

2009 SENATE APPROPRIATIONS

SB 2155

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2155

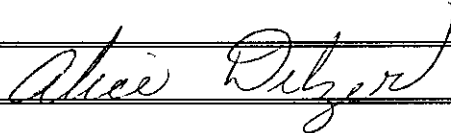
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 01-21-2009

Recorder Job Number: 7392

Committee Clerk Signature



Minutes:

V. Chair Bowman called the committee hearing to order at 10:15 a.m. in reference to SB 2155 in regards to grants to institutions of higher education that provide direct services to students who are hearing-impaired. All committee members were present except Chairman Holmberg, V. Chair Grindberg, Senator Warner, and Senator Krauter as they were excused as they were in Washington D.C. for the inauguration. Senator, welcome to our committee.

Senator Dave Oehlke, from Devils Lake, North Dakota, District 15. I am here to testify on SB 2155. I will introduce that bill in this fashion. I was interim committee this past biennium for Higher Ed I realized that it is one thing to work with the School for the Deaf on lower grades basis but when it comes to the college level experience for these students the expenses to the college are a lot more than you would anticipate. It can be a good experience or bad experience all depends on the help they get. They may be so hard of hearing they need total interpreters not with them only during class periods but in between if you are going to have a full well rounded college experience. Any of you who have been through that route realize a lot of things happen outside the classroom to make that college experience what it is so the help these students need is quite expensive. The problem is not that they can't succeed in that level but the colleges are not all that interested in serving that child because they know it will cost a lot of money. The reason for the bill is to help the colleges get some of their expenses back.

The idea of having the School for the Deaf as the host is the level of need that these students is quite important because that is the only entity that I know of in the State of North Dakota that deals with those kinds of decisions and actually evaluate somebody's level of need.

Senator Fischer had questions for Council and was told they will check on that.

V. Chair Bowman: is there going to be limits per applicant as to how they would be entitled to or does this go through the college and the college makes that decision. I can see spending a whole lot of money for one student but wouldn't the purpose be to get more than one student into college that could take advantage of this?

Senator Oehlke: The number you see in there was determined by taking the worse scenario. The administration side of this will probably cause some interest because someone is going to have to administer this and I guess it will be Higher Ed somewhere. If they happen to go to school in Fargo the services there for an interpreter may cost more there than at Devils Lake, because we have these people there going to school at Lake College. The same is true for any other areas in the state. I don't think that any one student will use up the whole amount but the hard of hearing is a different environment. (05.23)

Senator Mathern: Was your intent to make only ND students eligible or any student? He was told by Senator Oehlke that he hadn't thought about that.

Brady A. Larson, Legislative Council: Century Code Section 54-44.1-11 is the provision of law that requires the Office of Management and Budget to cancel unexpended appropriations at the end of the biennium so section one of this bill would allow the State Board of Higher Education to carry over funds at the end of the biennium.

Laurel Goulding, Vice President for Student Services at Lake Region State College testified in favor of SB 2155 and provided written testimony # 1. I was in attendance where

Senator Oehlke was meeting and discussion turned to how do we serve the needs for students for interrupters. Interrupter services are extremely high. (09.05) (See testimony)

V. Chair Bowman: is there going to be check list of resources available for these students and someone screen these students if they have gone through this list. Who will make sure they have done it before the grant is provided?

Laurel Goulding: I am not sure. I was surprised how the bill is drafted. I have some concerns. Initially we talked about putting the funds in the budget of the School for the Deaf and that made a lot of sense to me. That is where the expertise is and the School for the Deaf has a larger mission than just on campus. Their mission is to serve people with hearing issues (12.01) in terms of helping people find the right interrupter. I see it to be problematic if the money goes to the Board of Higher Ed so I would suggest we remove that part, each campus in the university system has that in place. If the money just goes to the Higher Ed we should continue to use that. I am sure the School for the Deaf will remain available as a resource for each of the schools so my suggestion would be that we either put the whole thing in Higher Ed or School for the Deaf. (13.42) I learned a lot about the needs of deaf service and working for the deaf the staff and our faculty have impressed on me the fact that there is a big difference between someone that needs a hearing aid and someone who is hearing impaired. This bill is for the hearing impaired. I would suggest that the language be narrowed we would be talking about deaf and hard of hearing individuals.

Senator Christmann: Do you know the amount you mentioned that is in the Higher Ed budget for disabled. She gave a dollar amount.

Senator Lindaas: Does the School for the Deaf train interrupters? If someone needed an interrupter who carries the data base for that?

Laurel Goulding: Lake Region College trains the interrupters and the School for the Deaf keeps tract statewide where the interrupters are available. There is a large deaf community in Devils Lake.

Senator Fischer: How long does it take to teach someone sign language? He was told it is a two year program. (16.31)

Senator Kilzer had questions regarding the fees interrupters charge. He was informed there are different levels of needs and so there are different fees charged..He also asked about students going to school in Washington and was informed a lot of students would like to stay in North Dakota but the schools are afraid of the costs and this bill will give opportunity to solve this problem.

Senator Robinson shared a personal experience that was very moving regarding a deaf student. .

Senator Lindaas: had questions regarding interrupters.

Laurel Goulding :The goal of interrupter is to be totally invisible. You can't express your opinion and it has to be verbatim. There is a grading system for the level of skill.

V. Chair Bowman: would you be interested working to get an amendment drafted to clear up the language. She replied yes and V. Chair Bowman suggested she get together with the sponsor of the bill.

Senator Christmann asked for Council to provide more information .

Senator Krebsbach: I'm wondering if it should be narrowed down to a project for Lake Region.

She was told that this year when school started 12 deaf students were enrolled with only two at Lake Region and she did not follow up on how many are still there.

V. Chair Bowman closed the hearing on SB 2155.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2155

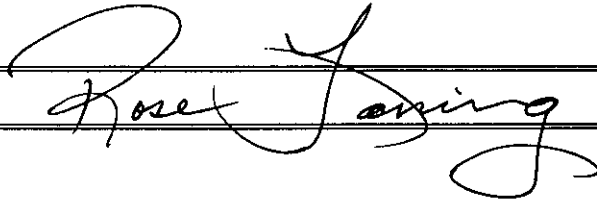
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: February 16, 2009

Recorder Job Number: 9598

Committee Clerk Signature



Minutes:

SB 2155 provides for an act to provide an appropriation for grants to institutions of higher education that provide direct services to students who are hearing-impaired.

Senator Krebsbach said the wording in the heading of the bill refers to the students who are hearing impaired. They requested that this be narrowed to deaf or hard of hearing. It narrows the scope of the program.

It was also determined that this bill should be left under the school of the deaf.

That is amendment .0101.

The other amendment reduces the appropriation from \$300,000 to \$200,000 because they're not sure what the amount of the request will be. This is something new and it provides assistance to interpretive services for college students. We thought it would be smart to take and put it there at the \$200,000 level since it is new.

Senator Krebsbach moved Do Pass.

Senator Fischer seconded.

Senator Mathern wondered if the amendment for the discussion about keeping this with the school of the deaf would require a further amendment on line 6 – changing that to school of the deaf.

Senator Krebsbach stated that if you look at the amendment on page 1, it says to refer to line 6.

Chairman Holmberg said there was an oversight in printing the amendment and that correction will be done. **The bill would read that the money will go to the ND School for the Deaf which is under the Department of Public Instruction, not under Higher Education, and that the appropriation would be \$200,000. The amendment will be renumbered and it will be all together.**

Voice vote approval on the amendment .0101.

Senator Krebsbach moved Do Pass as Amended on SB 2155.

Senator Fischer seconded.

A Roll Call vote was taken. Yea: 14 Nay: 0 Absent: 0

Senator Krebsbach will carry the bill on the floor.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2155

Page 1, line 2, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 6, replace "state board of higher education" with "North Dakota school for the deaf"

Page 1, line 8, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 13, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 16, replace "hearing-impaired" with "deaf or hard of hearing"

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2155

Page 1, line 2, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 5, replace "\$300,000" with "\$200,000"

Page 1, line 6, replace "state board of higher education" with "North Dakota school for the deaf"

Page 1, line 8, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 13, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 16, replace "hearing-impaired" with "deaf or hard of hearing"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the general fund appropriation for providing grants to public higher education institutions for deaf and hard of hearing services from \$300,000 to \$200,000.

This amendment also:

- Provides that the School for the Deaf is to receive funding for the grant program and provide the grants rather than the State Board of Higher Education.
- Replaces references to "hearing-impaired students" with "deaf or hard-of-hearing students."

Date: 2-16-09

Roll Call Vote # 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2155

Senate Senate Appropriations Committee

Check here for Conference Committee

0102

Legislative Council Amendment Number Amendment

Action Taken Do Pass Do Not Pass Amended

Motion Made By Krebsbach Seconded By Fischer

Senators	Yes	No	Senators	Yes	No
Sen. Ray Holmberg, Chairman	✓		Sen. Aaron Krauter	✓	
Sen. Bill Bowman, VCh	✓		Sen. Elroy N. Lindaas	✓	
Sen. Tony S. Grindberg, VCh	✓		Sen. Tim Mathern	✓	
Sen. Randel Christmann	✓		Sen. Larry J. Robinson	✓	
Sen. Tom Fischer	✓		Sen. Tom Seymour	✓	
Sen. Ralph Kilzer	✓		Sen. John Warner	✓	
Sen. Karen K. Krebsbach	✓				
Sen. Rich Wardner	✓				

Total Yes 14 No 0

Absent 0

Floor Assignment Sen Krebsbach

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

voice passed

Date: 2-16-09

Roll Call Vote # 2

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2155

Senate _____ **Senate Appropriations** _____ Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended as amended

Motion Made By Krebsbach Seconded By Fischer

Senators	Yes	No	Senators	Yes	No
Sen. Ray Holmberg, Chairman	✓		Sen. Aaron Krauter	✓	
Sen. Bill Bowman, VCh	✓		Sen. Elroy N. Lindaas	✓	
Sen. Tony S. Grindberg, VCh	✓		Sen. Tim Mathern	✓	
Sen. Randel Christmann	✓		Sen. Larry J. Robinson	✓	
Sen. Tom Fischer	✓		Sen. Tom Seymour	✓	
Sen. Ralph Kilzer	✓		Sen. John Warner	✓	
Sen. Karen K. Krebsbach	✓				
Sen. Rich Wardner	✓				

Total Yes 14 No 0

Absent 0

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE

SB 2155: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2155 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 5, replace "\$300,000" with "\$200,000"

Page 1, line 6, replace "state board of higher education" with "North Dakota school for the deaf"

Page 1, line 8, replace "hearing-impaired" with "deaf or hard of hearing"

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Renumber accordingly

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- Replaces references to "hearing-impaired students" with "deaf or hard-of-hearing students."

2009 HOUSE EDUCATION

SB 2155

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2155

House Education Committee

Check here for Conference Committee

Hearing Date: March 10, 2009

Recorder Job Number: 10590

Committee Clerk Signature

Carmen Hart

Minutes:

Senator Dave Oehlke, District 15, appeared. 2155 started out as really this simple bill. If you noticed, the very first engrossment of it basically says that we would like to provide some dollars so that if a person who is deaf, hard of hearing, or has a hearing problem and needs some help when they go to college, the college would be able to fund that other than out of their mineral funds. As it turns out if you are going to college or if you want to go to college, the school is obligated to pick up expenses for those students that have special needs. When we talk about folks that are deaf, one of the special needs in particular is interpreting. You are seeing some interpreting services going on right here because one of the people who is going to testify is deaf. That is a special talent. That is a special need, and it is very expensive as it turns out. A college will spend up to \$50,000 to aid that student for that special need.

Colleges are a little bit reticent to go out and recruit people with this special need because it is going to cost them so much in the first place. We recognize that as a detriment not so much for the college but for the students that have hearing problems. The bill started out as \$300,000 and has been reduced to \$200,000. Those dollars then would be applied for to aid in this service for colleges to provide the service to the students that want to go to a particular college. It could be any college in any of the major cities or any of the cities where there is a two year or four year college.

Rep. Karen Karls: Is there any technology available currently that could use a voice activated computer system that could hear what is being said and translated onto a computer screen?

Senator Oehlke: There is something called real time captioning. That is great in the actual classroom setting. This real time captioning is something that is part of this bill. You will see an amendment that speaks to that particular device. I think if you will remember when any of you went to college that the classroom setting is probably about 20% of what you learn in college.

Rep. Bob Hunsakor: I am looking ahead into the amendment which isn't part of this yet, but is there a limit on how much each student could receive? There is no certain cap. That is up to the School for the Deaf to determine how much?

Senator Oehlke: I believe that is a true statement. One of the things you are going to find with people that have a hearing problem is that every situation is different. The reason that we originally started with a number of \$300,000 in this bill is because we took an estimate at how many potential students might go to various colleges in the state of North Dakota and we came up with the number 6 times \$50,000 per student and came up with that \$300,000 number. As I mentioned the number was reduced to \$200,000.

Rep. Phillip Mueller: How did you arrive at \$200,000?

Senator Oehlke: I didn't arrive at it. Appropriations in the senate did. That is a mystery to me.

Rep. Dennis Johnson, District 15, appeared. They arrived at the amendments that he presented. **(See Attachment 1.)** These amendments further define how these monies would be distributed. The first four lines sort of addresses how these amendments would come into the bill. Going down to line 11 it talks about the formula and with the School for the Deaf being involved with developing this formula. The second part is how the college would pay this grant

for this monies and how it would be distributed there in Part 3. It goes on and defines the funds in Section 4 and addresses the School for the Deaf's role in providing the services of what the student may need at the colleges. With that the amendments should help clean this bill up as far as how the monies would go out to the students and colleges and have the School for the Deaf involved with how these monies would go by having a better understanding of what the needs of the student are in these colleges.

Rep. Lyle Hanson: The senator mentioned that they could go to any college in North Dakota. In Number 5 it just says an institution under the State Board for Higher Ed. That would eliminate Mary and Jamestown.

Rep. Dennis Johnson: That is the way I would understand that amendment also.

Rep. Brenda Heller: Why are these amendments being put on here now? Did you guys find a problem with it after the senate has already approved this and it has gotten this far? I am curious why you want to change it?

Rep. Dennis Johnson: I think after the bill moved forward and studied the bill, the School for the Deaf looking at the bill the way it came down, the college we were working with is the Devils Lake one because they see the students and probably work with them every day and reading the bill and looking at what we have with the amendments here just more clearly defines how the funds can come and after the bill was introduced, we wanted to be sure that the School for the Deaf is involved in how the funds were to be distributed and such. It is a work in progress. I guess it is why we ended up with the amendments.

Rep. Bob Hunsakor: If the bill and the amendment pass as I read it, one student could be funded up to \$100,000. Is that true?

Rep. Dennis Johnson: The way I read the amendments and maybe the folks that are getting up to testify may have a better understanding how these monies are being distributed, but I

think that it would be back to the School for the Deaf in determining the needs of how much monies it would probably take to follow that particular student.

Rep. Bob Hunsakor: If they so decided, that would be possible?

Rep. Dennis Johnson: To my understanding it would be unless there are safeguards that the school has that distributes this money.

Laurel Goulding, Vice President of Student Services, Lake Region State College, appeared. **(See Attachment 2.)** She answered the question about this funding all going to one student. It says that there will be a formula based on distribution. The idea behind that is there would be a flat rate that every school could submit a request for funding. If they had these kinds of expenses, they would document it and be able to submit it. They would get this base rate. If that year turned out to be one where there wasn't as many deaf students enrolled, then whatever is left at the end of that year would be distributed back to the schools who had higher expenses.

Chairman Kelsch: Did you say that there would be a base rate given to every institution?

Laurel Goulding: No, the North Dakota university system institutions.

Chairman Kelsch: Each of the 11 would receive?

Laurel Goulding: No, only if they were serving a deaf student. The funding would not come to them until they documented their expenses. She went over some of her testimony. Not all deaf students can read English at the speed that they would need to keep up with the lecture in the classroom and so that is one more reason why the interpreting works really well for them. Not all deaf students can sign.

Chairman Kelsch: You state in the second paragraph of the testimony that both the

Governor's budget and the North Dakota university system's request include funding for the disabled students' support services pool.

Laurel Goulding: That is my understanding. That is not what we are calling this money. It happens to be the same number of dollars.

Chairman Kelsch: They are two separate?

Laurel Goulding: They are two separate pools. The disability support pool that is part of the university system budget is something that historically has been part of their request but hasn't been funded for the last three years. Nevertheless when it has been funded, it has been used to cover disabilities of every type and only after the schools have exhausted what money they had available, if they had a real expensive student to serve and didn't have money to deal with, they could come and request some funds from this.

Rep. David Rust: Does the school receive any special education funds through the federal government?

Laurel Goulding: No. No college receives any support. In my head it seemed like why doesn't Vocational Rehab cover this? We asked and discussed and studied and talked at the state level and the federal level. They do not address interpreting or captioning services. They won't fund it. They will buy a student a computer and they will pay for aids if they need physical help but they will not provide interpreting services. Special ed. does not apply to higher ed.

Rep. Bob Hunsakor: Why is the interpreting rate at the university almost double that at Lake Region? Why that big difference?

Laurel Goulding: Part of the reasoning is that they are serving graduate students. When you hire an interpreter, you have to hire somebody who knows the language of the classroom. If you are teaching some high end biology or whatever, you couldn't take someone to interpret that who didn't have any knowledge about that field. Interpreters specialize. They have people who do court interpreting because they know the legal language, and there are people

who do medical interpreting because they know that language. Also, there is a difference in the captioning services. The range actually that UND gave me was that they pay between \$18 and \$118 per hour for captioning. There are two kinds of captioning. There is a captioning called note taking which the person hears the lecture and types up what the main points of what they hear. It isn't necessarily every single word. The more expensive captioning is the kind where it is more like court reporting where the person types verbatim every single thing that is said. If you have somebody skilled to do that, that is the high end. That is the \$118 an hour. The students and the disability people working with them at the college have to make judgments of what level of service they need. As they move up the education ladder, they need more sophisticated.

Lilia Bakken, Communications Coordinator, North Dakota School for the Deaf, appeared.

(See Attachment 3.)

Vice Chair Lisa Meier: You stated in your testimony that these students are instead of going out of state, they are choosing to go in state. Do you have reasons they are choosing to stay in state instead of going out of state to these institutions?

Lilia Bakken: It use to be before that ADA law was passed that students were kind of channeled and encouraged to go there because the teacher could find. There were actually three. There was another program in St. Paul, but since the passage of ADA the students and their families know that those kids have a right to stay in state if they want. A lot of the kids who would go off liked it very well but there were others who didn't like the big city life and prefer to be home within their home state and so they are choosing that now.

Vice Chair Lisa Meier: Did these students if they are going for a four-year degree, do they generally finish within four years or does it take them a little bit longer?

Lilia Bakken: It depends on the student. If the student is college ready and they have pretty good reading skills and self motivated, they can finish in four years. It does take some of the deaf students longer to finish.

Matthew Saylor, First Year Deaf Student, Lake Region State College, appeared. (See Attachment 4.)

Rep. Karen Karls: Will your interpreter transfer to BSC also?

Matthew Saylor: Yes, we already have an interpreter who will be interpreting at BSC. I let BSC know in advance that I would be attending there so they could find an interpreter.

Rep. Corey Mock: Were you born deaf?

Matthew Saylor: I was born with some hearing. When I was 18 months old I started losing my hearing.

Rep. Corey Mock: Do you know any English? Like written English?

Matthew Saylor: Yes. I can read and write English but my native language would be American sign language.

Rep. Dennis Johnson: He was just elected the king at the college up in Devils Lake.

Lilia Bakken: I promised my boss to make this comment. The appropriation for this bill was reduced to \$200,000. You be sure to ask them to make that back up to \$300,000.

Bob Rutten, Director of Special Education, Department of Public Instruction, appeared.

One of the questions that surfaced earlier this morning I thought I could partially address regarding whether special education services apply at the school in higher education. No, the nation's Federal Special Education Lobby Individuals with Disabilities Education Act is really only is birth through 12th grade. However when young people who have disabilities leave the public school system and intend to go on to higher education, the federal laws that do apply are the Americans with Disabilities Act and also Section 504 of the Rehabilitation Act of 1973.

They are not specific special education laws but they do provide for accommodating the unique needs of people who have disabilities in life. Although special education does not fund higher education, one area of responsibility that there does exist relative to IDEA funds and higher education are training funds so we do try to make dollars available, scholarship training money for people to get service or get training in order to serve young people who have disabilities. That is really how the interpreter training program was initiated at Lake Region State College was with some collaboration to get funding for young people to attend the college to get the training to become interpreter services. Another point that I thought might be helpful for you—Laurel I think made a good observation about a changing mission for our State School for the Deaf. It now has a charge to provide services beyond the world of preschool through 12th grade. What you are seeing and what we are seeing is some transition into the fact that their mission has changed and the changes that are happening as a result of increased expectations for providing services in state as opposed to sending students out of state. These are some growth pains. From my perspective they are very positive. In fact if you ever wondered about special education and the whole purpose of what it is intended to do, it is really intended to help young people such as Matthew Saylor grow up to become independent, employed, self fulfilled citizens of the state. From my perspective Matthew is a success and the type of North Dakotan that seems especially important to be supportive. When we began having some conversations with Laurel, Lake Region State College, Mike Hillman, and North Dakota university system, I think we were all recognizing the fact that this maybe wasn't ideally worded or perfectly written as a bill. Again, my gratitude to Laurel for bringing this to a larger audience as far as the needs of students in the state who could really benefit from these additional supports once they leave the public school system and enter the university system.

Rep. David Rust: You say there are ADA and Section 504 funds, but basically those are for training type things, not necessarily for what is in this bill?

Bob Rutten: I don't want to mislead you. There aren't the funds attached to those bills.

Those are national laws that pertain to provision of services to people that have disabilities but there are no funds that flow to the federally funded institutions of the state specific to ADA and Section 504.

There was no opposition.

The hearing was closed.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2155

House Education Committee

Check here for Conference Committee

Hearing Date: March 16, 2009

Recorder Job Number: 11045

Committee Clerk Signature

Carmen Hart

Minutes:

Rep. Dennis Johnson had copies of the amendments he had presented at the March 10 hearing.

Rep. Lyle Hanson: He presented amendments also. **(See Attachment 1.)** It just puts in Mary and Jamestown.

Chairman Kelsch: What Rep. Johnson's amendments basically do are just make sure that the School for the Deaf develops the formula and how those grants will flow to the school. Is that correct?

Rep. Dennis Johnson: Correct. I move the amendments. **Rep. Mike Schatz** seconded the motion.

A voice vote was taken. The motion carries.

Rep. Lyle Hanson: All it does is add an accredited college or university which include Jamestown College and Mary just in case somebody that belongs with the Anne Carlsen School wanted to work on the sign language with Jamestown College. I am sure the same thing could happen at Mary with somebody in Bismarck.

Rep. Dennis Johnson: You know I heard testimony that the money they assumed they may need has been reduced from \$300,000 to \$200,000. With this amendment do we open it up to all of our tribal colleges also?

Chairman Kelsch: It would open it up now to an accredited college. It would open it up to Rasmussen because Rasmussen is an accredited college or university. It would open it up to Mary, Jamestown, Rasmussen(?), and the other 11 schools. I did see that there is another university that wants to come into the state—online university. It will significantly reduce the pool of money of \$200,000.

Vice Chair Lisa Meier: This is a question for Rep. Hanson. Do you know if they currently have anybody at those colleges that are able to deliver those services by chance?

Rep. Lyle Hanson: No, I don't know.

Rep. Jerry Kelsh: We don't have any online colleges in the state?

Chairman Kelsch: You can get online degrees from accredited colleges, but there is one that sounds like they are going to actually locate in the state. Was that what it was? Would they physically be located here?

Rep. Karen Karls: No, they are in Minneapolis.

Chairman Kelsch: I wonder if that was the one that Senator Lee was talking about. She said that maybe there was something coming in.

Rep. Lyle Hanson moved the amendment. **Rep. Bob Hunsakor** seconded the motion.

Rep. Dennis Johnson: I guess I am going to resist the amendment. If we put more language in there to include more schools, we already have weakened this pot for the students we know are there.

Rep. Lyle Hanson: I think there is just enough money for one or two students anyway.

Chairman Kelsch: We might be able to get four.

Rep. Dennis Johnson: They said that it would be prorated out by the number of students that may require the money. Originally, they wanted \$300,000 because that would have taken care of the number of students that are enrolled in colleges that are controlled by the board of

higher education. \$50,000 would be probably the most money for one student. That would be the max., in some cases a lot less would be utilized.

Rep. Bob Hunsakor: Is there a way to just name those two schools, Mary and Jamestown?

Chairman Kelsch: I don't know that we have. I guess what we have done in the past is we have them listed when we added them into the needs based grant line item. I think we said not for profit or nonprofit. She asked someone what the Rasmussen College bill said. Now it is for profit but it did have the language...

Rep. David Rust: It removed nonprofit.

Rep. Karen Karls: 2166

Chairman Kelsch: What they are called, those two campuses are called nonprofit, private post secondary institutions located in the state. That is what Mary and Jamestown are called, because we don't list those campuses because they are not in our constitution. Rep. Johnson is right. This opens it up to the tribal colleges. It pretty much opens it up to everybody. There are some questions here. That's what you would have to say is instead of saying an accredited college or university, if we just wanted it to be those two, you would have to call it for nonprofit private post secondary institution.

Rep. David Rust: In the past what have we done with these types of grants in regard to nonprofit private higher ed. institutions?

Chairman Kelsch: These specifically Rep. Johnson could probably answer. What we have done these kind of grants, we have given out these kind of grants in the past for deaf and hard of hearing. Rep. Johnson said he didn't think so. The needs based grant line item was opened up in the 03 or 05 session. That is the first time that we had otherwise offered anything to the private institutions. Otherwise it has always been just the 11 campuses.

Rep. David Rust: The reason that I am asking is let's take something like special education and those funds. Do they go to private secondary schools or do they just go to public secondary schools? Is this similar to that? Are we opening up a can of worms?

Chairman Kelsch: There is no special education dollars that go to any of the higher ed. institutions. There are federal dollars, non special ed.

Rep. David Rust: I am talking about an analogy. We have certain dollars that go to public schools but they don't go to private schools. Here do we have something similar? Is this something similar that we want to stay away from?

Rep. Lyle Hanson: I will withdraw my motion.

Rep. Bob Hunsakor withdrew his second.

Rep. Mike Schatz moved a **Do Pass as amended and rereferred to appropriations. Vice**

Chair Lisa Meier seconded the motion.

DO PASS AS AMENDED AND REREFERRED TO APPROPRIATIONS. 14 YEAS, 0 NAYS.

Rep. Dennis Johnson is the carrier of this bill.

VJR
3/16/09

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2155

Page 1, line 1, after the second "to" insert "assist certain" and replace "that" with "with the cost of interpreters and real-time captioning for"

Page 1, line 2, remove "provide direct services to"

Page 1, line 7, replace "public" with "assist", after "institutions" insert "under the control of the state board", and replace "in this state which provide direct" with "with the cost of interpreters and real-time captioning for"

Page 1, line 8, remove "services to"

Page 1, line 11, replace "Before an institution is eligible to receive a grant under" with:

- "1. The school for the deaf shall develop a formula to determine the grant amount for which an institution is eligible. The formula must be based on a uniform hourly reimbursement.
2. To obtain a grant under section 1 of this Act, an institution shall submit to the school for the deaf, at the time and in the manner directed by the school, invoices showing the amount expended for interpreters and real-time captioning for students who are deaf or hard of hearing.
3. The school for the deaf may not distribute more than fifty percent of the amount appropriated during the first year of the biennium.
4. If any grant moneys remain undistributed at the end of the biennium, the school for the deaf shall provide additional prorated grants to institutions that incurred, during the biennium, hourly expenses in excess of the formula reimbursement level.
5. At the request of an institution under the control of the state board of higher education, the school for the deaf shall consult with the institution and provide advice regarding the provision of services most appropriate to meet a student's needs."

Page 1, remove lines 12 through 17

Re-number accordingly

Date: 3-16-07
 Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2155

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number 90347.0201

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep Johnson 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					

*Vote
to accept
amendment
motion
carries*

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

5.

Line 2 After "education" insert "or an accredited college or university"

At the request of an institution under the control of the state ***or an accredited college or university***, the school for the deaf shall consult with the institution and provide advice regarding the provision of services most appropriate to meet a student's needs."

Date: 3-16-09
Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2155

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 HunsKor

Representatives	Yes	No	Representatives	Yes	No
Chairman RaeAnn Kelsch			Rep. Lyle Hanson		
Vice Chairman Lisa Meier			Rep. Bob HunsKor		
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			<u>Rep. Hanson</u>		
Rep. David Rust			<u>withdrew</u>		
			<u>motion</u>		
			<u>Rep. HunsKor</u>		

Total (Yes) _____ No withdrew
Absent _____ 279

Floor Assignment _____

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

Date: 3-16-09
Roll Call Vote #: 3

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2155

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep. Schatz Seconded By Rep. Meier

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. Johnson

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

Referred to appropriations

REPORT OF STANDING COMMITTEE

SB 2155, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2155 was placed on the Sixth order on the calendar.

Page 1, line 1, after the second "to" insert "assist certain" and replace "that" with "with the cost of interpreters and real-time captioning for"

Page 1, line 2, remove "provide direct services to"

Page 1, line 7, replace "public" with "assist", after "institutions" insert "under the control of the state board", and replace "in this state which provide direct" with "with the cost of interpreters and real-time captioning for"

Page 1, line 8, remove "services to"

Page 1, line 11, replace "Before an institution is eligible to receive a grant under" with:

- "1. The school for the deaf shall develop a formula to determine the grant amount for which an institution is eligible. The formula must be based on a uniform hourly reimbursement.
2. To obtain a grant under section 1 of this Act, an institution shall submit to the school for the deaf, at the time and in the manner directed by the school, invoices showing the amount expended for interpreters and real-time captioning for students who are deaf or hard of hearing.
3. The school for the deaf may not distribute more than fifty percent of the amount appropriated during the first year of the biennium.
4. If any grant moneys remain undistributed at the end of the biennium, the school for the deaf shall provide additional prorated grants to institutions that incurred, during the biennium, hourly expenses in excess of the formula reimbursement level.
5. At the request of an institution under the control of the state board of higher education, the school for the deaf shall consult with the institution and provide advice regarding the provision of services most appropriate to meet a student's needs."

Page 1, remove lines 12 through 17

Renumber accordingly



2009 HOUSE APPROPRIATIONS

SB 2155



2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2155

House Appropriations Committee

Check here for Conference Committee

Hearing Date: March 23, 2009

Recorder Job Number: 11402

Committee Clerk Signature

Shirley Branning

Minutes:

Chm. Svedjan moved the Committee's attention to SB 2155.

Rep. RaeAnn Kelsch, District 34 approached the podium to explain SB 2155. Colleges and Universities are required to supply deaf or hearing impaired services whether they have one student or many. Many deaf students go outside of state because the campuses are geared to them. This money would go to keep these students in the state. Listed are all of the situations where a student who is deaf requires an interpreter or a reencounter. The more students enrolled, the higher the cost for support services. \$200,000 would go to these students to help them at North Dakota's University campuses.

Chm. Svedjan: What has our university system done up to this point?

Rep. Kelsch: As much as they can. Sometimes the services have been provided but not to the level of need that are required.

Chm. Svedjan: How will this money be spread to the institutions? This will be less than \$20,000 per institution.

Rep. Kelsch: We understand that. We felt it was important to give these students the same opportunities. Special Education does not follow students when they go to college. This is a start. It does go to the North Dakota School for the Deaf.

Chm. Svedjan: The requirements of ADA have been around for a long time. Whatever has been done to this point has been done without the money.

Rep. Kelsch: The Governor's budget and the North Dakota University System does have funding for disabled student support services. This pool, a contingency fund, has been unfunded for the last two biennia. Many times that money was being utilized more by students who were severely disabled.

Rep. Onstad: I recommend a **Do Pass**.

Rep. Mayer: Second.

Rep. Berg: Is this an issue that's redirecting some of the money to what the highest need is?

Rep. Skarphol: If a student from Devil's Lake wants to attend an institution, it becomes the responsibility of the institution to provide that service. We have to some extent unfunded the needs of higher ed with this. There's a lot of flexibility in Higher Ed that they can work with.

Rep. Delzer: This is an appropriation to the North Dakota School for the Deaf. Did you ask whether or not they expend all of their current appropriations?

Rep. Skarphol: If they had turnback it was extremely small.

Rep. Delzer: Moneys are not subject 5444.1-11 which is turnback, Why is that in there?

Rep. Kelsch: We did not look at that. It was my understanding that since the money was going to the Higher Education System which the North Dakota School for the Deaf is not part of that system.

Rep. Skarphol: If you have a younger student, and they are going to continue with school, this could help finish the school, you could have a longer term commitment than one biennia.

Rep. Wald: The amendment states that the school is under the jurisdiction of the Board of Higher Education, that leaves out University of Mary and Jamestown. Was that discussed in your committee?

Rep. Kelsch: There was an amendment, but it was defeated. There are students at five of our campuses and the students there are costing about \$400,000. We thought it was best to start with the state-owned institutions.

Chairman Svedjan: On the motion for a Do Pass, take a roll call vote.

Vote Taken: Yes 11 No 12 Absent 2. Motion Failed.

Rep. Klein: Move a Do Not Pass

Rep. Wald: Second.

Vote Taken: Yes 14 No 9 Absent 2. Motion Passed. Carrier: Rep. Klein.

Date: 3/23/09
 Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2155

Full House Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Amended

Action Taken Do Pass

Motion Made By Onstad Seconded By Meyer

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan		✓			
Vice Chairman Kempenich	✓				
Rep. Skarphol	✓		Rep. Kroeber	✓	
Rep. Wald		✓	Rep. Onstad	✓	
Rep. Hawken	✓		Rep. Williams	✓	
Rep. Klein		✓			
Rep. Martinson	✓				
Rep. Delzer		✓	Rep. Glassheim	✓	
Rep. Thoreson		✓	Rep. Kaldor	✓	
Rep. Berg		✓	Rep. Meyer	✓	
Rep. Dosch		✓			
Rep. Pollert		✓	Rep. Ekstrom		
Rep. Bellew		✓	Rep. Kerzman	✓	
Rep. Kreidt		✓	Rep. Metcalf	✓	
Rep. Nelson		✓			
Rep. Wieland		✓			

Total (Yes) 11 No 12

Absent 2

Floor Assignment _____

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

Date: 3/23/09
 Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2155

Full House Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Klein Seconded By Wald

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Rep. Skarphol	✓		Rep. Kroeber		✓
Rep. Wald	✓		Rep. Onstad		✓
Rep. Hawken		✓	Rep. Williams		✓
Rep. Klein	✓				
Rep. Martinson	✓				
Rep. Delzer	✓		Rep. Glassheim		✓
Rep. Thoreson	✓		Rep. Kaldor		✓
Rep. Berg	✓		Rep. Meyer		✓
Rep. Dosch	✓				
Rep. Pollert	✓		Rep. Ekstrom		✓
Rep. Bellew	✓		Rep. Kerzman		✓
Rep. Kreidt	✓		Rep. Metcalf		✓
Rep. Nelson	✓				
Rep. Wieland	✓				

Total (Yes) 14 No 9

Absent 2

Floor Assignment Rep. Klein

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

REPORT OF STANDING COMMITTEE (410)
March 23, 2009 1:05 p.m.

Module No: HR-52-5560
Carrier: Klein
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2155, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)
recommends **DO NOT PASS** (14 YEAS, 9 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2155 was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

SB 2155

1-21-09

Senate Bill No. 2155

Governor's budget and the NDUS request, both include a request for funding (\$150,000) the Disabled Student Support pool. These funds address needs of students with a wide variety of disabilities (vision, mobility, learning barriers, deafness, etc.) Restoring funding to the Disabled Student Support pool is a first priority for NDUS. This pool has been unfunded for two biennia.

Targeted funding for students who are deaf and hard of hearing is an additional critical need. The proposed \$300,000 appropriation will make it possible for colleges/universities to more effectively recruit and serve deaf students.

Background:

North Dakota's public schools, colleges and universities have struggled for years to find the financial resources to provide the specialized and high cost services needed to support the education goals of students who are deaf. Sign language interpreting and closed captioning services are essential for individuals with profound hearing deficits who are seeking the education services needed to prepare them to be productive citizens.

This year, approximately 130 North Dakota students are classified as deaf or hard of hearing. Of these, 29 students are enrolled at the North Dakota School for the Deaf. Most of the remaining 100+ students do not need sign language interpreters – they function in hearing classrooms assisted by hearing aids, cochlear implants, “lip reading” and other strategies. However, each year 5 to 6 public schools and 2 to 4 public colleges enroll students who require sign language interpreting services (8 to 10 students per year). The institutions are legally obligated to provide interpreting services regardless of the availability of the interpreters or the cost of employing them.

Qualified educational interpreters are in short supply in North Dakota and throughout the US. When available, their fees range from \$30 to \$60 per hour or more. Real-time captioning can be used as an alternative to interpreting in some situations, but like interpreting services, captioning is quite expensive, ranging from \$25 to \$60 per hour.

Students who require sign language interpreting services (or captioning) need it when the instructor speaks to the class, when the student participates in class-related interactions (study groups), when the student meets with advisors, tutors, library staff, extra curricular activities, and when the student attends school sponsored events.

The cost of supporting an individual student is a heavy burden for an education institution; approximately \$38,400+. (\$40/hr(average) X 6hr/da X 5da/wk X 32wk/yr plus time for essential interactions outside the classroom). Serving more than one student needing interpreting services can be financially catastrophic for an education institution.

None of these costs can be charged back to the student. The funding burden falls to the school/college/university.

A large concentration of sign language interpreters is found at the North Dakota's School for the Deaf. NDSB is in close contact with interpreters throughout the state and has staff who understands the interpreter certification process and its system of graduated level of certification designed to match the level of service need with the interpreter skill level. NDSB is also well acquainted with students being served by North Dakota's primary, secondary and post-secondary education providers.

The NDSB is mandated to serve North Dakota's deaf and hard of hearing population on its campus and through its state-wide outreach service delivery network. Therefore, NDSB is the ideal entity to receive and manage funding to support the delivery of sign language interpreting and/or real-time captioning services for deaf students enrolled in North Dakota's primary, secondary and post-secondary education institutions.

Access to a pool of funding to offset the cost of interpreting/captioning services will provide huge relief for education service providers tasked with serving deaf students. It will improve the quality of educational services for deaf student (reducing the tendency to skimp on hours of service provided or to hire minimally qualified interpreters.) It will encourage ND education service providers to actively encourage deaf individuals to pursue their education goals. It will open doors to greater education opportunities for North Dakota's deaf community.

Concerns about the structure of Senate Bill 2155

The appropriation directs funding to serve students who are "hearing impaired." This is a very inclusive definition of the service group. We recommend restricting the services to students who are "deaf or hard of hearing."

Placing the funding in the Higher Education budget and the approval process with the ND School for the Deaf will be cumbersome and likely to prove problematic. We recommend either option below:

- **move the funding to NDSB where it can be administered and implemented "under the same roof," or**
- **place the funding with the NDUS and remove the requirement for approval from the NDSB for spending.**

Additional note: Early discussion that led to the drafting of this bill addressed the need to provide funding for interpreting services in North Dakota's education institutions P-20. The bill as drafted does not address the needs of P-12.

Presented by:
Laurel Goulding, Vice President for Student Services
Lake Region State College,
1801 College Drive North, Devils Lake ND
701-662-1513, laurel.goulding@lrsc.edu

Testimony Offered to House Education Committee on SB 2155

By Laurel Goulding
Lake Region State College

March 10, 2009

Madame Chairperson and members of the House Education Committee, for the record I am Laurel Goulding, Vice President for Student Services at Lake Region State College in Devils Lake, North Dakota.

I will begin by stating that both the Governor's budget and the NDUS request include funding for a Disabled Student Support Services pool (\$200,000). This pool is a contingency fund to assist campuses with extraordinary costs incurred as they address education support needs of students with a wide variety of disabilities (vision, mobility, learning barriers, deafness, etc.). The pool has been unfunded for the past two biennia.

Restoring funding to the Disabled Student Support Services pool is a first priority for the NDUS.

Targeted funding for students who are deaf and hard of hearing is an additional critical need. Federal law requires campuses to provide interpreters or captioning services for students who need it. The financial impact of compliance is often huge, because no agency or appropriation exists to assist with the cost. The funds requested in SB 2155 will address this need only.

In years when the NDUS Disabled Student Support Services pool was funded, most dollars were used to assist campuses with the cost of providing interpreter and captioning services, leaving little or no funding to assist with other disabilities. SB 2155 will augment but should not supplant the NDUS budget request for disability services.

SB 2155 funding will make it possible for colleges/universities to more effectively recruit and serve students who are deaf or hard of hearing.

Background

North Dakota's public schools, colleges, and universities have struggled for years to find the financial resources to provide the specialized and high-cost services needed to support the education goals of students who are deaf. Sign language interpreting and/or real-time captioning services are essential for individuals with profound hearing deficits who seek the education services needed to prepare them to be productive citizens.

This year, approximately 130 North Dakota students are classified as deaf or hard of hearing. Of these, 25 students are enrolled at the North Dakota School for the Deaf. Most of the remaining 100+ students do not need sign language interpreters—they function in hearing classrooms assisted by hearing aids, cochlear implants, “lip reading,” and other strategies. However, each year 3 to 6 public colleges enroll students who require sign language interpreting services (8 to 12 students per year). The institutions are legally obligated to provide interpreting services regardless of the availability of the interpreters or the cost of employing them.

Qualified educational interpreters are in short supply in North Dakota and throughout the United States. When available, their fees range from \$30 to \$80 per hour or more. Real-time captioning can be used as an alternative to interpreting in some situations, but like interpreting services, captioning is quite expensive, ranging from \$20 to \$80 per hour or more.

Students who require sign language interpreting services (or captioning) need it when the instructor speaks to the class; when the student participates in class-related interactions (study groups); when the student meets with advisors, tutors, library staff or participates in extracurricular activities; and when the student attends school-sponsored events.

The cost of supporting an individual student is a heavy burden for an education institution; approximately \$38,400+ per year (approximately \$40/hour x 6 hours/day x 5 days/week x 32 weeks/year plus time for essential interactions outside the classroom). Serving more than one student needing interpreting services can be financially catastrophic for an education institution. None of these costs can be charged back to the student. The funding burden falls to the educational institution.

The North Dakota School for the Deaf is well acquainted with many of the students being served by North Dakota’s primary, secondary, and post-secondary education providers. NDSB has staff members who understand the interpreter certification process and its system of graduated levels of certification designed to match the level of service need with the interpreter skill level. NDSB is able to assist the distribution of funds to post-secondary institutions that serve deaf and hard of hearing students as described in this bill.

The North Dakota School for the Deaf is mandated to serve North Dakota’s deaf and hard of hearing population on its campus and through its state-wide outreach service delivery network. Therefore, NDSB is the ideal entity to receive and manage funding to support the delivery of sign language interpreting and/or real-time captioning services for deaf students enrolled in North Dakota’s post-secondary education institutions.

Access to a pool of funding to offset the cost of interpreting/captioning services will provide huge relief for education service providers tasked with serving deaf students. It will improve the quality of educational services for deaf student (reducing the tendency to skimp on hours of service provided or to hire minimally qualified interpreters.) It will encourage North Dakota education service providers to actively recruit deaf individuals to pursue their education goals. It will open doors to greater education opportunities for North Dakota’s deaf community.

Overview of amendments to Senate Bill 2155

The version of the bill being presented to the House Education Committee today differs from the version presented to the Senate Appropriations Committee in January in the following ways.

- The appropriation was reduced from \$300,000 to \$200,000.
- The strategy for disbursing the funds was streamlined:
 - NDSB will act as fiscal agent.
 - NDSB will distribute 50 percent of the funds each year using a formula to provide uniform hourly reimbursements for campuses with documented expenses for interpreters and real-time captioning.
 - NDSB will provide technical assistance to campuses as requested.

Additional Speakers

- Lilia Bakken – Communication Coordinator, North Dakota School for the Deaf
- Matthew Saylor – Student enrolled at Lake Region State College
 - Renae Bitner – Interpreter

For more information please contact:
Laurel Goulding, Vice President for Student Services
Lake Region State College
1801 College Drive North, Devils Lake ND 58301-1598
701-662-1513, laurel.goulding@lrsc.edu

NDUS Services for Deaf/Hard of Hearing Students

Term	# Students	Interpreting Hours per week	Interpreting Rate	Captioning Hours per week	RT Captioning Rate	Cost per Term	Two-Year Total
Lake Region State College							
Fall 07	1	18	\$ 30	0	N/A	\$ 8,640	
Spring 08	1	18	\$ 30	0	N/A	8,640	
Fall 08	2	36	\$ 30	0	N/A	17,280	
Spring 09	2	35	\$ 30	0	N/A	16,800	
						16,800	\$ 51,360.00
Minot State University							
Fall 07	1	0	N/A	8	\$ 25	\$ 3,200	
Spring 08	1	0	N/A	9.2	\$ 25	3,680	
Fall 08	1	0	N/A	2.6	\$ 25	1,040	
Spring 09	1	0	N/A	2	\$ 25	800	
						800	8,720
North Dakota State College of Science							
Fall 07	1	28	\$ 35	0	N/A	\$ 15,680	
Spring 08	1	29	\$ 30	0	N/A	13,920	
Fall 08	2	43.5	\$ 43	0	N/A	29,928	
Spring 09	1	20	\$ 49	0	N/A	15,680	
						15,680	75,208
North Dakota State University							
Fall 07	1	28	\$ 40	0	N/A	\$ 17,920	
Spring 08	1	36	\$ 40	0	N/A	23,040	
Summer 08	1	28	\$ 40	0	N/A	8,960	
Fall 08	2	36	\$ 40	0	N/A	23,040	
Spring 09	2	40	\$ 40	0	N/A	25,600	
						25,600	98,560
University of North Dakota							
Fall 07	6	22	\$ 55	14	\$ 65	\$ 33,920	
Spring 08	6	36	\$ 55	20	\$ 65	52,480	
Fall 08	3	31	\$ 55	7	\$ 65	34,560	
Spring 09	2	7	\$ 55	5	\$ 65	11,360	
						11,360	
GRAND TOTAL							132,320
							\$ 366,168

Note: Calculations are based on 16 weeks per semester (8 weeks for summer). Interpreter costs may be understated—classes lasting longer than 50 minutes may require 2 interpreters. Cost-per-hour figures are approximate and can be much higher when appropriate providers are in short supply.

Madame Chairman Kelsch and members of the committee

My name is Lilia Bakken. I am the Communications Coordinator at the North Dakota School for the Deaf.

I am in support of bill # 2155 that would provide augmented funds to colleges and universities who serve deaf and hard of hearing students. Educating students who are deaf or have a severe loss of hearing is an expensive venture. The support services that these students require are unique to their disability and cost a lot of money. For example:

- when a deaf student attends classes, each instructor will require an interpreter. If no interpreter is available then a real-time captioner must be available in order to provide equal access to the information.
- If a deaf student needs a tutor, the tutor will require the assistance of an interpreter.
- If a deaf student needs to visit with an advisor, the advisor will need an interpreter.
- If a deaf student is involved in school related extra-curricular activities or is a member of an athletic team, the coach will need an interpreter.
- If the college provides lyceums or other educational programs open to the student body, the presenter will require an interpreter or a real-time captioner in order to provide accessibility to the deaf student as well.
- Educational videos/dvds used in the classrooms need to be captioned for accessibility. If they are not captioned then schools must pay to have the program captioned, buy a new captioned version of the program, or have an interpreter sign the program for the student.

Colleges and universities are mandated to provide support services whether there is one deaf student enrolled or several students enrolled. The more deaf students enrolled, the higher the cost for support services. Often times, the institution may not know until the beginning of a semester whether or not a deaf student has enrolled and then may have to scramble to get support services in place because locating and hiring qualified interpreters or real-time captioners takes time.

At the North Dakota School for the Deaf, we try to assist our high school students as much as possible in pursuing their educational endeavors and career goals. In years past, many of our deaf graduates attended either Gallaudet University in Washington, DC. or the National Technical Institute in Rochester, New York, because both of these college campuses cater to students who are deaf. All of the professors in both these institutions use sign language so there are no communication barriers. However, in recent years, more of our deaf graduates

have chosen to stay in North Dakota to attend college. When deaf students make that choice, they risk enduring the communication challenges that will likely arise when they enroll within our state's university system – a system designed for students who can hear the spoken word.

As a state resource center on deafness and hearing loss, it is the mission of the North Dakota School for the Deaf to advocate for all deaf and hard of hearing citizens in our state. We are a state agency assists in removing communication barriers. The North Dakota School for the Deaf believes that SB # 2155 will ensure fair distribution of funds to our colleges and universities so that communication and educational opportunities will be accessible to all deaf and hard of hearing students who enroll in North Dakota's university system.

Testimony Offered to House Education Committee on SB 2155

By: Matthew Saylor

March 10, 2009

Madame Chairperson and members of the House Committee, for the record I am Matthew Saylor, a first year student at Lake Region State College in Devils Lake, North Dakota.

I am second generation deaf person in my family. My father is deaf. He graduated from North Dakota School for the Deaf in 1980, there weren't a lot of opportunity for him to choose college to go to- really, he only had two choices: National Technology Institute of the Deaf in Rochester, New York, and Gallaudet University in Washington D.C.- both out of state that require him to be away from his family.

My hearing loss severe to profound and my original language is American Sign Language. I started at North Dakota School for the Deaf when I was three years old. I began going to mainstream classes with an interpreter when I was in second grade. I believe having interpreters throughout my school careers has been very important. Without having an interpreter, I probably wouldn't succeed my school career because I would be lost and not knowing what the teacher is talking about. The teachers and students are hearing. I use interpreters for classroom, lecture, assembly, and other activities related to school. Also, I use interpreters for my sports activities that I involve with hearing people. I played football, basketball, track, and baseball. Using interpreters helps me to communicate better with teachers, students, and coaches.

When I graduated last May, 2008 from NDSU, unlike my father, I had the opportunity and I chose to attend college in my home state. As I stated previously, I am attending Lake Region State College. I will transfer to Bismarck State College this coming fall. I am majoring in the Engineering Technician program. All of this possible because I have access to and have been provided with sign language interpreters for academic and extracurricular activities. My future goal after graduating from BSC includes working at a Power Plant in western North Dakota.

I encourage you to support SB 2155 and allow NDSU to administer the Disabled Student Support Services funds, so that other students with disabilities including deaf and hard of hearing students like me to attend a college or university of their choice with support services made possible by SB 2155.