

2009 HOUSE EDUCATION

HB 1378

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1378

House Education Committee

Check here for Conference Committee

Hearing Date: January 21, 2009

Recorder Job Number: 7427

Committee Clerk Signature *Carmen Hart*

Minutes:

Vice Chair Lisa Meier chaired the meeting today.

Chairman Kelsch, District 34, Mandan, appeared in support of this bill. HB 1378 changes the date that a child can enroll in grade 1 from September 1 to July 1 of the year of enrollment. As you know North Dakota does not mandate kindergarten so that is why you change the date of enrollment for grade 1. What we are seeing since we have all day kindergarten and the take rate on all day kindergarten is substantial. Most children are utilizing the all day kindergarten. These students that are coming in for kindergarten are just not ready for school. Part of it is that they are very young. This concern was brought to me by a couple of kindergarten teachers up in the Minot area. We felt that it was an issue that was important and an issue that needed to be looked at. Now is July 1 the right date? I did that to coincide with the budget cycle. What this bill does not do is it does not do anything regarding the screening that can be done on the developmental and readiness so parents could still decide that their child is ready and could go around the law.

Rep. Patrick Hatlestad, District 1, Williston, appeared in support of HB 1378. (See Attachment 1.)

Rep. Lee Myxter: Was this a statewide survey or a regional survey? He was told it was a statewide survey.

Amy Neal, Kindergarten Teacher, Minot, appeared in support of HB 1378. (See Attachment 2.) She stressed the idea that the language in HB 1378 will protect the children who are not socially and emotionally ready to be in an academic setting yet.

Rep. Corey Mock: Why were the months for the testing cutoff moved back two months as well?

Amy Neal: That is something that could be discussed. I think that when the language was changed to moving it back to that July date, we are also moving it back for the testing. In my 11 years of teaching kindergarten, I have never had an October, November, December, or January child come into an early entrance. This year is the first year I have ever had a child take the early entrance exam. This is the first year a child has ever passed. She missed the cutoff date by four days. Most kindergarten teachers rarely see them utilize that test.

Rep. Jerry Kelsh: Was there any consideration given to an earlier date? Is that July 1 date is soon enough? Is there that much development in a month or two?

Amy Neal: From my survey, there was one teacher who wanted to move it back an entire year. Several teachers also put May 1. A couple teachers put March. Two teachers had also put January 1, which is actually a year and a half.

Rep. Jerry Kelsh: If we went back to January 1 and I don't know who has to pay for that test or how expensive that test is, it would prove the kids are more ready. A retention rate of 68% in that age group is pretty high.

Amy Neal: It is high. When teachers are making the decision to retain a child, we do more checklists. Are they meeting these standards? We go over social and emotional skills. My retention is mostly because of social or emotional. The flaw in my survey is that I didn't ask the exact number of how many May, June, July, and August? When I am recording and I see this, I am recording on chunks. This was my May, June, July, August chunk.

Rep. Phillip Mueller: Has there been any consideration of giving that readiness test to all regardless of age?

Amy Neal: No. Number one it would be very time consuming. It would be cost to the district. You are asking if all children should be given this readiness test to see if they are ready to early enter. Anybody can take that test whose parents pursue that.

Rep. Phillip Mueller: Should they all be taking it regardless of meeting the criteria for age?

Amy Neal: I don't think they should all necessarily be taking it, but I do believe that all kids should have some type of readiness assessment before they come to kindergarten. Not all school districts do that. I know Bismarck Public Schools have the wonderful readiness assessment. It is not a test. Casselton does an assessment. Wahpeton does a wonderful assessment. We do not do pre assessment at Minot Public. I would like to see pre assessment.

Chairman Kelsch: Those assessments cannot deny admittance to that child based on that assessment because of free and public education. The only thing they have to meet is the age requirement. It is basically so that the teachers know what areas they are going to have focus on, correct?

Amy Neal: Yes, that is correct.

Rep. David Rust: Do you think another reason is with No Child Left Behind? Now we are teaching them to read in kindergarten. Is that happening in your schools?

Amy Neal: Yes. I attribute that to the work progress. What I am doing now for full-day every day kindergarten, I was doing in half-day kindergarten but we were smashing it in a half day. Reading and math are a part of that. Education standards have progressed. I don't ever see us going backwards and taking reading and those elements out of kindergarten and just going to a strictly social and emotional kindergarten like they had fifty or sixty years ago. No Child

Left Behind has definitely made an impact on state requirements all over the nation, not just North Dakota. There is a difference between kindergarten teachers looking at social and emotional readiness and No Child Left Behind academic readiness. We made this separation, and that is what we see children struggling with is social and emotional readiness. They are children in my class that I hold back and they already read. It is because I am looking at the whole child. She gave an example of holding back a child that could read but he couldn't handle the work. He was always crying. He would put his head down. He would shut down.

Rep. David Rust: In your district, can you retain a kindergartner student without parental permission?

Amy Neal: No. We cannot. It has to be the parents on board.

Rep. Lyle Hanson: Any physical problems you have with kids that can't compete with other kids?

Amy Neal: Yes. A couple years ago a student came to me that had a lot of trouble with his motor skills, even just walking. He was kind of like a noodle. By the end of the first year of kindergarten, he was one of my readers. Then when I had to assess if he was ready for the rigorous days of a full day first grade instruction, he was still having trouble sitting up and holding a pencil. His mom and I decided to hold him back. He needed another year to just get more strength.

Rep. Lyle Hanson: I have an example. I have a grandson with a July 29 birthday, and he was recruited by UND swim team. As he went along through the four years, he got better and better. He probably should have been a year later. Last year as a senior he placed on four events in the north central conference. If he could have been swimming this year, he probably would have won all those four events, but he just wasn't ready when he started kindergarten. I

think it is a good bill.

Rep. Bob Hunsakor: I loved your passion. If I could push a button and be a five year old, could I be in your kindergarten?

Amy Neal: I appreciate that.

Kara MacIver, Kindergarten Teacher, Minot, appeared in support of HB 1378. **(See Attachment 3.)**

Rep. Karen Karls: A comment I have heard from moms that now have their children in the all day kindergarten as opposed to the half day was that they get so tired. There is a bill floating around that will start prekindergarten in the state. What's that going to do to the kids that are already tired from full day kindergarten, putting them in that situation even a year earlier, in your opinion?

Kara MacIver: I don't know an answer to that. I can speak from my daughter's experience. I have a daughter that is four. She is in half days in preschool right now. She will turn five in June. Knowing what I know as a kindergarten teacher, I know she is too young and not ready. She gets so worn out when she has that half day of preschool right now.

Mistie Holland, Kindergarten Teacher, Central Cass Public Schools, appeared in support of HB 1378. **(See Attachment 4.)**

JoAnn Brager, Vice President of Public Policy for the North Dakota Association for the Education of Young Children, appeared in support of HB 1378. **(See Attachment 5.)**

In today's kindergarten classroom, there are higher expectations academically. If the children don't mature socially, it is more difficult for them to mature academically. She also handed out a written testimony that was submitted to her from a parent of a child. **(See Attachment 6.)**

Rep. Dennis Johnson, District 15, appeared in support of this bill. I am speaking more as a parent when I signed on to this bill. We have three children with summer birthdays in our family. Our oldest son went to half day kindergarten and went on. He struggled his twelve

years of school socially being the youngest one in his class and not ready. Our daughter who is the middle one did just fine. Our youngest one we did hold back. We watched how he was more successful socially. All three children did fine academically. If we had to do it again, we probably would have retained all three of them.

The hearing was closed.

Rep. Lyle Hanson moved a **Do Pass** on HB 1378. **Rep. Mike Schatz** seconded the motion.

DO PASS, 14 YEAS, 0 NAYS. **Rep. Mike Schatz** is the carrier of this bill.

Date: 1-21-09
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1378

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep. Hanson Seconded By Rep. Schatz

Representatives	Yes	No	Representatives	Yes	No
Chairman RaeAnn Kelsch	✓		Rep. Lyle Hanson	✓	
Vice Chairman Lisa Meier	✓		Rep. Bob Hunsakor	✓	
Rep. Brenda Heller	✓		Rep. Jerry Kelsh	✓	
Rep. Dennis Johnson	✓		Rep. Corey Mock	✓	
Rep. Karen Karls	✓		Rep. Phillip Mueller	✓	
Rep. Mike Schatz	✓		Rep. Lee Myxter	✓	
Rep. John D. Wall	✓				
Rep. David Rust	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Schatz

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

REPORT OF STANDING COMMITTEE (410)
January 21, 2009 12:36 p.m.

Module No: HR-12-0645
Carrier: Schatz
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1378: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1378 was placed on the
Eleventh order on the calendar.

2009 SENATE EDUCATION

HB 1378

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1378

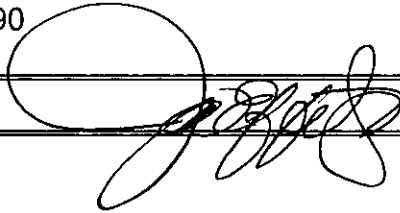
Senate Education Committee

Check here for Conference Committee

Hearing Date: March 4, 2009

Recorder Job Number: 10190

Committee Clerk Signature



Minutes:

Chairman Freborg opened the hearing on HB 1378. All members were present.

Representative RaeAnn Kelsch introduced the bill. The concepts have been discussed in this committee. The main purpose of the bill is to move up the date of enrollment for kindergarten.

It moves the date from September to July. Kindergarten teachers say younger children are starting kindergarten and they aren't ready, socially or emotionally. Moving the date would help with the preparedness of students. This became more noticeable when the state went to full day kindergarten. There is an opt out option. A child can be tested if the parents desire. She has been told Senator Flakoll has amendments based on an email from parents after the bill passed out of the House.

Representative Hatlestad testified in favor of the bill. See written testimony.

Amy Neal, kindergarten teacher from Minot and President of the North Dakota Kindergarten Association, testified in favor of the bill. See written testimony.

Cari Liebel, kindergarten teacher at Watford City Elementary School, testified in favor of the bill. See written testimony.

Senator Taylor asked if children who have attended preschool are better prepared for kindergarten. How common is it for students to have attended preschool before kindergarten?

Cari Liebel said in Watford City about half of the students have attended preschool. She said she does notice a difference in that they know some of the school routines. However, you cannot teach maturity. Some who have attended preschool are held back and don't start kindergarten, due to a recommendation from the preschool teacher.

JoAnn Brager, Vice President of Public Policy for the North Dakota Association for the Education of Young Children, testified in favor of the bill. See written testimony.

Warren Larson, North Dakota Council of Educational Leaders, testified in favor of the bill. See written testimony.

Senator Flakoll asked if he supports payment for phantom students.

Warren Larson said the money would be left over and therefore would have been utilized and the schools will be without it because one or two students are not going to change the fact whether you have to pay for a teacher or not. Rather than have the money just sitting around, they would prefer it be used.

Senator Flakoll asked if there was any discussion on the House side about there not being a fiscal note on this bill.

Warren Larson said he was not at the House hearing.

Linda Paluck, Director of School Approval and Accreditation, Department of Public Instruction, testified against the bill. See written testimony. She said she struggled with this because she taught first grade for 26 years and she always placed the youngest children closest to her desk so she appreciates the testimony from the kindergarten teachers. There are portions of the bill she supports.

Senator Taylor said on page 2, it is existing language that talks about the screening

instruments approved by the superintendent and administered by the kindergarten operator.

Hasn't this been used in the past?

Linda Paluck said yes, there are assessments being used. They are doing something; a lot of special ed teachers do the assessment.

Senator Taylor asked if the language that has been there for sometime doesn't do the job. It looks like the superintendent has the authority to approve one screening instrument. Does she want other language to take it to the rule making process?

Linda Paluck said yes, assessments always need to be looked at; they are constantly assessing moving targets. Currently they are assessing for academic and social readiness. Our world has changed and the way kids are measured and assessed has to follow along with it. The kindergarten teachers she worked with in Williston knew those standards very well. They were clearly laid out and also given to parents. She loves to see that happen in school districts.

Jennifer Schlinger, parent, testified against the bill. See written testimony.

Leon Walter, parent from Ray, testified against the bill. He has sent emails to the committee. He is concerned because the bill does not address everyone. According to Miss Neal's study, there was still one in three students without a summer birthday who were still held back. There is the additional issue of the 68% with birthdays in May, June, July, and August and if we are cutting off July 1, that percentage is even further skewed. He recommends readiness testing that includes academic, emotional, social readiness. He is not opposed to the whole bill. If the cutoff date is changed, his other concern would be the ability to challenge the cutoff date. Now the language specifies the child must demonstrate special abilities or talents. It leads him to interpret that they must be a gifted child. In his opinion, there is a difference between gifted and ready. He also agrees the superintendent should have more authority to set the guidelines. When he called the elementary principal in Ray, she had no idea the bill was being considered and did not know the policy for the cutoff date. Further conversation led him to

believe the assessment would be done through special education. He would like to see some guidelines at the state level.

Chairman Freborg closed the hearing on HB 1378.

Senator Bakke distributed amendment .0102. The amendment would make it consistent with SB 2202 which the Senate Education Committee amended to an August cutoff date. The committee also put an effective date in 2202. She thought the two bills need to be consistent. With the cutoff date being September 1 and with so many schools starting in August, it makes it possible for a 4 year old to start kindergarten. She started kindergarten at 4 and she wouldn't advise it for anyone. She didn't catch up until high school. It was a real struggle. With an August 1 date, we are making sure children are 5 when they start kindergarten.

Senator Bakke moved amendment .0102, seconded by Senator Flakoll.

Amendment .0102 passed 5 – 0.

Senator Flakoll distributed amendment .0101. The amendments deal with better language for readiness testing. It adds that there would be academic, social and emotional readiness so there are more encompassing criteria.

Senator Flakoll moved .0101 amendment, seconded by Senator Taylor.

Senator Bakke asked if the same language is being amended to the bill in the House.

Senator Flakoll said he is not aware of that. They haven't heard the bill in the House yet.

They could possibly add the amendment if they so choose. In conversations with the committee chair, who is also a sponsor, there is acceptance in general terms.

Senator Bakke agrees with the amendment. She likes the wording much better. Too often this is perceived to be the "gifted child" and that isn't right. Some kids are ready socially and

emotionally to start kindergarten. She wonders about the implementation of this. Who is going

to make sure the assessments are consistent from district to district so it isn't the same test that determines a gifted child. We will have to work the kinks out.

Amendment .0101 passed 5 – 0.

Senator Flakoll moved a Do Pass As Amended on HB 1378, seconded by Senator Lee.

The motion passed 5 – 0. Senator Bakke will carry the bill. (Clerk's note: The recoding indicates Senator Flakoll will carry the bill but he and Senator Bakke later traded bills and Senator Bakke ended up carrying 1378.)

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1378

Page 1, line 2, after "schools" insert "; and to provide an effective date"

Page 1, line 10, replace "July" with "August"

Page 1, line 12, replace "July" with "August"

Page 1, line 13, replace "July" with "August"

Page 1, line 16, replace "July" with "August"

Page 1, line 17, replace "November" with "December"

Page 1, line 23, replace "July" with "August"

Page 1, line 24, replace "November" with "December"

Page 2, line 18, replace "July" with "August"

Page 2, line 19, remove the overstrike over "~~December~~" and remove "November"

Page 2, after line 23, insert:

"SECTION 3. EFFECTIVE DATE. This Act becomes effective on July 1, 2010."

Renumber accordingly

3/4/09

Date: 3/4/09
 Roll Call Vote #: _____

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1378

Senate Education _____ Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendment .0102

Motion Made By Sen. Bakke Seconded By Sen. Flakoll

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

Total (Yes) 5 No 0

Absent _____

Floor Assignment _____

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

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1378

Page 1, line 20, overstrike "special talents or abilities" and insert immediately thereafter
"academic, social, and emotional readiness"

Page 2, line 3, overstrike "special talents or abilities" and insert immediately thereafter
"academic, social, and emotional readiness"

Page 2, line 22, overstrike "special talents or abilities" and insert immediately thereafter
"academic, social, and emotional readiness"

Renumber accordingly

Date: 3/4/09
Roll Call Vote #: 2

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1378

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendment .0101

Motion Made By Sen. Flakoll Seconded By Sen Taylor

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

Total (Yes) 5 No 0

Absent _____

Floor Assignment _____

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

Date: 3/4/09 :
 Roll Call Vote #: 3 :

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1378

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Sen. Flakoll Seconded By Sen. Lee

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

Total (Yes) 5 No 0

Absent 0

Floor Assignment Sen. Bakke

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

REPORT OF STANDING COMMITTEE

HB 1378: 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). HB 1378 was placed on the Sixth order on the calendar.

Page 1, line 2, after "schools" insert "; and to provide an effective date"

Page 1, line 10, replace "July" with "August"

Page 1, line 12, replace "July" with "August"

Page 1, line 13, replace "July" with "August"

Page 1, line 16, replace "July" with "August"

Page 1, line 17, replace "November" with "December"

Page 1, line 20, overstrike "special talents or abilities" and insert immediately thereafter "academic, social, and emotional readiness"

Page 1, line 23, replace "July" with "August"

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Page 2, line 19, remove the overstrike over "~~December~~" and remove "November"

Page 2, line 22, overstrike "special talents or abilities" and insert immediately thereafter "academic, social, and emotional readiness"

Page 2, after line 23, insert:

"SECTION 3. EFFECTIVE DATE. This Act becomes effective on July 1, 2010."

Renumber accordingly

2009 TESTIMONY

HB 1378

Attachment 1

Madame Chair Kelsch
Education Committee
HB 1378

Madame Chair and members of the Education Committee, my name is Representative Patrick Hatlestad, District 1, Williston.

I stand before you in support of HB 1378. This bill refers to the "kindergarten birthday cut-off date." Currently kindergarten children must be 5 years old before September 1 in-order to attend school.

A survey (sent to 200 kindergarten instructors with 103 returned) conducted as part of a Master's thesis indicated that 68% felt the birth date should be moved back. The reasons were many and varied but most revolved around the fact that many young people were not socially &/or emotionally ready for fulltime kindergarten.

Does a July 1 cutoff date guarantee all will be ready? No, but I feel it improves the chance the child will have a more positive start to his/her education.

Patrick Hatlestad

Attachment 2

January 21, 2009

To: Madam Chairman and House Education Committee Members
From: Amy Neal - Kindergarten Teacher
RE: HB1378

I am testifying in favor of HB1378. This bill is written to change the language of the kindergarten entrance age from August 31st to July 1st in the ND Century Code.

Data from ND Kindergarten Teachers: Masters in Education from Minot State

*I sent out 200 random surveys to ND K-teachers from DPI list and 103 were returned.

*40% of my responses came from teachers who have been teaching for 16+ years.

*Chosen cut-off dates from 103 responses:

June 1st = 56%, July 1st = 15%, August 1st = 11%, September 1st = 8%

*How many students were retained *last year* in kindergarten and how many of those students had *summer birthdays*. (high correlation)

Retained 07-08	Summer Birthdays	Percentage
123 students	84 (M, J, J, Aug)	68%

Social/Emotional: List the most important skills that you feel children should have when entering kindergarten?"

53% of open ended question responses were: getting along with others, separating from parents, self-control, comply with teacher directions, staying on task for short periods of time, self-help skills, understanding directions, display confidence and eagerness to learn.

Kindergarten readiness is viewed differently by administrators, educators, and parents across the nation. Nancy Protheroe (2006) reports that "parents are more likely to emphasize pre-academic skills . . . while teachers are more likely to emphasize the importance of children's

enthusiasm, effective communication, and appropriate behaviors as critical kindergarten readiness skills." Teachers become invested emotionally with a child who is not ready for school and watching them go through an internal battle in which they cannot control is heartbreaking. Due to frustrations from school stress students exhibit behaviors such as withdrawing from activities, not putting forth effort, crying, temper tantrums, and acting out physically towards others. During these emotional times, learning is impeded for the child.

Reports on cognitive advantages: Older kindergartner vs. younger kindergartner -

*Christina Baglivi-Tinglof (2007) - younger children were more likely to experience problems of failing grades, being labeled, or scoring lower on achievement tests than older kids.

*John Bell and Sandra Daniels (1990) - significant differences in children's reading, language, and math performance. Children who started school at the age of six did significantly better than 5-year entrants.

Are all July and August students "not ready" for kindergarten? No, there is always the possibility of young students who are ready for kindergarten. There is an early-entrance exam available for parents to consider for children who just miss the cut-off date. The language in HB1378 will protect the children who are not socially and emotionally ready to be in an academic setting yet.

I would like all students to have the opportunity for a positive start in their education. A successful kindergarten year is one where the child feels comfortable, confident, and excited. Moving the kindergarten birthday cut-off date back would provide the critical extra-months of maturity that some students need to be successful. Educators and lawmakers need to have a common goal to do what is best for young children. Please support HB 1378.

References

Baglivi Tinglof, Christina (2007). When Kids Hate School. *The Kaboose Family Network*. Retrieved February 2008, from <http://education.kaboose.com/education/When-Kids-Hate-School.html>.

Bell, John F. and Daniels, Sandra (1990). Are Summer-Born Children Disadvantaged? The Birthdate Effect in Education. *Oxford Review of Education*, March 1990, v16, no1. Retrieved from Academic Search Premier, February 7, 2008.

Protheroe, Nancy (2006) Readiness for Kindergarten: What Schools Can Do. *Principal*, September/October 2006, pgs.32-36

Madam Chairman and Education Committee Members,

I am Kara MacIver. I live in Minot and teach at Longfellow Elementary. I strongly support HB1378 because I have seen first hand the symptoms of school stress that young children tend to exhibit when they are not socially or emotionally ready to be placed in a structured school setting. Kindergarten will always be considered a place for social growth but we have more to offer than days filled with only play, snacks, and naps. We have a curriculum with many age-appropriate activities in the areas of mathematics, language arts, reading, science, and social studies that is balanced with time for social interaction and emotional growth. Mary Lou Yeatts states, "Children at age five are capable of doing most academically challenging activities. Unfortunately, being academically ready does not always ensure that the child is ready in other areas." according to her book *Is Starting Later Better?* Here are a few examples:

Last school year, I had two students in my classroom who began the school year as 4 year-old students. Their birthdays fell 2-days and 3-days after our school year began. The oldest student in my classroom was 6 years old, 18 months older than these two students. The two younger students displayed consistent school stress in the classroom, such as, crying most of every morning or hiding under the table not wanting to sit and refusing to participate in classroom activities that their peers were eagerly engaged in. Due to their stress, many behavioral problems surfaced from both students and the level of frustration shown by each child was heartbreaking. I visited with both sets of parents and they did seem concerned but wanted to keep trying to push their children to learn the Kindergarten Curriculum. By January, I still had one student crying at least the first hour of every day and the other student had moved to another town.

This first year of school for many students set their attitude for school in the years to come. Can you imagine remembering your first year of school as an overwhelming, frightening experience where you felt constantly overwhelmed? According to Christina Baglivi-Tinglof,

“The first year of school is a crucial time for a child to form his/her identity and an unpleasant experience can lead to low self-esteem and self-destructive behavior patterns. Enthusiasm can quickly change to anger and sadness. The end result is a kid who hates school.”

John Bell and Sandra Daniels wrote the book, *Are Summer Born Children Disadvantaged? The Birthdate Effect in Education*. They reported that “the summer born children were nearly twice as likely to have negative attitudes toward school.” As a teacher it breaks my heart to watch a child start their education with a negative attitude. Kindergarten is a fun and exciting place to be, and should not be a confusing and overwhelming place that creates anger and sadness.

I also worked as an administrator for one year in a rural setting before moving to Minot. I do understand that changing the entrance date will not eliminate all the social and emotional issues we are seeing but it will give students with late summer birthdays the opportunity they need to mature and develop into confident and eager learners.

I strongly believe this bill will be a positive step towards helping children begin Kindergarten when they are emotionally and socially ready so they can have a successful and confident school experience. I encourage you to support HB 1378.

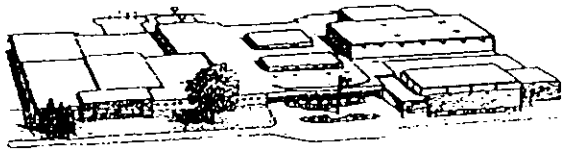
References:

Baglive Tinglof, Christina (2007). When Kids Hate School. *The Kaboose Family Network*. Retrieved February 2008, from <http://education.kaboose.com/education/When-Kids-Hate-School.html>.

Bell, John F. and Daniels, Sandra (1990). Are Summer Born Children Disadvantaged? The Birthdate Effect in Education. *Oxford Review of Education*, March 1990, v16, no1. Retrieved from Academic Search Premier, February 7, 2008.

Yeatts, Mary Lou (2006) Kindergarten: Is Starting Later Better? *Principal* September/October 2006, p. 61

CENTRAL CASS SCHOOL DISTRICT



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MISTIE HOLLAND

Kindergarten Teacher, Central Cass Public Schools
Mistie.Holland@sendit.nodak.edu

I am a kindergarten teacher from Central Cass Public Schools, testifying on behalf of myself and the team of kindergarten teachers that I work with. I strongly support the kindergarten cut-off day being moved to July 1st, based on the data and research I have gathered through my thesis for my Masters in Education from Valley City State University and from the personal experiences I have witnessed being a kindergarten teacher for the past seven years.

When surveying 35 North Dakota teachers for my thesis on the readiness of children who have summer birthdays for kindergarten:

- 97% of the teachers felt that the students that struggle the most in kindergarten have August birthdays and begin instruction as the youngest children in class.
- 100% believe that the maturity level of a student was one of the major reasons why children struggled in school.

Students who are older tend to do better in school and score higher on standardized tests.

The following studies show that students do better academically and are increasingly ready to learn when they are older, while teachers can carry out the curriculum more successfully since their students are mature and ready for instruction.

- Protheroe (2006) suggests students who are not ready for kindergarten tend to fall farther behind their peers, experience retention more often, and frequently continue to struggle into first grade.

- Deborah Stipek, Dean of the Stanford School of Education, found that older children learn more per grade and also tend to have less behavioral problems than their peers.
- A study by Kelly Bedard, a co-writer of the “The Persistence of Early Childhood Maturity: International Evidence of Long-Run Age Effects,” states that younger students perform up to 12 percentiles less than their peers at the third grade level on standardized tests in math and science and about 9 percentiles lower at the eighth grade level (Weil, 2007).
- This study goes on to show that students who are older are 11.6 percent more likely to go to college than their younger classmates.

“Make it a Win-Win! . . . the parents win because they see a more mature child who is ready for the structure of kindergarten; the child wins because he or she is ready and willing to listen and follow directions; and the teachers win because they see a child with the advantage of being a year older, a year wiser, and ready to learn” (Yeatts, 2006).

In conclusion, according to Weil (2007) around 24 percent of educated parents are already choosing to carefully examine their child's maturity levels and are deciding to postpone kindergarten if their child has a summer birthday. I too would like you to consider this measure, HB1378 as one that will benefit children in our state. Students will enter school more mature and self-confident, making school a more meaningful learning experience. Let's not make this about emotions or money, but how we can set our children up for success instead of failure. Consider how they will do as they enter the tough years of junior high or how well they will adjust and perform in the challenges of college as the youngest student enrolled.

Protheroe, Nancy (S/O 2006). Readiness for kindergarten: What schools can do. *Principal*, 1, 32-36.

Weil, E. (2007, June 3). *The New York Times*. Retrieved January 10, 2008, from When should a kid start

kindergarten?: <http://www.nytimes.com/2007/06/03/magazine/03kindergarten->

[t.html?pagewanted=1&_r=2&ei=5070&en=1a94ff254d272df3&ex=1182312000](http://www.nytimes.com/2007/06/03/magazine/03kindergarten-t.html?pagewanted=1&_r=2&ei=5070&en=1a94ff254d272df3&ex=1182312000)

Yeatts, M. L. (2006). Kindergarten: Is starting later better?. *Principal*. 86, 61.

Attachment
5

January 21, 2009

From: JoAnn Brager, Vice President of Public Policy for the North Dakota Association for the Education of Young Children

To: Chairman Kelsch

Re: HB 1378, Relating to the age of admission to schools

Same
given to
Senate.

My name is JoAnn Brager and I am the Vice President of Public Policy for the North Dakota Association for the Education of Young Children. The Association represents 400 members who work with and on behalf of children ages birth through age 8 years.

The Association supports HB 1378 and urges a "yes" vote to change the age of admission from September to July first of the year of enrollment. Many skills that were once taught in 1st grade are being introduced in kindergarten. The shift from a play-based curriculum to the teaching of discrete skills and specific expectations for achievement is being reinforced by the standards movement. Child-development experts stress the importance of a developmentally appropriate curriculum for kindergarteners. Academic skills should be taught within a play-based curriculum that takes into account the wide range of skill levels present in a kindergarten classroom and that allows each student to reach his or her maximum potential. Moreover, the teaching of social skills such as cooperation, negotiation and working well within a group should remain an integral part of the kindergarten curriculum (NAEYC, 1996).

Due to the higher level academic skills that are now taught in kindergarten we believe that the July first birth date would provide children the opportunity to gain the maturity to reach his or her maximum potential. Please pass HB 1378.

Thank you for your time and I would be happy to answer any questions you may have.

Laurel Nybo

From: JoAnn Brager [JBrager@hitinc.org]
Sent: Wednesday, January 21, 2009 8:10 AM
To: Laurel Nybo
Subject: FW: HOUSE BILL 1378

From: the6bs@westriv.com [mailto:the6bs@westriv.com]
Sent: Tue 1/20/2009 10:21 PM
To: JoAnn Brager
Subject: HOUSE BILL 1378

Dear Representative RaeAnn Kelsch,

I am writing to you in regard to House Bill 1378. I feel that allowing kindergarten children to start school at a younger age is a grave mistake, as we then need to realize these children will be barely 17 years old at graduation, considering they make it that far. With the problems teens are faced with these days, we as a society need to make sure they are mature enough to handle the issues that are put upon our children.

As a parent of a kindergarten child I chose to hold back, I saw first hand the difference only one year can make. My child returned to kindergarten a year later a totally different child, now doing very well in academically and also socially. I feel my decision has made a huge difference in the life of my child, he has confidence that he is able to complete most any task that is asked of him at school.

I urge you to take my point of view into consideration as you look at Bill 1378. I feel that you would be doing a great service to our youth by passing such legislation.

Sincerely,

DeAnn Bueligen
2780 43rd ave.
New Salem, ND 58563
701-220-0314

Chairman Freborg

Senate Education Committee

HB 1378

Chairman Freborg and members of the Education Committee, my name is Representative Patrick Hatlestad, District 1, Williston.

I stand before you in support of HB 1378. This bill refers to the “kindergarten birthday cut-off date.” Currently kindergarten children must be 5 years old before September 1 in-order to attend school.

A statewide survey (sent to 200 kindergarten instructors with 103 returned) conducted as part of a Master’s thesis indicated that 68% felt the birth date should be moved back to July 1 or earlier. The reasons were many and varied but most revolved around the fact that many young people were not socially &/or emotionally ready for fulltime kindergarten.

Does a July 1 cutoff date guarantee all will be ready? No, but I feel it improves the chance the child will have a more positive start to his/her education.

March 4, 2009

To: Chairman Freborg and Senate Education
From: Amy Neal - Kindergarten Teacher, Minot
RE: Support HB1378

I am testifying in favor of HB1378 because I would like all students to have the opportunity for a positive start in early education. A successful kindergarten year is one where the child feels comfortable, confident, and excited. A good experience promotes a positive outlook on education that will carry on into a student's important transition years. Moving the kindergarten birthday cut-off date back to July 1st would provide the critical extra-months of maturity that some students need to have a successful start. The language in HB1378 will protect the children who are not socially/emotionally ready to be in an academic setting yet.

Teachers become invested emotionally with a child who is not ready for school and watching them go through an internal battle which they cannot control is heartbreaking. Due to frustrations from school stress, students may exhibit behaviors such as withdrawing from activities, not putting forth effort, crying, temper tantrums, and acting out physically. During these emotional times, learning is impeded for the child and others in class.

Data from ND Kindergarten Teachers: Masters in Education

*Chosen cut-off dates from 103 responses:

June 1st = 56%, July 1st = 15%, August 1st = 11%, September 1st = 8%

*Survey indicated a high correlation between retained kindergarten students *last year* and how many of those students had *summer birthdays*.

Social/Emotional reports:

- 1) ND Teacher survey- Ready to start...53% responded getting along with others, separating from parents, self-control, comply with teacher directions, staying on task for short periods of time, self-help skills, understanding directions, display confidence and eagerness to learn.
- 2) Christina Baglivi-Tinglof (2007) reports that "the first year of school is a crucial time for a child to form his/her identity and an unpleasant experience can lead to low self-esteem and self-destructive behavior patterns. Enthusiasm can quickly change to anger and sadness. The end result is a kid who hates school."
- 3) Mary Lou Yeatts (2006) states, "Children at age five are capable of doing most academically challenging activities. Unfortunately, being academically ready does not always ensure that the child is ready in other areas."
- 4) Nancy Protheroe (2006) reports that "parents are more likely to emphasize pre-academic skills . . . while teachers are more likely to emphasize the importance of children's enthusiasm, effective communication, and appropriate behaviors as critical kindergarten readiness skills."
- 5) John Bell and Sandra Daniels (1990) reported that "summer born children were nearly twice as likely to have negative attitudes toward school."

Cognitive advantage: Older vs. younger students

- 6) Christina Baglivi-Tinglof (2007) - younger children were more likely to experience problems of failing grades, being labeled, or scoring lower on achievement tests than older kids.
- 7) Bedard and Dhuey (2006) - oldest students score significantly higher on standardized math and science tests in the fourth and eighth grade. They are also about eight percent more likely to take college entrance exams and about ten percent more likely to attend college immediately.
- 8) John Bell and Sandra Daniels (1990) - significant differences in children's reading, language, and math performance. Children who started school at the age of six did significantly better than 5-year entrants.
- 9) Uphoff and Gilmore (1985) - younger summer students had a higher IQ than the redshirted students in their class, but they scored lower on Iowa Basic Skills Tests. Older students were able to do more with the ability they had than younger students.

References

Baglivi Tinglof, Christina (2007). When Kids Hate School. *The Kaboose Family Network*. Retrieved February 2008, from <http://education.kaboose.com/education/When-Kids-Hate-School.html>.

Bedard, Kelly and Dhuey, Elizabeth (2006) The Persistence of Early Childhood Maturity: International Evidence of Long-Run Age Effects. *The Quarterly Journal of Economics*, November 2006, p. 1437-1472. Retrieved from Academic Search Premier, July 13, 2008.

Bell, John F. and Daniels, Sandra (1990). Are Summer-Born Children Disadvantaged? The Birthdate Effect in Education. *Oxford Review of Education*, March 1990, v16, no1. Retrieved from Academic Search Premier, February 7, 2008.

Protheroe, Nancy (2006) Readiness for Kindergarten: What Schools Can Do. *Principal*, September/October 2006, pgs.32-36

Uphoff, J. and Gilmore, J. (1985) Pupil Age at School Entrance - How Many are Ready for Success? *Educational Leadership* v43, issue 1: p. 86-90. Retrieved from EBSCOhost, July 13, 2008

Yeatts, Mary Lou (2006) Kindergarten: Is Starting Later Better? *Principal* September/October 2006, p.61

March 4, 2009

To: Chairman Freborg and Senate Education Committee Members
From: Cari Liebel—Kindergarten Teacher at Watford City Elementary School
RE: HB1378

Chairman Freborg and members of the committee, my name is Cari Liebel. I am currently in my 28th year of teaching kindergarten at Watford City Elementary School. I am here in support of HB1378, to change the school entrance date from August 31 to July 1.

The most successful kindergarten students come to school eager to learn. Maturity plays a large role in school readiness and maturity is not something we can teach. I would like to share with you some data from our school. I chose to look at a 5 year period (students currently in preschool through grade 3).

Watford City has 43 students in that 5 year span that have July and August birthdays.
(That averages about 8-9 students per year)

6 of the 43 are currently in preschool so I do not have further data for them.

That leaves 37 students in grades K-3. Looking at those 37...

- 12 waited a year to start school (parent's choice)
- 6 were retained (teachers recommended that 5 more be retained but parents refused)
- 11 students are currently struggling socially and academically
- 8 students are performing as expected for that grade level

I surveyed the K-3 teachers in our school and 9/9 (100%) did not hesitate to say they supported HB1378.

The number 1 reason we retain students is for maturity (things like attention span, getting along with others, self control, direction following, separating from parents, displaying confidence, physical stamina). Academic problems happen no matter what age but more so when the student doesn't have the maturity needed.

Behaviors we see when students are not ready for school emotionally are crying, tantrums, acting out, social problems, giving up, disliking school, poor self esteem, stomach aches and head aches, social stigma.

If a parent thinks their child is ready to start but have not reached the age requirement there is an early entrance exam that can be taken which is given by the Wilmac Special Education Unit for our school.

I have had many parents thank me for advising them to hold their child back when the child's maturity was causing them problems, but not once has anyone said they regretted that decision. I ask some people as their kids get into high school or even when graduating, if we made the right decision by holding them back and the answer has always been yes. The extra time to mature helped not only in early years of school but the parents were glad to have that extra time of maturity before sending them off into the world.

I believe that moving the birthday cut off to July 1st is a good thing for North Dakota students. Let's keep what is best for our students at the forefront when considering this bill. Please support HB 1378. Thank you.

Chairman Freborg and Committee members, for the record my name is Warren Larson, representing the North Dakota Council of Educational Leaders.

We support HB 1378, but would request some small amendments for improvement:

- **Lines 10,12,13,16, and 23 on Page No. 1 should be changed to August from July**
- **Also on Page No. 1 we would request that you consider changing lines 17 and 24 to December from November**
- **Similarly on Page No. 2 we would suggest that you change line 18 to August from July**
- **On Page No. 2 that you change line 19 to December from November**

Lastly, we would ask that you consider some adjustment in the per pupil payment ADM for the year that this takes effect.

By moving the time back to August, the school district will see fewer children enrolled this first year, thus seeing fewer revenues.

On the same token, the state will realize some savings in the per pupil payment due to this same change and we would ask that this difference be returned to the formula for this one year anomaly.

Thank you for your time and consideration in this matter and I will stand for any questions.

**TESTIMONY ON HB #1378
EDUCATION COMMITTEE**

March 4, 2009

by Linda M. Paluck, Director of School Approval & Accreditation

701-328-1718

Department of Public Instruction

Chairman Freborg and members of the committee:

My name is Linda Paluck and I am the Director of School Approval and Accreditation for the Department of Public Instruction. I am here to speak in opposition to HB #1378 relating to the age of admission to schools.

My concerns rest in three areas:

1. First, the lack of congruence between this bill and SB #2202 which relates to compulsory kindergarten attendance and age of admission to schools. This bill requires a child to be 5 by July 1 to attend kindergarten; however, SB 2202 requires a child to be 5 by August 1. Additionally SB 2202 requires attendance in kindergarten while continuing to provide an option for six year olds to enter into grade one without going to kindergarten. It also provides the option for early entrance into grade one. These concepts contradict one another.
2. My second concern is with research provided in former testimony in support of this bill. Overall research on this issue is inconclusive. In fact research shows in later years the impact of kindergarten entrance age has little to no statistical impact on student achievement.
3. My final and greatest concern lies with the lack of an effective starting date if this bill were to pass as currently drafted. School districts will soon be holding kindergarten registration for the 2009-2010 school year. The Approval & Accreditation unit has received several phone calls from parents wondering if they should enroll their child in day care, school for 2009-2010, or wait until the bill's final passage before making a decision. An effective date for 2010-2011 school year would be workable for schools and parents.

The current law and purposed legislation requires schools to administer developmental and readiness screening instruments to determine if early

entrance into kindergarten is an option. Schools are seeking clarity in the type of assessments and/or procedures to be used to meet this provision. The DPI respectfully requests the authority to write Administrative Rules to develop such clarity. A consistent measurement of assessing student's ability would ensure a more equitable entrance process throughout North Dakota.

Chairman Freborg and members of the committee this concludes my testimony. I stand for any questions you may have.

Testimony of Jennifer Schlinger
In opposition of HB 1378
March 4, 2009

Chairman Freborg and members of the Senate Education Committee:

For the record, my name is Jennifer Schlinger, and I am here today as a parent to encourage you not to support HB 1378.

After reviewing this bill, I am not convinced that there is enough information and research to change the date of when children may be enrolled in school.

As a parent of two children with birthdays July 31 and June 30, the proposed changes directly impact them. I have been made aware of many issues that children face as they start school. Two of the largest issues are that of academic preparedness as well as being mature enough and emotionally ready. As a parent, I am willing to do whatever is necessary to help my children gain the most from their educational experiences. With that said, I have already put a few things in place: having both of my children in a daycare setting that allows them interaction with other children of a variety of ages; enrolling them in extracurricular activities (i.e. swimming, gymnastics, music, etc.) to promote socialization; and enrollment in an outstanding preschool program where they can expand their academics and broaden their social interaction.

I know that the information that I am reciting is just one example from one parent that impacts just two children but from my personal experiences and my professional opinion, we need to be mindful of individual differences. Every individual has his/her way of learning and people learn at a different pace. It is of the utmost importance to be cognizant of this when a child begins elementary school. One of the reasons why I feel that the bill should not be passed is because we need to assess each child on an individual basis regarding his/her preparedness for kindergarten.

I myself have a spring birthday and my husband has a summer birthday. We were both "young" for our grades and we both did well (if I do say so myself). I believe that some of the academic and social challenges that we faced (and most kids will face) have only made us stronger people in college and in our professions. Some people may argue and say that kids are faced with enough challenges and waiting to start them in school is one way to make things "easier" for them.

I enjoy research and wonder if there have been studies done that look at the long-term impact of the issues that this bill encompasses. I am curious to know how adolescents with summer birthdays do in middle school and how teenagers who are young for their grade do overall in high school. My concern, as a social worker, is if children are bored and not challenged enough in school, this may lead to delinquency. On a newscast on January 21, 2009, Amy Neal has noted a statistic from the 2007-2008 school year that 123 students repeated kindergarten and 68 percent of them had summer birthdays. I

don't feel that this statistic can stand alone. What about previous school years; what about the other third of the students that repeated kindergarten and don't have a summer birthday? All of this information refers to my initial statement that I don't feel that enough research has been done to make the recommended changes in this bill.

My understanding is one of the reasons this bill was proposed because it would make students older when they start school. I again feel that changing the cutoff date is not the answer because it is simply shifting the dynamic of the students by only two months. I noted the statistic of 123 students that repeated kindergarten last year. The reality is that there will be students that are held back every year and the solution cannot be to continue to shift the cutoff date every few years. We need to perhaps look at testing every child that enters kindergarten or look at other supports that can be offered to kindergarten teachers to overcome obstacles. There will always be older, younger, taller, smaller students in every class. There will be children that are very bright and students that require more attention. We need to embrace these differences and work with all students to maximize their academic potential instead of holding back some promising students because their birthday is in the summer.

I have already registered my daughter for preschool to start in the fall and subsequently, hope to start her in kindergarten the following year (when she is five years old). I want you to know that just because I'm opposed to this bill, that does not mean that I am so close-minded that I will not solicit feedback from her preschool teachers, daycare provider, etc. regarding kindergarten enrollment. I value the opinion of the professionals in the field just as my clients value my opinions in my respective field.

Members of the Education Committee, just as you may not agree with everything I have presented to you today, I am not opposed to everything in the bill. I do agree that if the bill passes, I appreciate the fact that a child may enroll in kindergarten if he/she completes a developmental and readiness screening. I could even see taking that one additional step by requiring a licensed professional (i.e. preschool teacher, daycare provider, etc.) to write a letter of recommendation on behalf of that child.

In summary, I feel that when a child begins his/her academic journey, it is a very individual situation and the proposed changes in this bill are not the answer. I also would encourage additional research on this issue before passing this bill. At this point, I do not feel as though there is enough of a need to change the dates. Therefore, I urge you to give HB 1378 a do not pass recommendation.

Thank you for your time and consideration in regards to this bill.