

2011 SENATE EDUCATION


SB 2316

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2316
February 1, 2011
13798

Conference Committee

Committee Clerk Signature 

Explanation or reason for introduction of bill/resolution:

Relating to the provision of alternative schools and alternative school programs to students in grades six through twelve; to provide an effective date; and to declare an emergency.

Minutes:

See Attached Testimony

Chairman Senator Freborg opened the hearing on SB 2316; fiscal note attached.

Senator Sorvaag, District 45 introduced the bill. (Testimony 1)

Rick Buresh, Superintendent, Fargo Public Schools (Testimony 2) testified in favor of SB 2316 and offered amendments to the bill (Attachment 3). The students would be in alternative classes as needed; school within a school setting.

Senator Gary Lee: How many students in your district do you see in this program?

Rick Buresh: The maximum allowable would be 15 per grade level times three schools, 135 students would be eligible and could take part. Doesn't see it going that big that quickly; anticipate that would want to start very small and allow it to grow very cautiously.

Senator Gary Lee: Is there a critical mass that you think needs to be there in order for this to be functional, and what might that be?

Rick Buresh: Thinks in order to be efficiently operational, couldn't have only 2-3 kids; thinks 5-6 to get it started. Anticipate there might be more demand and interest sufficient to get beyond those numbers, and get up to 8-10-12 where it would be more financially viable.

Senator Gary Lee: So this is a big school program, in your mind?

Rick Buresh: Thinks there probably would need to be at some critical mass, would probably be more easily reached at a larger school district than smaller one. As an example, a few students from neighboring school districts take advantage of Fargo's alternative high school program. High needs students that has a lot of unusual behaviors can be very problematic in a small school even more so than a larger one. Have worked with neighboring districts to try and serve those kids when they can.

Senator Heckaman: Talked about the middle school students entering and exiting as their needs changed; is that similar to your high school program—is this patterned after the high school or is something unique? **Rick Buresh:** There is a certain

amount that happens at the high school, although in order to get into the high school program you have to actually drop out of high school and enroll in the alternative high school. There are a few that will transition back and enroll in the regular program, but unusual. Would expect this one to be much more fluid; nobody would be dropping out of school in order to participate in this. **Senator Heckaman:** Do you expect some of these students to go on to the alternative high school then? **Rick Buresh:** Would expect that there might be some that would still go there. Would hope that they would be able to rescue some of these kids and prevent them before they failed so that wouldn't be necessary.

Todd Kaylor, Principal, Beulah High School testified in favor of SB 2316 (#4)

Gail Wold, Principal, Beulah Middle School testified in favor of SB 2316 (#5)

Doug Johnson, Executive Director, North Dakota Council of Educational Leaders testified in support of SB 2316. Came up with a position statement that said that we support expanding and funding at the same ADM rate for alternative high schools, a middle school program such as described in the bill. He has personal experience as an educator in dealing with the issues that happen at middle school. Knows that in 1995 when principal at a Bismarck school, they put forth a proposal to the school board to do this. Funding wasn't enough to make it happen, but recognized the need. This bill would help support that kind of program; really a good direction to go. Also think the amendment recommended by Fargo to be a straight grant for now, good to consider. Think this is important to tie with the amendment to SB2150 made to change the compulsory age to 17.

Also talked with Dr. John Salwei and Mike Heilman, who couldn't be here, but said he could represent them here to say they do support this bill. They want the committee to know they currently have 12 students in a Day (?) Report program sponsored through the Youth Works Center in Bismarck.

Senator Flakoll: Are there other states that do a similar program? **Doug Johnson:** Yes, there are; used as a part of their intervention strategies to prevent dropout.

Jon Martinson, North Dakota School Board Association, supports the bill. Feel it will go a long way in identifying the at risk students and hopefully influence a decrease in the dropout rate.

Senator Gary Lee: Philosophical question—years ago some students seemed to be segregated from the mainstream, now we've gone back to the mainstreamed classroom, now seem to be moving the other way a little bit. In terms of that philosophy, how do you view that in terms of these students and how are they going to be viewed if moving them into a different setting periodically during the day or the entire day? **Jon Martinson:** Excellent question; probably not the expert on this. Have talked to a few students that really value the opportunity to be in an alternative type of program. If it weren't for that program, they wouldn't finish school. Might be some degree of ostracism, other people could talk more about that, but in conversations with the students which leads him to believe this is a very good idea.

Senator Luick: The average size classroom of the schools that are having problems—what is the average classroom size? **Jon Martinson:** He doesn't have that information. Others here might.

Robert Grosz, Assistant Superintendent for Teaching and Learning, Fargo Public Schools, testified (#6) in support of SB 2316.

Senator Flakoll: Say you ID 10 students in grade 8; how does it work individually and as a group—how will your day be spent? **Robert Grosz:** Would envision is a school within a school model. Students would remain in the regular setting, enter the program after meeting with the parent and the professionals around them. Then being the process of designing an individual plan for that student that would talk about the courses the student might participate in for the alternative program and that they might participate in for the typical school setting. It would be an individual plan based on the needs of that student. Also talked about the need to find the cause of the problem for the student—academics—provide a strong support for the area they are struggling in; outside problems—work with community partners to provide that support. Way to transition in and out of the program. **Senator Flakoll:** How do the students transition out of the program? Annual basis or at what point do you determine they don't need to be in the program. How do you determine when they no longer need the program? **Robert Grosz:** Discussed that it would be very important that the parents would be an active participant in the process; it would be a series of meetings with that parent/guardian to help make some of the determinations. There would be different data points they would look at; behavior, academics, social aspects that may have caused the student to be a good candidate for the program. Information would be looked at and measured over time, and be used to help the student transition back into the traditional setting.

Senator Flakoll: The legislation calls for some monies to be used to help with the program, and following students needs. How do you envision the money would be used for districts across the state: staffing, testing, what else? **Robert Grosz:** Thinks he is correct; a majority of the money probably used for staffing. Each district will do things differently but they would work on reducing class size; others may be used for intervention programs that would be used for those students—academic or others.

Senator Flakoll: How does this work for a smaller school district that may only have a few students—how do you envision it working for them, and with open enrollment would they be able to go to a larger district that offers the services that they would like for that child? **Robert Grosz:** Thinks each district would handle it a little bit differently; believe Dr. Buresh spoke about the desire to partner with other districts around Fargo, and if it was appropriate for them to have students come to their school they would be open to it. Think there would be other solutions for other districts; multi grade or multi age settings. Would probably vary from district to district.

Senator Luick: You mentioned class size; in talking with teachers they feel the ideal class size is around 15-17 students. Can you correlate an ideal classroom size with

your research? **Robert Grosz:** Research on class size mainly has focused on primary school age, and is hard to find for upper grades. Much research he has read focuses in on class size of 13-15-17 to make a significant difference in the educational and academic performance of students. Thinks smaller class sizes aid in the relationship building which is critically important in education, especially in an alternative middle school setting.

Senator Heckaman: If you have students in a middle school alternative setting all day; is there any issue with having a highly qualified staff person? **Robert Grosz:** Yes, and in their discussion in creating a beginning of a plan—the need for highly qualified staff was highlighted. It could be staff that was hired specifically for the school within a school, or a certain teacher during one or two periods of the day work in that setting.

Senator Luick: Are you looking at the program to extend through the summer months also, so if there were a need for continued help for these students it would be there? **Robert Grosz:** At this time the group he works with has focused their time and attention during the school year. They do provide some summer school program for middle aged students in Fargo. Thinks if the bill is approved and passed they would look to talk about how they could extend the school day as an option.

Senator Gary Lee: In regards to getting out of the program, if it is an academic issue and the student just isn't good at English or math, will they ever get out of the program? If they are just not as strong as peers in those subjects, will they just remain in the alternative setting? How will this student move in and out if just not academically prepared? **Robert Grosz:** That is why there is a need for an individual education plan for each student. The intervention would be fine tuned for that student. They would look for programs that are designed to help students make gains to get closer to their peers. Would embed into their program a growth model to make sure at where the student is at the beginning, the interim and then end of the year. If not the team would need to come back together and decide how they need to change the plan, what is a different intervention to put into place for the student so that they DO get closer to their peers. **Senator Gary Lee:** If a student in an alternative plan with peers of the same ability and doing okay competing at that level, but when transitioned back to the regular classroom end up at the bottom again. What does that do to the student? **Robert Grosz:** That is why they talked about a plan that would be very flexible, where a student could be in the school within the school for the entire day or maybe one period. That one period could be a resource or just that intervention. Would not want to drop that student and not provide the layer of support they may need to continue to be successful. Also thinks this model leads for the flexibility for a student to enter the program, leave and come back if not successful. Would only happen with close communication with parent and designing the individual plan for that student.

Senator Flakoll: If you have a math problem, maybe also the home life and the family is not supportive for whatever reason or can't help with homework. Would part of what you are proposing make sure that they were getting the work done so that they

were learning in a sequential fashion, and not having to rely on the family at home? **Robert Grosz:** Definitely think the program would be designed to support that student. Either provide that extra time and effort, and also be beyond homework completion (which is critical) to look at what is the need of student and what is causing the difficulty. Would be a combination of both.

Senator Luick: Are the instructors of these classrooms going to have to have highly qualified backgrounds in every subject? **Robert Grosz:** For the Fargo schools, they would want the highly qualified status so that it could be a teacher hired specifically for the program or a teacher who for one period of the day goes from their typical classroom to the school within the school setting to work with those students. **Senator Luick:** His concern is in the smaller districts with staffing such a program. Thinks it is an excellent program; it would be great but problems he sees are making it work properly, and one of the things is having more staff on hand to handle these special scenarios.

Steve Swiontek, Superintendent, Devils Lake testified (#7) in support of SB 2316. They have a very successful alternative high school; dropouts have been reduced. Down from around 20 to 5-6 but that is still too many. An alternative middle school should help cut that number even further. Very excited about this possibility; they have had the idea on the drawing board for about five years, but not enough funding for it.

Senator Gary Lee: Are you already doing it at this level we are talking about? **Steve Swiontek:** Only high school, 9-12; but if they could add 6-7-8 with a school within a school it would help a great deal.

John Nelson, Principal, Ben Franklin Middle School, Fargo testified (#8) in favor of SB 2163.

Senator Flakoll: Would your building be able to offer just one level, say 8th grade group? Are you able to desegregate by year even within your building that has more than one class of students in there? **John Nelson:** Currently that's what they do; in looking at the needs of these students, it isn't all based on their age. It's based on their strengths and weaknesses, how to use strengths to build up weaknesses so they can be successful learners. Thinks there are many possibilities out there to go across grade level to set up the programs. It requires very creative scheduling, not only for the student but for staff. Heard the concern about large school versus small school, obviously a larger base of children make scheduling a little easier. Doesn't think that should limit what can be provided for the kids.

Senator Flakoll presented an e-mail (he received as a bill sponsor) from **Viola LaFontaine, Superintendent, Williston Public Schools**, in support of SB 2163 (#9).

Tom Gravel, Principal, West Fargo Community High School testified (#10) in support of SB 2163.

Barry Olson, 8th Grade Science Teacher, Fargo Public Schools testified (#11) in support of SB 2163.

Senator Flakoll: As a science teacher, if you were charged with teaching in the alternative middle school, how would it be different than your normal classroom?

Barry Olson: Thinks the alternative program would create a hands on approach to teaching for the kids; they need to see how the hands on and the academic (reading & math) work together. If we can get them thinking hands on and visually that will instill their ideas of saying—I need to read better, I need to be able to do my math better so I can handle these types of situations that will be confronted with. They tend to mask low skills by being disruptive in the classroom, and affecting the ability of the teacher to meet all student needs.

Dakota Draper, President, North Dakota Education Association: As a middle school teacher from Fargo, he testified the need for this program. Frustration when there are a couple of kids in the classroom when you know if you could get them into a different setting and work with them in a different way, they could turn things around. They feel success; we try to do as much as we can, but it is difficult. Average class size for him was 25 kids and to try to help those two kids every day would take a lot of time away from the other 23. This is a program that is desperately needed; not warehousing but giving them a chance to get out of the classroom, work in a different setting, try some different things, probably feel that success and that is key. Then could come back to the regular classroom.

No further testimony in support; no opposition. Hearing closed.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

Committee Work on SB 2316
February 1, 2011
13805

Conference Committee

Committee Clerk Signature



Minutes:

No Attached Testimony

Senator Flakoll: Not to violate anything here, but the bill seems to have need and merit. Get into the situation where it's problematic with bills and new fiscal notes. Feels there is maybe more merit to incorporating this bill into SB 2150 than there is in Section 35 which is the Principal Mentoring Program. Would like the committees' opinion on trading the principal mentoring for the alternative middle school in SB 2150. Would make the bill revenue neutral and not add to it with this legislation.

Chairman Freborg: What was the cost of the section in SB 2150? **Senator Flakoll:** Thought it was \$450,000. **Chairman Freborg:** So it isn't quite revenue neutral? **Senator Flakoll:** His amendment would get it extremely close to it; instead of using the current alternative school weighting factor of .25 and he moved that back to .2 so that would get it within a small amount of difference. Changes it by dropping from .25 to .2 weighting factor. **Chairman Freborg:** Do you wish to make that motion? **Senator Flakoll:** The amendment would be for SB 2150. **Chairman Freborg:** We won't do that unless 2316 is gone; can discuss it more. Is the committee favorable to something like that?

Senator Gary Lee: So the amendment would be to eliminate Section 35 in the big bill and maintain SB 2316; with the weighting factor of .2 instead of .25. **Senator Flakoll:** That is correct; would also add the amendment starts the second year of the biennium, much like this bill did. Doesn't start this fall and provides the allowable language that they can do it if they want to.

Senator Heckaman: Will changing the weighting factor affect the alternative high schools—loss in funding? **Senator Flakoll:** This would not affect the alternative high schools; it would only apply to alternative middle schools.

Chairman Freborg: Are you going to pass the amendment around; okay, it's not ready yet. We won't take action on 2316 until the amendments are ready for Section 35. **Senator Flakoll:** If people are favorable to making that happen in 2150, and use that as a vehicle we can dispose of this bill. **Chairman Freborg:** Thought you said that Senator Lee said it correctly and believe he said it in reverse—did you not? That we keep this bill and take the section out of SB 2150? A little confused! **Senator Gary Lee:** It would work either way; it may be simpler to put into 2150 if the committee wishes.

Chairman Freborg: Are we favorable to that so that we can kill this bill; will be on record that everyone will honor their commitment, I'm sure. When we get to 2150 and you have the amendments it will put 2316 into 2150. You've told them that you've changed the factor and it's going to cost a little less money, but be a wash with the principal mentoring program. **Senator Flakoll:** Guess if we look at the amount here, it is in 2316 at 170 FTE with .25 weighting factor. If it is dropped to .2 it drops down to 136 FTE based on that number.

Senator Gary Lee: Thinks the numbers they put in here are certainly gross estimates of—nobody knows. Think these programs have a tendency to escalate and grow as soon as there is money behind them. Not that that is a necessary and needed thing, but these things will get bigger and the cost will grow. **Chairman Freborg:** He said the same thing to Senator Flakoll earlier; what do we do if the student numbers grow—say 300 rather than 136 estimated? **Senator Flakoll:** We always run that challenge even with total student enrollment numbers. There is a small weighting factor so it's not like there are big things happening. Would be happy to listen to any discussion on how we can manage that if anybody has any solutions.

Senator Marcellais: What about the amendment we made this morning about the backstop? Can't be used for the funding? **Senator Freborg:** We can do whatever you wish to pass, but I was concerned at 170 FTE and now it is based on 136. **Senator Flakoll:** Again, that is weighted FTE's. That's 680 people they are estimating could be eligible in the state, and in this case a weighting factor of .25 versus a factor of .2. Not talking 170 students, we are talking 170 student FTE's. We could block grant out X amount and to the extent those dollars are available up to that cap. Issue that number of dollars and then have the weighting factor kick in once we get a better handle on the actual number of students participating.

Senator Heckaman: Thoughts are that this program is going to grow very quickly because these are students that—it's compulsory attendance—they have to be there and the schools are going to find a way for them to be successful and meet educational needs. When you get into the alternative high school it is a different situation because those students are often coming back because they want to finish something, they have a little bit to finish or whatever. Some of those fall outside the compulsory attendance range. Think we'll see this grow quite quickly maybe. Maybe the first year putting a grant would be the way to start. Don't think we'll meet the needs of all the schools that are going to start programs either.

Chairman Freborg: There are several things that can be done; guess we could believe that all the assumptions are right and take action on 2316. You will bring amendments tomorrow? **Senator Flakoll:** If we find amendments we like for 2150, it doesn't take long to kill a bill. **Chairman Freborg:** That's true; but things are piling up. Monday everything has to be out of committee so need to get these out. **Senator Flakoll:** Already had a lot of discussion on it and if pass the amendments on 2150 we can get rid of this pretty quickly. **Senator Freborg:** Do we want wait on this until the amendments are ready for 2150 and take care of them both at the same time—committee? **Senator Flakoll:** Would like some input in terms of if we want a block grant in year one X dollars and use it to the extent the dollars are available, and then go on a weighting factor after that. Would prefer to not

further amend something. . . To go from a weighting factor to a block grant and then a weighting factor gets a little "ticklish"; can't be done around the table very easy. Can wait until the amendment gets here if people give him direction.

Senator Gary Lee: In the block grant there were no rules to determine how much goes to which school district or how that is determined, and that if a student is in and out of the program to determine how much that school would get versus another one. Or if only in there for one hour a day versus all the time. Seems like there is some problem with the block grant and not knowing how it would be distributed. **Senator Flakoll:** Thinks it would be solved by the legislature defining; they could get up to a .20 weighting factor, but they must be participating in an alternative program at least four hours a day (as an example). We could specify an amount that they don't just bring them in for one class, tutoring kind of thing.

Chairman Freborg: Are we backing things up until Monday due to amendments?

Senator Flakoll: Am guessing that most should be ready tomorrow morning or tomorrow. Trying to not back it up until Monday.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

Committee Work on SB 2316
February 2, 2011
13879

Conference Committee

Committee Clerk Signature



Minutes:

No Attached Testimony

Senator Gary Lee: Motion for a Do Not Pass to SB 2316; second by **Senator Luick**.

Discussion on the motion

Senator Flakoll: Just to clarify this is being done with the assumption that we'll be rolling this into SB 2150, correct? **Senator Gary Lee:** That is what we have been talking about here, at least part of this somehow to put it into a section of 2150.

Senator Flakoll: Mr. Chairman, is that your understanding? **Chairman Freborg:** That is my understanding, Senator Flakoll, that we will have the opportunity to vote on the very same thing as an amendment to 2150. I did not say we will adopt it, but will have the opportunity and it will be similar enough to this that everyone can accept it as this bill.

Senator Marcellais: There are some suggested amendments to this bill; are we going to consider those amendments or just Do Not Pass the original bill? **Senator Freborg:** We did not adopt that, correct? **Senator Flakoll:** No **Senator Marcellais:** There was a change in the appropriations. **Chairman Freborg:** My concern is the bill; we haven't acted on the amendment. If you want to further amend if we adopt his amendment to put this in 2150 we can do that. Can't guarantee we'll adopt this amendment; cannot even guarantee we'll adopt the amendment that is going to replace 2316. But there will be the opportunity, and it'll have just as good a chance as 2316 has.

Senator Marcellais: The only question is the appropriations; the bill shows \$680,000 and the amendment shows \$600,000. **Chairman Freborg:** We don't know what his (Senator Flakoll's) amendment will read. What will the appropriation be in your amendment?

Senator Flakoll: My amendment on my appropriation will be revenue neutral to the bill. It will be slightly less; \$460,000 for that program but would take out Section 35 which is \$461,000+. He would be happy to vote and carry the bill to the floor with a Do Not Pass recommendation as long as we get a good solid fair shake on this amendment for Monday.

Chairman Freborg: It's up to the committee; we have a motion now. We either need to withdraw the motion or take action on it. He is comfortable either way; but need to get things done-even if it means staying late on Monday.

Senator Luick: This isn't an amendment is it? Just was a suggestion for an amendment?

Chairman Freborg: Assuming it is an amendment; who got this? (It came from the

Superintendent from Fargo as suggested amendments to SB 2316). Suggested changes but not acted upon.

Senator Gary Lee: Just to reconfirm what you said—if we do dispose of this bill it will give us an opportunity again to vote on whatever Senator Flakoll's amendment to SB 2150 that should look reasonably similar to this. Not committing whether I'll vote for it, saying it provides another opportunity similar to this.

Senator Freborg: Don't think we're asking anyone to commit either way; just to guarantee the opportunity. The same opportunity that you'd have in the bill.

Senator Flakoll: But we would have the opportunity to amend that bill regardless of how this is handled. **Chairman Freborg:** That's true.

Motion carried for a Do Not Pass on SB 2316. Vote was 7-0-0. Senator Flakoll will carry the bill.

FISCAL NOTE

Requested by Legislative Council
01/26/2011

Bill/Resolution No.: SB 2316

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$680,000	\$0	\$1,360,000	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$680,000	\$0	\$0	\$1,360,000

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

This bill relates to the provision of alternative schools and alternative school programs to students in grades six through twelve.

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

Alternative programs receive additional funding through the state aid program through a .25 factor applied to the average daily membership (ADM) of students enrolled in the program. Current programs are for students between the ages of sixteen and twenty-one that have been dropped from the regular membership rolls. This bill expands that eligibility to students in grades six through twelve.

There is no data available to determine the additional weighted students that will be added. This note assumes that expanding the eligibility to middle school students will double the number of weighted ADM added to the state school aid formula. Because state school aid payments are generated on prior year data, funding for students served in year 1 will be triggered in year 2 of the biennium.

Currently, these programs add 170 weighted ADM to the formula each year. Using a per student rate of \$4,000, the additional cost for one year would \$680,000.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

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

The cost for the 2011-13 biennium is projected to be \$680,000.

The cost for the 2013-15 biennium is projected to be \$1,360,000.

Funding for these additional costs are not provided for in the Executive Budget recommendation.

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	01/31/2011

Date: 2-2-11
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2316

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Sen. Gary Lee Seconded By Sen. Luick

Senators	Yes	No	Senators	Yes	No
Chairman Layton Freborg	X		Senator Joan Heckaman	X	
Vice Chair Donald Schaible	X		Senator Richard Marcellais	X	
Senator Tim Flakoll	X				
Senator Gary A. Lee	X				
Senator Larry Luick	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Flakoll

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

REPORT OF STANDING COMMITTEE

SB 2316: Education Committee (Sen. Freborg, Chairman) recommends DO NOT PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2316 was placed on the
Eleventh order on the calendar.



2011 TESTIMONY

SB 2316

Senate Finance and Tax Committee
Testimony Senator Ronald Sorvaag District 45

Senate Bill 2316

Mr. Chairman and members of the Education Committee, I'm bringing forward Senate Bill 2316 relating to provisions of alternative schools and programs for students grade six through grade twelve.

Many years we have been allowing school districts the ability to offer alternative high schools to students have difficulty fitting in to traditional education settings. This bill offers them the opportunity to provide that setting to middle school students.

Seeing students in my community that choose this option for a High School Diploma over the traditional setting and now seeing them as successful members of the community makes it obvious that the alternative high school has been a success for many students. This is why it is now being brought forward to offer this opportunity to middle school students.

It is believed that this program could target more intensive services on identifying at risk students earlier.

Provide an environment for more students to experience success.

Allow general education teachers to focus more time and effort on the general student population.

Hopefully reduce the overall dropout rate.

I will leave more detail explanations to how this would be implemented to the educational experts that are here today to testify.

Thank you and I will now stand for questions.

#1 SB 2316

Testimony to the Senate Education Committee 2/1/2011

In support of SB 2316 (amended)

Good morning Chairman Freborg and members of the Senate Education Committee. My name is **Rick Buresh, Superintendent of the Fargo Public Schools**. I am here to testify in support of SB 2316.

Several years ago, we began hearing from our middle school teachers requesting for help in reaching nontraditional students in their schools. Since then these teachers and administrators have had a series of meetings in an attempt to design a solution to reaching these students at risk. These students were of average and above intelligence, not in special education, but presented with significant behavior and learning challenges that put them at high risk of failure and eventual drop out. Typically these students were on a track leading to failure and were a disruption and distraction for other students and their teachers. Our teachers saw the remarkable success our alternative high schools were having with many of these same students long after they struggled and failed at the middle school level in the mainstream program. They would love to implement a similar model for middle level students and our Board and administrative team would love to work with them to implement this program.

We envision a program of smaller class sizes, close supervision, individualized learning plans, more project-based learning, and greater parent involvement, all occurring within our existing middle schools. Students would be identified through referrals originating in Response-to-Intervention teams,

#2 SB 2316

Professional Learning Community sessions, and parent-student requests. A team would be created at each school to manage admission and dismissal from the program. For Fargo, we envision enrollment to be limited to no more than 15 students per grade at each middle school. Students could enter and exit the program as their performance and needs changed. No student would be placed into the program without a parent's ongoing consent.

We are very grateful to Senator Sorvaag for introducing this bill. Since introduction, we have learned of some concerns regarding funding for this program. We would like to address this concern through an amendment that would initially fund this program through a state grant rather than foundation aid. Doing so would enable the funds to go to participating districts while expenses are incurred rather than a year after, which would have been the case under the foundation aid factor originally proposed. For the 2013-15 biennium, funding for this program could revert to the foundation aid formula as originally proposed based on enrollment in the program for the 2012-13 school year.

Speaking on behalf of the faculty, administration, and Fargo Board of Education, we urge favorable consideration of SB 2316 as amended.

#2 SB 2316

Suggested changes to Senate Bill 2316, relating to the provision of alternative schools and alternative school programs to students in grades six through twelve:

- 1) Change Section 2 of the bill to make the Foundation Aid provisions effective beginning with the 2013 biennium as follows:

In Section 2, Page 4, line 31, before "Weighted" insert (Effective after June 30, 2013)

- 2) Create a new Section 3 of the bill to create a grant program for the 2011 biennium as follows:

On Page 5, after line 15 insert

SECTION 3. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$600,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing grants to school districts to implement alternative programs for students in grades six through nine, for the biennium beginning July 1, 2011, and ending June 30, 2013.

- 3) Renumber the remaining sections accordingly:

On Page 6, line 16, overstrike ~~3.~~ and insert 4.

On Page 6, line 17, overstrike ~~4.~~ and insert 5.

3 attachment

**Testimony
Senate Bill 2316
Senate Education Committee
Monday, January 31, 2011**

Todd Kaylor

Chairman Freborg and members of the Senate Education Committee. My name is Todd Kaylor and I serve as Beulah High School principal. I am here today to testify in support of Senate Bill 2316, and ask for a "do pass" recommendation from this committee. The Beulah High School has maintained some form of alternative school since the 2005/2006 school year. We have found the most success with a model that melds interventions with a school-within-a-school philosophy that we believe could be implemented at a middle school level.

The Beulah High School utilizes a system of interventions that addresses varying student needs within the traditional school setting and school day. For you to gain a better understanding of this process, I have provided a copy of our high school pyramid of interventions that is in place for all students. Even with these extensive interventions, there are still students whose needs extend beyond what can be provided through this system and in a traditional school setting.

Starting in the 2005/2006 school year, the Beulah and Hazen school districts created a cooperative alternative program with a traditional delivery model. Only students, sixteen or older, were allowed to apply for the program. Once accepted, these students would work on individual coursework provided through what is now called the North Dakota Center for Distance Learning. While some students were positively impacted by this program, we found that the majority of students continued to drop out after a short time in the program. I believe

that most students were not successful because of the delivery model, but also because by age sixteen they had already made the decision to drop out. What we found was that the alternative center merely acted as a transition from traditional school to drop out. Since I came to the Beulah School District in the 2006/2007 school year, only three students from Beulah graduated from the Beulah/Hazen Alternative Center. With only one student in attendance, between the two districts, in the second semester of the 2008/2009 school year, Hazen and Beulah determined to end the cooperative at the end of that year.

In the summer of 2009, I attended the Dropout Summit in Bismarck with a contingent of teachers and community members with the goal of increasing our graduation rate, which in that year was 94.34%. While we are proud of maintaining this high percentage, our school has taken the stance that even one dropout is unacceptable and that research and implementation of new interventions was necessary to provide the best possible outcome for our non-traditional students. Through this effective summit, we learned that there are three main reasons for dropouts: 1) The student recognizes that he/she will not be able to graduate with his/her peer group, 2) Addiction, 3) Special circumstances, such as pregnancy or family issues.

With this understanding and through multiple discussions at the summit, we found a model utilized by the West Fargo Public School, called the Senior High Alternative Center (SHAC) that we felt could be successful at Beulah High School. This school-within-a-school model, presently called our Lighthouse program, has provided significant success for students looking for graduation or credit recovery. Like the SHAC program, students as young as freshman are able to utilize the Lighthouse program because of the school's commitment to utilize general

#4 SB2316

fund dollars. Our students attend traditional school in the morning and are able to attend the alternative program up to three fifty minute periods per day. A certified teacher serves in the capacity as a graduation coach. This individual not only facilitates the curriculum, provided through an individualized online curriculum, she also serves as a maternal figure and life coach.

Since its inception 18 months ago, Beulah High School has had seventeen students in the program. Two have graduated and there are presently ten students utilizing services through the Lighthouse program, such as credit recovery to minimize the risk of falling behind their peers. Two students have dropped out and one has been removed from the Lighthouse program.

I want to share with you three examples that I believe encapsulate the needs of our non-traditional students and the successes of this program.

We had a student transfer in from another district. She was 18 years old, had a 6 month old baby boy, she had moved out of her mom's house in Dickinson, was living with a friend in Beulah, and was 5 credits away from meeting our graduation requirements. She came to us upon hearing about our program from a friend who was a student at Beulah High School. She was able to earn the remainder of credits through our "school within a school setting" and graduated with her peer group that spring.

We had a student come to us from our middle school after failing the necessary English requirements. Without that prerequisite we could not register him for Freshman English. However, after one semester in our "school within a school setting" he was able to complete his

#4 SB2316

8th grade English requirement and 1st semester of Freshman English, and is now successfully attending a traditional mainstream setting of 6 classes and a study hall

Two years ago a student came to me and told me that she was going to drop out. She was a troubled student not only in school but also in the community. She was being raised by her 21 year old brother. Her two closest friends had just dropped out of high school the semester before, and she felt that there was no sense in attending school. She started our "lighthouse program" as a final step before she dropped out of school. After two years, I'm proud to report that she will graduate with her peers in May of 2011.

I believe that the model outlined in our Lighthouse program could be easily adapted and integrated into the middle school setting. Non-traditional students do exist as early as sixth grade and allowing alternative programs at this earlier grade level would minimize the students at risk of dropping out.

Please note that I have shared some history, additional information and success stories in my written testimony that that you can peruse at your leisure.

Please give SB 2316 a do pass recommendation. I am available for any questions you may have.

#4 SB 2316

**Testimony
Senate Bill 2316
Senate Education Committee
Tuesday, February 1, 2011**

Gail Wold

Chairman Freborg and members of the Senate Education Committee, my name is Gail Wold. I have served as Beulah's middle school principal for nineteen years. My colleague, Todd Kaylor, just shared the success of Beulah High School's school-within-a-school alternative program for students in grades 9-12. I am here to testify in support of Senate Bill 2316 and ask for a "do pass" recommendation from this committee so that alternative programs currently available to high school students, such as the school-within-a-school described by Mr. Kaylor, can be expanded to meet the needs of struggling middle level students.

In the past twenty years, we have seen a gradual transformation of public education in the United States and North Dakota. In particular, for students in K-12 public schools there has been an increasing emphasis on standards, accountability, and excellence. Legislatures, school boards, and parents have all demanded better outcomes from public schools. Simultaneously, there has been rising concern about school safety and discipline.

The impetus for the reform of public education included apprehension about the literacy of high school graduates and their ability to compete in the global economy. In response to a series of reports and task force recommendations (e.g., *A Nation at Risk* [National Commission on Excellence in Education 1983] and *A Nation Prepared* [Carnegie Forum 1986]), the public schools have emphasized excellence in education by raising standards, implementing new graduation requirements, and lowering tolerance for serious violations of school disciplinary codes. The primary beneficiaries of these changes have been college-bound youth and others

who respond well to the current structure and purposes of public education. Overlooked in most of the recommendations were non-college-bound youth and students who struggled with traditional school organization and culture.

Structural changes in the life experiences of children and an increasingly diverse school population call for additional choices and options in public education. During the past twenty years there has been a steady decline in the amount of time parents can give to their school-aged children. At the beginning of my career nearly all of my students lived in two-parent families, many of whom had a stay-at-home parent. Today it is increasingly likely for our students to have both adults in the home working or live in single adult families. Consequently, the time and supervision available from caring adults for many of our students during nonschool hours is limited.

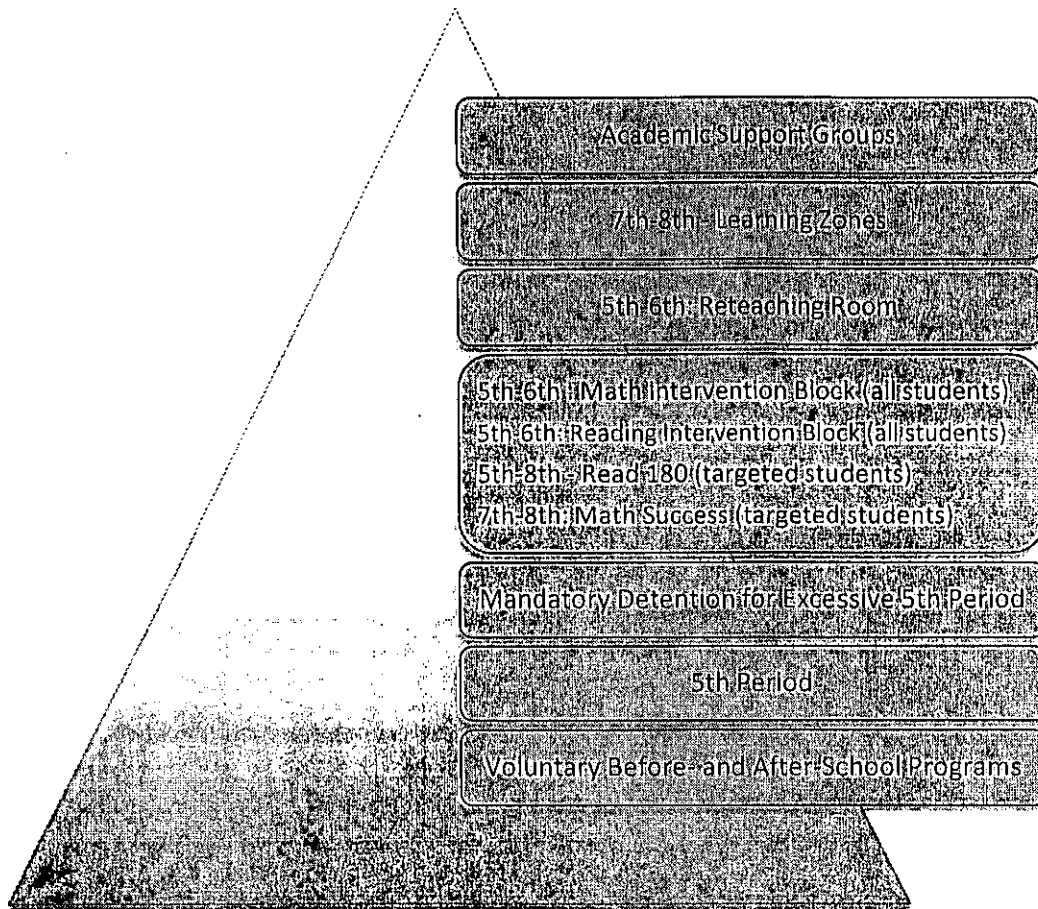
Beulah Middle School teachers, counselors, and I have worked together over the past several years to create and refine a system of timely, directive, and systemic interventions to meet the needs of our struggling learners (see Appendix: Pyramid of Interventions.) Despite the tenacious efforts of caring and dedicated teachers, counselors, and support personnel, the existing structure is simply a bad fit for some of our children and families.

If the alternative programming proposed in SB2316 were available at Beulah Middle School today, seven out of 185 (4%) of our current students – two sixth graders, two seventh grader, and three eighth graders - would be likely candidates for a school-within-a-school alternative program. 85% of these students live in single adult homes. Five of them live in homes with at least one sibling or adult with substance abuse issues. One lives with his grandmother since being removed from his mother's home.

Five of these students simply do not complete their assignments despite the extensive intervention system in place during our school day. Failure to complete assigned school work is the primary contributor these students' academic difficulty. A school-within-a-school alternative program would allow these students to participate in an individually paced curriculum within the school day with a supervisor available to provide supplementary instruction in the area(s) where the student demonstrates need.

The remaining two of the seven potential school-within-a-school candidates continually disrupt the teaching and learning process which interferes with their learning and the learning of their classmates. A school-within-a-school program would take these students out of the large group setting, eliminating the audience for their attention-seeking behaviors. We have had some success removing these students from their peers for a day or two in our current school structure - they are motivated to improve their behavior in order to return to the group - but we lack the supervisory personnel necessary to ensure that appropriate instruction is provided to these students during their absences from class, so their removal is currently punitive and not as instructive as would be possible in a school-within-a-school setting.

In summary, alternative education should have a well-defined place within middle schools and within communities. Enrollment in alternative middle level programs should be an option for students who, for whatever reason, fail in or disrupt traditional school settings. It is time to develop academically rigorous, engaging alternative schools for nontraditional middle level students. A "do pass" recommendation from this committee on Senate Bill 2316 would be a welcome first step to provide alternative programs to meet the needs of struggling middle level students.



- Voluntary Before- and After-School Programs - (5th-8th) Beulah Middle School offers before- and after-school programs that are designed to provide our students with extra time and support to complete their assigned school work. During before- and after-school programs, students are provided with structure, support, and encouragement to complete school work.
 - The before-school program is held from 7:45-8:10 A.M. daily in Room 105 and staffed by a certified para-educator.
 - The after-school program is held from 3:10-3:45 P.M. Monday-Thursday, excluding days preceding school holidays, in the Band room and staffed by a certified para-educator.
 - Both programs are open to *all* Beulah Middle School students.

- 5th Period and Mandatory Detention for Excessive 5th Period - (5th-8th) Beulah Middle School recognizes that failure to complete assigned school work is the primary contributor to students' academic failure. Students who have a late or incomplete assignment are required to attend 5th Period instead of having a noon recess/social time. The intent of 5th Period is to ensure that students do not fall behind academically.
 - Attendance in 5th Period is recorded in Powerschool; the code is a "5" if a student is required to attend due to late or incomplete assignments and is not recorded if the student attends for another reason (catching up on work following an absence, opting to attend due to after school commitments, etc.)
 - Students who exceed three "5"s in 5th period within Quarter 1 must serve 1 hour of detention for every time they are required to attend beyond the third, that number will decrease to two in Quarter 2, one in Quarter 3, and zero in Quarter 4.

- Math Intervention and Reading Intervention - (5th-6th) Math and reading intervention blocks are each 45 minutes long. The intervention blocks are scheduled daily in 5th and 6th grades where extra adults participate in classrooms daily to provide more one on one and small group instruction in these two crucial content areas. The intervention blocks were made possible by classroom teachers giving up flexibility by adhering to a common schedule and providing scheduling specialists and para-educators to into classrooms during the scheduled intervention blocks.

- Read 180 - (5th-8th) *Read 180* is an intensive reading intervention program designed to meet the needs of students whose reading achievement is below the proficient level. Multiple indicators are considered when assigning students to or removing students from *Read 180*: North Dakota State Assessment, NWEA (MAP,) and classroom performance. The program directly addresses individual needs through adaptive and instructional software, high-interest literature, and direct instruction in reading and writing. *Read 180* is proven to work; students who enter the program unable to read proficiently experience success and become readers. *Read 180* is staffed by a highly qualified language arts teacher and a para-educator. Students who are sent out of *Read 180* for disciplinary reasons receive 1 hour of detention.
- Math Success - (7th-8th) Math Success classes provide students identified as performing below grade level with extra time and support to achieve grade level standards in math. Multiple indicators are considered when assigning students to or removing students from Math Success: North Dakota State Assessment, NWEA (MAP,) and classroom performance. During the Math Success classes, receive additional time and support to complete math assignments, supplementary instruction in the area(s) where he or she has demonstrated need, and pre-teaching of concepts that will be presented in subsequent days. Math Success is staffed by a highly qualified math teacher.
- Reteaching Room - (5th-6th) The reteaching room is available during noon recess for students who need additional time and support to master essential concepts. Students who attend typically work on redos. The reteaching room is staffed by a certified para-educator. A green file folder system is utilized to facilitate communication between the para-educator and the classroom teachers. The para-educator has answer keys so she does not have to take time working problems by hand in order to check for accuracy. At the end of the period, the para-educator collects work the students completed in the reteaching room, files it back in the green folder, and returns it to the classroom teacher. Some students complete all of their redos during the period, others do not. The para-educator marks those she's checked with an "ok;" the classroom teacher then checks each student's paper in the green folder for completion. Misbehavior is not tolerated in the reteaching room. If the para-educator has to take time away from reteaching to deal with misbehavior, she will send the offending student to the office for the remainder of the session. Following the day's session, the para-educator will make the offending student's classroom teacher aware of the disciplinary dismissal; the classroom teacher will write a disciplinary office referral.
- Learning Zones - (7th-8th) Students are assigned to Red Zone, Yellow Zone, or Green Zone weekly. On Tuesdays, when the ineligibility list is published, students stay with their homebase teacher, who visits with each student about where they will go during Learning Zone Wednesday through the following Monday. This is also when teachers recruit Yellow Zone students to their classroom for the next four days.
 - Red Zone students are the ones with failing grades. They may be separated even further into those who understand the work and simply are not getting it done and those who don't get it but want to and need more time with the teachers. The former may be assigned to a classroom where they spend the time working on their assignments. The latter group are in the classrooms with teachers getting extra instruction, one-on-one as much as possible.
 - Yellow Zone students are those who are passing all their classes but might need some extra intervention, such as sustained silent reading, Accelerated Math, English Language Learner tutoring, or just need some extra time with a teacher to get a better grasp on what is being taught in order to keep their grade above a D or F. Yellow Zone students go to whichever teacher requests them.
 - Green Zone is where the majority of students will spend their time. Green Zone students are not struggling in any class. The most obvious use of this time would be as a study hall where students get a jump on getting their homework done. Interested Green Zone students may be utilized as tutors for the Red Zone and Yellow Zone students.
- Academic Support Groups - (7th-8th) Beulah Middle School counselors, in cooperation with the Mercer-Oliver Youth Bureau, run mandatory small group counseling sessions for 7th and 8th grade students who are earning a D or F at midterm of one quarter. Sessions run from that midterm through midterm of the following quarter, meeting once per week for the last 30 minutes of afternoon classes on a rotating basis. The focus of the small group counseling is to provide academic support, encouragement, and recommend and model strategies to help struggling students become more academically successful.

Testimony to Senate Education Committee 2/1/2011

In Support of SB 2316 (amended)

Good morning Chairman Freborg and members of the Senate Education Committee. My name is Robert Grosz, Assistant Superintendent for Teaching and Learning for the Fargo Public Schools. I am here to testify in support of SB 2316.

Over the past few years, I have had the opportunity to work with our middle school principals and teachers to research and work on solutions to reach middle school students who are at high risk of failure and eventual drop out. Since there are many factors that can lead to failure and drop out, our work centered on students who present significant learning and behavior challenges.

After an analysis of current district-wide middle school interventions, the team determined there was a gap in building level academic and behavioral interventions for middle school students. The typical middle school provides the programs and services that are needed by most students, outside placements provide programming and services for students with the most severe needs, but there is a gap in the educational continuum of services for some middle school students. This caused our team to research alternative educational programs.

In our research we found that since alternative programs are based on the need for differentiation, there was no single model that described the best alternative program, but rather a wide variety of programs and systems. This

caused us to begin to discuss ways to improve student academic, behavioral, and social performance through the integration of differentiated instructional strategies while promoting active involvement of students, families, and the community in the educational process; or middle school alternative education programs.

According to the team, a middle school alternative educational program would...

- provide an opportunity for a greater number of students to receive academic and behavioral interventions within the school setting who otherwise would not be served,
- be an outgrowth of the middle school philosophy empowering students to be life-long learners for future academic and behavioral success, and
- provide students who are at high risk of failure or drop out another opportunity to be successful.

Speaking on behalf of the team of middle level educators that I have had the pleasure of working with during the past few years, we urge favorable consideration of SB 2316 as amended.

#6 SB 2316

TESTIMONY IN FAVOR OF SENATE BILL 2316
NORTH DAKOTA SENATE EDUCATION COMMITTEE

FEBRUARY 1, 2011

By Steve Swiontek Ed. D., Superintendent, Devils Lake Public Schools
662-7640
Steve.Swiontek@sendit.nodak.edu

Chairperson Freborg and Senate Education Committee Members, for the record, my name is Steve Swiontek, Superintendent of Schools, Devils Lake, North Dakota. I stand in front of you today in support of SB 2316, a bill relating to the provision of alternative schools and alternative school programs to students in grades six through twelve.

As you know alternative middle and high schools provide supportive environments for students whose behavior or poor academic readiness is interfering with their ability to be successful in a regular school setting. We have found that our high school alternative school has a tremendous impact on reducing the number of high school dropouts over the past twenty years. Twenty years ago we had between 10 and 12 students dropout of school each year, our number now is less than 5 students per year. We believe that an alternative middle school in Devils Lake will help us reduce those numbers even more.

Based on research, students with social and emotional issues are more likely to drop out of school if they do not have the proper intervention by the time they reach their freshman year of school. Students that struggle with social and emotional issues (At-Risk students) are coming from homes that place less emphasis on education and often times are living in poverty. These same

students have attendance problems and don't attend enough school to be successful.

Our Middle Level At-Risk students are more likely to experience or have experienced substance abuse problems either personally or in the family. All of these issues combined make it extremely difficult for them to achieve academic success in a regular classroom setting. These students need: One on one attention with their academic studies; Quiet and controlled settings with little distractions; Social interventions that will build better decision making skills; and Closer guidance because of attendance issues.

Alternative schools are not for every student. However, many students would benefit from a setting that can provide them with the chance for success as mentioned above. Devils Lake, like many other communities, has seen a rise in the number of students at the middle school level with behavior, attendance and achievement issues over the past ten years. If the funding for alternative education is changed to include students in grades six through twelve, I believe we would have about 20 to 25 students per year that would benefit from an alternative middle school in the Devils Lake Public School District.

To close, I want to thank you for this opportunity. I stand now to answer, to the best of my ability, any questions that you may have.

Testimony

Senate Bill 2316

Senate Education Committee

John Nelson

Chairman Freborg and members of the Senate Education Committee, my Name is John Nelson. I have been an educator for the past 28 years and have been the principal at Ben Franklin Middle School in Fargo for the past 16 years. I am here to testify in support of Senate Bill 2316 which would expand the availability of alternative programs to our middle school students.

Over the past 28 years, I have seen a great increase in the number of "non-traditional" students. The needs of these children are many and varied. We have students transitioning from treatment and mental health facilities, suffering in abusive homes, dealing with anxiety issues, and other destructive behaviors. Many of these students end up as high school drop outs. Recent state data shows the high school graduation rate has dropped to around 86%. Most of the drop outs struggle long before they reach high school.

The Search Institute lists 40 developmental assets as necessary building blocks to the healthy development of adolescents (ages 12-18). A common theme our at-risk children have is a lack of one or many the appropriate developmental assets a community can provide. By creating alternative programming for our at-risk students, we can assure a learning environment personalized and individualized to the unique learning, social-emotional, family, and community needs of this diverse population. Our at-risk kids need programming that connects them to their school and community.

The professional educators, I have had the privilege to work with are willing to accept the challenge of leaving no child behind, but they want to have the right tools in their tool box. An alternative middle school needs to be one of those tools. We need the flexibility to build Individual Learning Plans for each student with the help of their parents and other significant

adults in their lives. We need the flexibility to build the transitions and supports they need to be successful learners. We need the flexibility to allow learners to explore areas in which they excel, and to provide the necessary pacing and tools in the unique areas in which they struggle. This is flexibility that does not fully exist for at-risk learners at the middle school level, but can better be met through individualized alternative programming.

Thank you for your time and consideration.

#8 SB 2316

Flakoll, Tim

From: Dr. Viola LaFontaine [viola.lafontaine@sendit.nodak.edu]
Sent: Friday, January 28, 2011 2:38 PM
To: Flakoll, Tim
Subject: SB 2316- Middle School Alternative Education

Dear Senator Flakoll:

Williston Public School District #1 supports the bill to establish funding to offer alternative middle school service to students who are struggling and need more help to be successful. The traditional method of education has not meet their needs and they deserve to be educated. I believe offering an alternative program to middle school students would reduce the dropout rate at the high school level. Offering an alternative high school has improved out dropout rate, however there are students we have lost before they enter the high school. They wait until they are 16 and then drop out. It would be great if we could work with them earlier at the middle school level and then they would enter high school and graduate.

Thank you for your time and consideration of this bill.

Dr. Viola LaFontaine
Williston Public School District # 1 Superintendent
P.O. Box 1409
Williston, ND 58801
572-1580
770-5963

#9 SB 2316

Mr/Ms. Chairmen and members of the Committee,

① My name is Thomas Gravel, I am principal of West Fargo Community High School, the district's alternative high school and I am in strong support of this bill (SB 2316).

② To increase graduation rates and to reduce drop outs, it is imperative that schools are given the resources to meet the ever-increasing needs of at-risk students as early as possible and to help them get back on track to graduate. The current criteria for additional funding for alternative high school is age 16; which for too many students is too late and they become increasingly disengaged and drop out.

④ Again, I urge your support for this bill and thank you for your time.

③¹ During the middle school years, students' interest in school and academic skills may begin to lag, so that by the time students transition to high school, students who are at risk of dropping out may need intensive individual support or other supports to re-engage them in the purpose of education. Educators and policymakers need to consider how to implement intermediate strategies aimed at increasing student engagement. *p. 7*

Dynarski, M., Clarke, L., Cobb, B., Finn, J., Rumberger, R., and Smink, J. (2008). *Dropout Prevention: A Practice Guide* (NCEE 2008-4025). Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education. Retrieved from <http://ies.ed.gov/ncee/wwc>.

#10 SB 2316

Testimony to the Senate Education Committee
2/1/2011
In support of SB2316
Barry Olson

Good morning Chairman Freborg and members of the Senate Education Committee. My name is Barry Olson, I teach 8th Grade Science for the Fargo Public Schools. I am here to testify in support of SB2316. In my 18 years of teaching I have seen the needs of our students change but the classroom has not changed to meet the needs for all our students. Some students enter our classroom with low academic skills, personal and social problems, which leads to disruption in the classroom. These students mask their low skills by being disruptive in the class which then turns our attention to dealing with the disruption and not educating the rest of the class. By having an alternative program, a school within a school, for these students to improve their academic skills and deal with their personal problems we can help them achieve a positive experience at school. Once they have gained the skills needed to be successful in the mainstream classroom, they can re-enter the mainstream classroom. This will also allow the rest of the students in our classes to continue their education without disruptions. An alternative education program in the middle school is needed to help keep these students in school. This program will help students that may normally get frustrated and drop out be more successful academically and socially. A "do pass" recommendation from this committee on Senate Bill 2316 would help all middle school students.

#11 SB 2316