yes	\$ -	\$ -	\$ -	-
	72	51007	United	2005	545	537	\$ 6,155.87	Yes	\$ -	\$ -	\$ -	-
Totals for MDEC			Per Student Payment		8450	8323	\$ 95,444.28		\$ -	\$ -	\$ -	-
			Base Rate				\$ 50,000.00					
			<b>Total Payment for MDEC</b>				<b>\$ 145,444.28</b>					
			<b>Totals</b>		<b>92960</b>	<b>91566</b>	<b>\$ 1,500,000.00</b>					

**JPA DISTRIBUTION PARTICIPANTS**  
by JPA Name

\* Fall 2006 School Enrollment

\*\* Fall 2006 School Enrollment with a 1.5% reduction

JPA's and Districts as of 12/1/06

**JPA DISTRICT PARTICIPANTS**  
by JPA Name

(B)

**School Year 2007-08 Estimated District Payments**

**DRAFT**

Total Dollars Appropriated	\$ 1,500,000.00
Per Pupil Payment Amount	\$ 16.38

JPA Name	JPA ID	Co. Dist #	Participating Districts	Start Year	School District Enrollment	School District** Enrollment**	Estimated Disbursement	Received Required Documentation	District Contributions to JPA	Final Disbursement Amount	Difference b/w Contributions and Disbursements
Northeast Education Service Cooperative (NESC)	70	50128	Adams	2005	67	66	\$ 1,081.11	Yes	\$ -	\$ -	\$ -
	70	48002	Bisbee-Egeland	2005	56	55	\$ 903.61	Yes	\$ -	\$ -	\$ -
	70	32001	Dakota Prairie	2005	273	269	\$ 4,405.12	Yes	\$ -	\$ -	\$ -
	70	36001	Devils Lake	2005	1756	1730	\$ 28,334.77	Yes	\$ -	\$ -	\$ -
	70	36002	Edmore	2005	79	78	\$ 1,274.74	Yes	\$ -	\$ -	\$ -
	70	03030	Ft. Totten	2005	176	173	\$ 2,839.93	Yes	\$ -	\$ -	\$ -
	70	32066	Lakota	2005	217	214	\$ 3,501.51	Yes	\$ -	\$ -	\$ -
	70	10023	Langdon Area	2005	449	442	\$ 7,245.05	Yes	\$ -	\$ -	\$ -
	70	03006	Leeds	2005	167	164	\$ 2,694.71	Yes	\$ -	\$ -	\$ -
	70	03009	Maddock	2005	183	180	\$ 2,952.88	Yes	\$ -	\$ -	\$ -
	70	03005	Minnewaukan	2005	217	214	\$ 3,501.51	Yes	\$ -	\$ -	\$ -
	70	10019	Munich	2005	106	104	\$ 1,710.41	Yes	\$ -	\$ -	\$ -
	70	48028	North Central	2005	56	55	\$ 903.61	Yes	\$ -	\$ -	\$ -
	70	40029	Rolette	2005	168	165	\$ 2,710.84	Yes	\$ -	\$ -	\$ -
	70	48008	Southern	2005	204	201	\$ 3,291.74	Yes	\$ -	\$ -	\$ -
	70	36044	Starkweather	2005	87	86	\$ 1,403.83	Yes	\$ -	\$ -	\$ -
	70	03029	Warwick	2005	189	186	\$ 3,049.70	Yes	\$ -	\$ -	\$ -
	70	35001	Wolford	2005	46	45	\$ 742.25	Yes	\$ -	\$ -	\$ -
Totals for NESC			Per Student Payment		4496	4429	\$ 72,547.33		\$ -	\$ -	\$ -
			Total Payment for NESC				\$ 72,547.33				
Roughrider Education Services Program (RESP)	71	17003	Beach	2005	289	285	\$ 4,663.30	Yes	\$ -	\$ -	\$ -
	71	45013	Belfield	2005	204	201	\$ 3,291.74	Yes	\$ -	\$ -	\$ -
	71	04001	Billings Co.	2005	48	47	\$ 774.53	Yes	\$ -	\$ -	\$ -
	71	06001	Bowman	2005	442	435	\$ 7,132.10	Yes	\$ -	\$ -	\$ -
	71	44032	Central Elem.	2005	6	6	\$ 96.82	Yes	\$ -	\$ -	\$ -
	71	45001	Dickinson	2005	2599	2560	\$ 41,937.39	Yes	\$ -	\$ -	\$ -
	71	30048	Glen Ullin	2005	173	170	\$ 2,791.52	Yes	\$ -	\$ -	\$ -
	71	13019	Halliday	2005	28	28	\$ 451.81	Yes	\$ -	\$ -	\$ -
	71	30013	Hebron	2005	162	160	\$ 2,614.03	Yes	\$ -	\$ -	\$ -
	71	01013	Hettinger	2005	312	307	\$ 5,034.42	Yes	\$ -	\$ -	\$ -
	71	13016	Killdeer	2005	360	355	\$ 5,808.95	Yes	\$ -	\$ -	\$ -
	71	17006	Lone Tree	2005	33	33	\$ 532.49	Yes	\$ -	\$ -	\$ -
	71	44012	Marmarth	2005	10	10	\$ 161.36	Yes	\$ -	\$ -	\$ -
	71	21001	Mott-Regent	2005	242	238	\$ 3,904.91	Yes	\$ -	\$ -	\$ -
	71	21009	New England	2005	169	166	\$ 2,726.98	Yes	\$ -	\$ -	\$ -
	71	45034	Richardton-Taylor	2005	256	252	\$ 4,130.81	Yes	\$ -	\$ -	\$ -
	71	06033	Scranton	2005	163	161	\$ 2,630.16	Yes	\$ -	\$ -	\$ -
	71	45009	South Heart	2005	236	232	\$ 3,808.09	Yes	\$ -	\$ -	\$ -
	71	13037	Twin Buttes	2006	44	43	\$ 709.98	Yes	\$ -	\$ -	\$ -
Totals for RESP			Per Student Payment		5776	5689	\$ 93,201.38		\$ -	\$ -	\$ -
			Total Payment for RESP				\$ 93,201.38				
Missouri River Education Cooperative (MREC)	73	08039	Apple Creek	2005	55	54	\$ 887.48	Yes	\$ -	\$ -	\$ -
	73	26009	Ashley	2005	148	146	\$ 2,388.12	Yes	\$ -	\$ -	\$ -
	73	29027	Beulah	2005	726	715	\$ 11,714.72	Yes	\$ -	\$ -	\$ -

TD 4/19/07



**JPA DISTRICT PARTICIPANTS  
by JPA Name**

	73	08001	Bismarck	2005	10650	10490	\$ 171,848.11	Yes	\$ -	\$ -	\$ -
	73	33001	Center-Stanton	2005	255	251	\$ 4,114.67	Yes	\$ -	\$ -	\$ -
	73	13008	Dodge	2005	15	15	\$ 242.04	Yes	\$ -	\$ -	\$ -
	73	19049	Eigin/New Leipzig	2005	169	166	\$ 2,726.98	Yes	\$ -	\$ -	\$ -
	73	30039	Flasher	2005	220	217	\$ 3,549.91	Yes	\$ -	\$ -	\$ -
	73	28051	Garrison	2005	331	326	\$ 5,341.01	Yes	\$ -	\$ -	\$ -
	73	29020	Golden Valley	2005	37	36	\$ 597.03	Yes	\$ -	\$ -	\$ -
	73	42016	Goodrich	2005	41	40	\$ 661.57	Yes	\$ -	\$ -	\$ -
	73	15006	Hazleton-Moffit-Braddock	2005	137	135	\$ 2,210.63	Yes	\$ -	\$ -	\$ -
	73	29003	Hazen	2005	640	630	\$ 10,327.02	Yes	\$ -	\$ -	\$ -
	73	30004	Little Heart	2005	16	16	\$ 258.18	Yes	\$ -	\$ -	\$ -
	73	30001	Mandan	2006	3144	3097	\$ 50,731.50	Yes	\$ -	\$ -	\$ -
	73	28050	Max	2005	145	143	\$ 2,339.72	Yes	\$ -	\$ -	\$ -
	73	42019	McClusky	2005	102	100	\$ 1,645.87	Yes	\$ -	\$ -	\$ -
	73	08033	Menoken	2005	12	12	\$ 193.63	Yes	\$ -	\$ -	\$ -
	73	28001	Montefiore (Wilton)	2005	216	213	\$ 3,485.37	Yes	\$ -	\$ -	\$ -
	73	24002	Napoleon	2005	245	241	\$ 3,953.31	Yes	\$ -	\$ -	\$ -
	73	08025	Naughton	2006	3	3	\$ 48.41	Yes	\$ -	\$ -	\$ -
	73	30007	New Salem	2005	329	324	\$ 5,308.73	Yes	\$ -	\$ -	\$ -
	73	19018	Roosevelt	2005	135	133	\$ 2,178.36	Yes	\$ -	\$ -	\$ -
	73	43008	Selfridge	2006	44	43	\$ 709.98	Yes	\$ -	\$ -	\$ -
	73	30008	Sims (Almont)	2005	20	20	\$ 322.72	Yes	\$ -	\$ -	\$ -
	73	43003	Solen/Cannonball	2005	157	155	\$ 2,533.35	Yes	\$ -	\$ -	\$ -
	73	22026	Steele-Dawson	2005	282	278	\$ 4,550.34	Yes	\$ -	\$ -	\$ -
	73	08035	Sterling	2005	38	37	\$ 613.17	Yes	\$ -	\$ -	\$ -
	73	30017	Sweet Briar	2005	9	9	\$ 145.22	Yes	\$ -	\$ -	\$ -
	73	28072	Turtle-Lake-Mercer	2005	166	164	\$ 2,678.57	Yes	\$ -	\$ -	\$ -
	73	28008	Underwood	2005	210	207	\$ 3,388.55	Yes	\$ -	\$ -	\$ -
	73	28004	Washburn	2005	305	300	\$ 4,921.47	Yes	\$ -	\$ -	\$ -
	73	26019	Wishek	2005	230	227	\$ 3,711.27	Yes	\$ -	\$ -	\$ -
	73	26004	Zeeland	2005	52	51	\$ 839.07	Yes	\$ -	\$ -	\$ -
Totals for MREC			Per Student Payment		19284	18995	\$ 311,166.09		\$ -	\$ -	\$ -
			Total Payment for MREC				\$ 311,166.09				
South Central	74	23003	Edgeley	2005	216	213	\$ 3,485.37	Yes	\$ -	\$ -	\$ -
Education Cooperative (SCEC)	74	11040	Ellendale	2005	358	353	\$ 5,776.68	Yes	\$ -	\$ -	\$ -
	74	37022	Enderlin	2005	305	300	\$ 4,921.47	Yes	\$ -	\$ -	\$ -
	74	52025	Fessenden-Bowdon	2005	186	183	\$ 3,001.29	Yes	\$ -	\$ -	\$ -
	74	20018	Griggs Co Central	2005	297	293	\$ 4,792.38	Yes	\$ -	\$ -	\$ -
	74	46010	Hope	2005	120	118	\$ 1,936.32	Yes	\$ -	\$ -	\$ -
	74	47001	Jamestown	2005	2237	2203	\$ 36,096.17	Yes	\$ -	\$ -	\$ -
	74	47019	Kensal	2005	50	49	\$ 806.80	Yes	\$ -	\$ -	\$ -
	74	23007	Kulm	2005	121	119	\$ 1,952.45	Yes	\$ -	\$ -	\$ -
	74	23008	LaMoure	2005	321	316	\$ 5,179.65	Yes	\$ -	\$ -	\$ -
	74	02046	Litchville-Marion	2005	165	163	\$ 2,662.44	Yes	\$ -	\$ -	\$ -
	74	09004	Maple Valley	2005	261	257	\$ 4,211.49	Yes	\$ -	\$ -	\$ -
	74	47003	Medina	2005	160	158	\$ 2,581.76	Yes	\$ -	\$ -	\$ -
	74	20007	Midkota	2005	118	116	\$ 1,904.04	Yes	\$ -	\$ -	\$ -
	74	47014	Montpelier	2005	111	109	\$ 1,791.09	Yes	\$ -	\$ -	\$ -
	74	02065	North Central	2005	148	146	\$ 2,388.12	Yes	\$ -	\$ -	\$ -
	74	09080	Page	2005	98	97	\$ 1,581.33	Yes	\$ -	\$ -	\$ -
	74	47010	Pingree-Buchanan	2005	156	154	\$ 2,517.21	Yes	\$ -	\$ -	\$ -
	74	47026	Spiritwood	2005	10	10	\$ 161.36	Yes	\$ -	\$ -	\$ -
	74	22028	Tappen	2005	90	89	\$ 1,452.24	Yes	\$ -	\$ -	\$ -
	74	22020	Tuttle Pettibone	2005	23	23	\$ 371.13	Yes	\$ -	\$ -	\$ -
	74	02002	Valley City	2005	1094	1078	\$ 17,652.75	Yes	\$ -	\$ -	\$ -

**JPA DISTRICT PARTICIPANTS  
by JPA Name**

	74	02082	Wimbledon-Courtney	2005	150	148	\$ 2,420.40	Yes	\$ -	\$ -	\$ -
Totals for SCEC			Per Student Payment		6795	6693	\$ 109,643.93		\$ -	\$ -	\$ -
			Total Payment for SCEC				\$ 109,643.93				
South East	75	09017	Central Cass	2005	822	810	\$ 13,263.77	Yes	\$ -	\$ -	\$ -
Education Cooperative	75	39018	Fairmount	2005	125	123	\$ 2,017.00	Yes	\$ -	\$ -	\$ -
	75	09001	Fargo	2005	10646	10486	\$ 171,783.56	Yes	\$ -	\$ -	\$ -
	75	37006	Ft Ransom	2005	23	23	\$ 371.13	Yes	\$ -	\$ -	\$ -
	75	39008	Hankinson	2005	312	307	\$ 5,034.42	Yes	\$ -	\$ -	\$ -
	75	09002	Kindred	2005	691	681	\$ 11,149.96	Yes	\$ -	\$ -	\$ -
	75	39028	Lidgerwood	2005	196	193	\$ 3,162.65	Yes	\$ -	\$ -	\$ -
	75	37019	Lisbon	2005	641	631	\$ 10,343.16	Yes	\$ -	\$ -	\$ -
	75	09007	Mapleton	2005	67	66	\$ 1,081.11	Yes	\$ -	\$ -	\$ -
	75	41002	Milnor	2005	292	288	\$ 4,711.70	Yes	\$ -	\$ -	\$ -
	75	41003	N Sargent	2005	234	230	\$ 3,775.82	Yes	\$ -	\$ -	\$ -
	75	11041	Oakes	2005	527	519	\$ 8,503.66	Yes	\$ -	\$ -	\$ -
	75	39044	Richland	2005	317	312	\$ 5,115.10	Yes	\$ -	\$ -	\$ -
	75	41006	Sargent Central	2005	273	269	\$ 4,405.12	Yes	\$ -	\$ -	\$ -
	75	37002	Sheldon	2005	21	21	\$ 338.86	Yes	\$ -	\$ -	\$ -
	75	39037	Wahpeton	2005	1295	1276	\$ 20,896.08	Yes	\$ -	\$ -	\$ -
	75	09006	West Fargo	2005	5901	5812	\$ 95,218.37	Yes	\$ -	\$ -	\$ -
	75	39042	Wyndmere	2005	242	238	\$ 3,904.91	Yes	\$ -	\$ -	\$ -
Totals for SEEC			Per Student Payment		22625	22286	\$ 365,076.38		\$ -	\$ -	\$ -
			Total Payment for SEEC				\$ 365,076.38				
Red River Valley	76	34006	Cavalier	2005	431	425	\$ 6,954.60	Yes	\$ -	\$ -	\$ -
Education Cooperative (RRVEC)	76	49003	Central Valley	2005	263	259	\$ 4,243.76	Yes	\$ -	\$ -	\$ -
	76	34019	Drayton	2005	144	142	\$ 2,323.58	Yes	\$ -	\$ -	\$ -
	76	50106	Edinburg	2005	122	120	\$ 1,968.59	Yes	\$ -	\$ -	\$ -
	76	18127	Emerado	2005	67	66	\$ 1,081.11	Yes	\$ -	\$ -	\$ -
	76	46019	Finley-Sharon	2005	171	168	\$ 2,759.25	Yes	\$ -	\$ -	\$ -
	76	50005	Fordville-Lankin	2005	94	93	\$ 1,516.78	Yes	\$ -	\$ -	\$ -
	76	50003	Grafton	2005	895	882	\$ 14,441.70	Yes	\$ -	\$ -	\$ -
	76	18001	Grand Forks	2005	7316	7206	\$ 118,050.77	Yes	\$ -	\$ -	\$ -
	76	49007	Hatton	2005	221	218	\$ 3,566.05	Yes	\$ -	\$ -	\$ -
	76	49009	Hillsboro	2005	405	399	\$ 6,535.07	Yes	\$ -	\$ -	\$ -
	76	18044	Larimore	2005	489	482	\$ 7,890.49	Yes	\$ -	\$ -	\$ -
	76	18125	Manvel	2005	147	145	\$ 2,371.99	Yes	\$ -	\$ -	\$ -
	76	49014	May-Port CG	2005	565	557	\$ 9,116.82	Yes	\$ -	\$ -	\$ -
	76	18128	Midway	2005	257	253	\$ 4,146.94	Yes	\$ -	\$ -	\$ -
	76	50020	Minto	2005	236	232	\$ 3,808.09	Yes	\$ -	\$ -	\$ -
	76	50051	Nash	2005	18	18	\$ 290.45	Yes	\$ -	\$ -	\$ -
	76	34100	North Border	2005	477	470	\$ 7,696.86	Yes	\$ -	\$ -	\$ -
	76	09097	Northern Cass	2005	505	497	\$ 8,148.67	Yes	\$ -	\$ -	\$ -
	76	18129	Northwood	2005	295	291	\$ 4,760.11	Yes	\$ -	\$ -	\$ -
	76	50078	Park River	2005	415	409	\$ 6,696.43	Yes	\$ -	\$ -	\$ -
	76	34043	St. Thomas	2005	119	117	\$ 1,920.18	Yes	\$ -	\$ -	\$ -
	76	18061	Thompson	2005	425	419	\$ 6,857.79	Yes	\$ -	\$ -	\$ -
	76	34012	Valley	2005	162	160	\$ 2,614.03	Yes	\$ -	\$ -	\$ -
Totals for RRVEC			Per Student Payment		14239	14025	\$ 229,760.11		\$ -	\$ -	\$ -
			Total Payment for RRVEC				\$ 229,760.11				
North Central	77	25014	Anamoose	2005	79	78	\$ 1,274.74	Yes	\$ -	\$ -	\$ -
Education Cooperative (NCEC)	77	40007	Belcourt	2005	1625	1601	\$ 26,220.96	Yes	\$ -	\$ -	\$ -
	77	05001	Bottineau	2005	667	657	\$ 10,762.69	Yes	\$ -	\$ -	\$ -
	77	25057	Drake	2005	129	127	\$ 2,081.54	Yes	\$ -	\$ -	\$ -

**JPA DISTRICT PARTICIPANTS  
by JPA Name**

	77	40001	Dunseith	2005	423	417	\$ 6,825.52	Yes	\$ -	\$ -	\$ -
	77	52038	Harvey	2005	436	429	\$ 7,035.28	Yes	\$ -	\$ -	\$ -
	77	38001	MLS	2005	317	312	\$ 5,115.10	Yes	\$ -	\$ -	\$ -
	77	05054	Newburg United	2005	73	72	\$ 1,177.93	Yes	\$ -	\$ -	\$ -
	77	40004	Rolla-Mt. Pleasant	2005	259	255	\$ 4,179.22	Yes	\$ -	\$ -	\$ -
	77	35005	Rugby	2005	528	520	\$ 8,519.79	Yes	\$ -	\$ -	\$ -
	77	51016	Sawyer	2005	134	132	\$ 2,162.22	Yes	\$ -	\$ -	\$ -
	77	40003	St. John	2005	315	310	\$ 5,082.83	Yes	\$ -	\$ -	\$ -
	77	25060	TGU	2005	344	339	\$ 5,550.77	Yes	\$ -	\$ -	\$ -
	77	25001	Velva	2005	410	404	\$ 6,615.75	Yes	\$ -	\$ -	\$ -
	77	05017	Westhope	2005	117	115	\$ 1,887.91	Yes	\$ -	\$ -	\$ -
Totals for NCEC			Per Student Payment		5856	5768	\$ 94,492.25		\$ -	\$ -	\$ -
			Total Payment for NCEC				\$ 94,492.25				
Great Northwest	78	27002	Alexander	2005	41	40	\$ 661.57	Yes	\$ -	\$ -	\$ -
Education Cooperative (GNWEC)	78	07014	Bowbells	2005	68	67	\$ 1,097.25	Yes	\$ -	\$ -	\$ -
	78	07036	Burke Central	2005	87	86	\$ 1,403.83	Yes	\$ -	\$ -	\$ -
	78	12001	Divide County	2005	237	233	\$ 3,824.23	Yes	\$ -	\$ -	\$ -
	78	53006	Eight Mile	2005	225	222	\$ 3,630.59	Yes	\$ -	\$ -	\$ -
	78	53099	Grenora	2005	53	52	\$ 855.21	Yes	\$ -	\$ -	\$ -
	78	51028	Kenmare	2005	283	279	\$ 4,566.48	Yes	\$ -	\$ -	\$ -
	78	27001	McKenzie County	2005	539	531	\$ 8,697.29	Yes	\$ -	\$ -	\$ -
	78	53002	Nesson	2005	159	157	\$ 2,565.62	Yes	\$ -	\$ -	\$ -
	78	53008	New	2005	202	199	\$ 3,259.47	Yes	\$ -	\$ -	\$ -
	78	31001	Newtown	2005	707	696	\$ 11,408.13	Yes	\$ -	\$ -	\$ -
	78	07027	Powers Lake	2005	118	116	\$ 1,904.04	Yes	\$ -	\$ -	\$ -
	78	31002	Stanley	2005	350	345	\$ 5,647.59	Yes	\$ -	\$ -	\$ -
	78	53015	Tioga	2005	234	230	\$ 3,775.82	Yes	\$ -	\$ -	\$ -
non-operating this year	78	53091	Wildrose-Alamo	2005	0	0	\$ -	Yes	\$ -	\$ -	\$ -
	78	53001	Williston	2005	2136	2104	\$ 34,466.44	Yes	\$ -	\$ -	\$ -
Totals for GNWEC			Per Student Payment		5439	5357	\$ 87,763.55		\$ -	\$ -	\$ -
			Total Payment for GNWEC				\$ 87,763.55				
Mid-Dakota Education	72	51010	Bell	2005	157	155	\$ 2,533.35	Yes	\$ -	\$ -	\$ -
Council (MDEC)	72	51019	Eureka	2005	10	10	\$ 161.36	Yes	\$ -	\$ -	\$ -
	72	38026	Glenburn	2005	260	256	\$ 4,195.35	Yes	\$ -	\$ -	\$ -
	72	51001	Minot	2005	6411	6315	\$ 103,447.72	Yes	\$ -	\$ -	\$ -
	72	51004	Nedrose	2005	224	221	\$ 3,614.46	Yes	\$ -	\$ -	\$ -
	72	51070	South Prairie	2005	141	139	\$ 2,275.17	Yes	\$ -	\$ -	\$ -
	72	51161	Lewis & Clark	2005	370	364	\$ 5,970.31	Yes	\$ -	\$ -	\$ -
	72	51041	Surrey	2005	332	327	\$ 5,357.14	Yes	\$ -	\$ -	\$ -
	72	51007	United	2005	545	537	\$ 8,794.10	Yes	\$ -	\$ -	\$ -
Totals for MDEC			Per Student Payment		8450	8323	\$ 136,348.97		\$ -	\$ -	\$ -
			Total Payment for MDEC				\$ 136,348.97				
			Totals		92960	91566	\$ 1,500,000.00				

\* Fall 2006 School Enrollment

\*\* Fall 2006 School Enrollment with a 1.5% reduction

1. The legislative council shall appoint an interim committee consisting of five members of the senate and six members of the house of representatives. The committee shall study the No Child Left Behind Act of 2001 [Pub. L. 107-110; 115 Stat. 1425; 20 U.S.C. 6301 et seq.], including amendments to the Act, changes to federal regulations implementing the Act, and any policy changes and letters of guidance issued by the United States secretary of education.
2. The legislative council shall designate the chairman and vice chairman of the committee.
3. The committee shall operate under the rules applicable to other legislative council committees, except that the committee may communicate directly with the United States secretary of education, employees of the United States department of education, and any other federal officials, both elected and appointed, regarding implementation of the Act.
4. The committee shall work with and encourage the testimony of public and private officials, including the superintendent of public instruction, the education standards and practices board, the state board of higher education, the North Dakota council of educational leaders, the North Dakota education association, the North Dakota school boards association, and the North Dakota Indian affairs commission. In addition, the committee shall actively seek the participation of students, parents, classroom teachers, school administrators, and other citizens of this state. The committee shall direct its efforts to ensuring that no child in this state is left behind and to further ensuring that no law or rule, be it federal or state, hinders or otherwise impedes the ability of this state's teachers, schools, and school districts to achieve this goal.
5. The committee shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the legislative assembly.

SL 4/18/07