

2011 SENATE EDUCATION

SB 2317

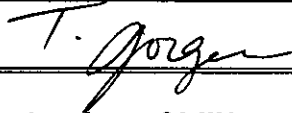
2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee
Missouri River Room, State Capitol

SB 2317
February 14, 2011
14470

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to the approval of theological studies instructors; relating to theological studies courses.

Minutes:

See "attached testimony."

Chairman Freborg opened the hearing on SB 2317; fiscal note attached.

Jack McDonald, State Association of Nonpublic Schools (SANS) testified in support of SB 2317 (#1 attachment).

Senator Flakoll: In drafting of the bill, was there any discussion on having a definition of theological studies in terms of what it may or may not be? **Jack McDonald:** They had some discussion, but at this time to not try to define it because each school has a little different type of course under that category... Determined not wise at this time; the parameters are left to each school. Drafters felt it was better to not do it at this time.

Senator Flakoll: Was there discussion about other religions besides Christianity, that it would count toward that whether Hindu, Islamic, Buddhist, etc? **Jack McDonald:** The bill is open ended in that regards; World Religion is taught in many public schools. Yes, covered.

Morgan Forness, Superintendent, Shiloh Christian School, Bismarck (#2 attachment) testified in support of SB 2317.

Senator Flakoll: How are the theology courses graded now; letter grade or pass/fail?

Morgan Forness: Each school has its own method; those he knows of use letter grading system.

Senator Flakoll: This bill requests that 2 credit units to be able to apply to graduation requirements; how many do they normally have to take? **Morgan Forness:** Believes that 2 credits was a compromise; most schools require one credit per year of theology studies, so 4 credits in high school is normal.

Senator Heckaman: Section 1—qualifications to be an instructor is a bachelor degree; is that any discipline? **Morgan Forness:** Yes, believes a bachelor degree with any major

focus; many of the private schools have pastors or priests with seminary training. Can't say that is the case for all private schools.

Dr. Tom Erbele, Principal, St. Mary's Central High School, Bismarck (#3 attachment) testified in support of SB 2317.

Senator Heckaman: St Mary's has 26 credit requirements for graduation; will it stay the same if this passes or drop? **Dr. Erbele:** It was 24 credits before the new scholarship and graduation requirements were passed. Not sure yet if it would drop back down.

Father James Shea, President, University of Mary (#4 attachment) testified in support of SB 2317. Wants to clarify that these are not slough courses, and he is not an advocate of that being the case. They are very careful custodians of the tone of the courses taught and the way information is conveyed to the students. They do NOT have religious conversion as a purpose.

Senator Heckaman: Are there benchmarks as is expected of other courses? Would benchmarks be developed? **Father Shea:** Benchmarks have been developed for Catholic school courses; not sure about the other non-public schools.

Senator Heckaman: Do other states have the similar provisions for theological studies for students that transfer; appropriate to take with them? Do other states allow these classes to be transferred? **Father Shea:** Idea would be that the curriculums would mesh such that could easily transfer. Not sure what the other states accept in terms of credit transfer.

Senator Flakoll: You served on the Governor's Commission on Education; was this topic brought up in that commission? **Father Shea:** Not specifically, conversation took place with Governor Dalrymple, but not in an official capacity.

Stanton Henderson, Guidance Counselor & Registrar, Minot Catholic School system (#5 attachment) testified in support of SB 2317.

John Jankowski, President, State Association of Non-Public Schools (#6 attachment) presented a letter in support of SB 2317.

Christopher Dodson, Executive Director, North Dakota Catholic Conference testified in support of SB 2317. The bill is not about getting a blessing to teach the courses, but about who can teach them. The credits are transferrable; the bill defines would be who is the best teacher for the courses. Issue is--now only occurs if it is a certified teacher; this is about people like Father Shea with all of their training can teach those courses and have them transfer or apply for graduation requirements. If they currently don't have the state license, the courses can't be counted toward graduation. That is really the focus of this; already count as part of the five now, all we're asking is that at least two of those can be taught by someone with a bachelor degree that is approved by the principal, superintendent or whoever is in charge.

Connie Mittleider, Assistant Director, ACT/North Dakota Scholarship Program, DPI (#7 attachment) testified in support of SB 2317. Her office defined Theology for purposes of consistency.

Senator Heckaman: If you need this for clarification this year, would an emergency clause be appropriate? **Connie Mittleider:** It would be very helpful.

Senator Flakoll: If this is added to graduation requirements, would the public schools not have to offer a course if requested by a student? **Connie Mittleider:** It would have the same effect as adding American Sign Language to approved credits; don't think it would be an issue. **Senator Flakoll:** May want to have legal counsel to research this if added to graduation requirements whether the course has to be offered if requested. **Connie Mittleider:** (#8 attachment) presented a course description for religious education and theology that is used by the non-public schools for alignment to National course code.

Janet Welk, Education Standards and Practice Board, DPI (#9 attachment) testified in support of SB 2317. Proposed a couple of amendments; an application, fee and to complete a background check on an applicant. Done with anyone approved or licensed. Attorney general office has indicated should probably look at is the issues in Sections in 15.1-13-25 & 26 and that is the discipline if someone would file a request for inquiry or one of the people approved would possibly gotten into trouble in some respect.

No opposition; hearing closed.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Education Committee Missouri River Room, State Capitol

Committee Work on SB 2317
February 14, 2011
14477

☐ Conference Committee

Committee Clerk Signature



Minutes:

No testimony attached.

Senator Flakoll: Visited with Anita Thomas from Legal Council about school districts having to offer the theology courses if added to the graduation requirements. She was uncertain but could fix it on the house side. No amendments to offer.

Senator Heckaman: Janet Welk offered amendments. The approval process is sometimes tenuous at best, and would have to develop some administrative rules for the approval process. Second part of her amendments says the approval would be valid for one year. While we may think it is a good idea, the approval process could be cumbersome if have to do it every year. Don't see anything wrong with her amendments; don't know what it means by "two other sections would also apply to this approval".

Senator Flakoll: Not sure how the sentence fits in there; believe the first proposed amendment would be covered under another section of law that anyone in contact with children are subject to a background check. May not need the part that states that, but would think that the section "upon receipt of application and fees" type language so they can charge fees for the work. Otherwise think there is about \$11,000 appropriation. (\$10,000 actual amount).

Senator Luick: Section 1, line 12 of the bill--wouldn't that statement cover that or do we dig deeper than that? It is recommended for approval as an instructor of theological studies? Doesn't say anything about a background check, but would they even qualify to get to that point they have to have a background check wouldn't they? **Senator Heckaman:** Don't think so, school can employ outside of their teaching profession too. For example, Father Shea could come in and want to teach the class; wouldn't necessarily have a background check for the school or through licensing any other way. They might employ someone from outside to come in and teach these courses. If the approval is only good for one year, do they pay the fee each year? Could be a long costly process that way. Not in favor of that one, written that way.

Senator Flakoll: Motion to approve the first part of Janet Welk's proposed amendment; Page 1, line 9 after "studies" insert "upon receipt of the application and fees pursuant to section 15.1-13-11 and pending completion of the background check required by section 15.1-13-14." Section by **Senator Luick**; motion carried 7-0-0 (Vote 1-A)

Senator Heckaman: Move Do Pass as amended to SB 2317; second by **Senator Marcellais**. Motion carried 7-0-0 (Vote 1-B) Will be carried by **Senator Heckaman**.

FISCAL NOTE
Requested by Legislative Council
01/26/2011

Bill/Resolution No.: SB 2317

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						
Expenditures						
Appropriations			\$10,000			

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

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).*

Adding new license type for clergy in private schools. Major impact would be computer programming.

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.*

Section 1 and Section 2.

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.*

\$10,000 computer programming for new license type for clergy in private schools

Name:	Janet Welk	Agency:	ESPB
Phone Number:	701.328.9646	Date Prepared:	02/02/2011



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SB 2317 Testimony

Theological Study Instructors

Good morning Mister Chairman and Members of the Senate Education Committee. For the record, I am Janet Welk, Executive Director of the Education Standards and Practices Board and I wish to testify on SB 2317.

The Board would like to propose the following amendment to SB 2317:

Page 1, line 9, after "studies" insert "upon receipt of the application and fees pursuant to section 15.1-13-11 and pending completion of the background check required by section 15.1-13-14,"

Page 1, line 13, start a new paragraph after "course."

"The approval will be valid for a period of one year pursuant to section 15.1-13-12 and can be renewed with the approval of the board. The board may adopt rules governing the issuance of this approval. "

Two other sections 15.1-13-25 and 15.1-13-26 would also apply to this approval.

Thank you for the opportunity to testify on SB 2317. I would be happy to answer any questions at this time.

#9 SB 2317

Date: 2-14-11
Roll Call Vote # 1A

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2312

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Janet Welk 1st half.

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

Motion Made By Sen. Flakoll 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 _____

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

Date: 2-14-11
Roll Call Vote # 1-B

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2317

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. Heckaman Seconded By Sen. Marcellais

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. Heckaman

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

REPORT OF STANDING COMMITTEE

SB 2317: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2317 was placed on the Sixth order on the calendar.

Page 1, line 9, after "studies" insert "upon receipt of the application and fees required under section 15.1-13-11 and pending completion of the background check required by section 15.1-13-14."

Renumber accordingly

2011 HOUSE EDUCATION

SB 2317

2011 HOUSE STANDING COMMITTEE MINUTES

House Education Committee
Pioneer Room, State Capitol

SB 2317

03/14/11

15357

☐ Conference Committee

Committee Clerk Signature



MINUTES:

Chairman RaeAnn Kelsch: We will open the hearing on SB 2317.

Jack McDonald – SANS: (Attachment 1). We are here to testify in support of SB 2317. Basically the bill allows nonpublic schools to count two credits of their theological studies or religion studies for the 22 hours needed for graduation. I passed out a list of the nonpublic high schools in North Dakota. (See attachment 1).

Morgan Forness – SANS: (Testimony attachment 2).

Rep. Lyle Hanson: Would any of these instructors qualify as far as No Child Left Behind where you have major in that field?

Morgan Forness – SANS: They would have a bachelor's degree and most would be trained in the seminary so they would be highly qualified in that regard. I don't believe the state currently recognizes the licensure of theological studies teachers. We think the best way to go about this is to have the governing body of those individual schools certify those teachers in that regard if they had a four year degree or a bachelor's degree.

Vice Chair Lisa Meier: They would qualify as far as the federal law No Child Left Behind?

Morgan Forness – SANS: To be honest with you they wouldn't have a teaching certificate necessarily. They would have a bachelor's degree so I am not certain that they would qualify in that regard.

Rep. Phillip Mueller: Do you have any idea at all of what those schools are requiring for graduation in terms of credits?

Morgan Forness – SANS: Are you taking about the private schools?

Rep. Phillip Mueller: Yes.

Morgan Forness – SANS: All private schools meet the 22 state requirements for graduation. The additional credits that schools require for theological studies are above and beyond the 22 credits.

Rep. Phillip Mueller: Do you know what the average requirements on these 14 schools are?

Morgan Forness – SANS: I believe that each school has different requirements. Private schools usually ask for 1 credit per year of their high school career.

Rep. Phillip Mueller: We know 22 credits are required. What is being required on average at those 14 institutions for graduation in number of credits?

Morgan Forness – SANS: I believe 26 credits are what most private schools are requiring.

Chairman RaeAnn Kelsch: How are the classes graded? Are they graded on a point scale, A, B, or C scale or as a pass/fail?

Morgan Forness – SANS: I can't speak for every school but virtually all private schools that I am aware of grade them exactly the same way as they do the other classes with a letter grade. I believe they are part of the GPAs at those schools.

Rep. Karen Rohr: Do all the theological classes have the normal course objectives?

Morgan Forness – SANS: From my experience absolutely. These classes differ in no way in terms of being lax classes. They are taught by teachers, have a syllabus, and have academic rigor that is exactly the same and in some cases actually exceeds. They tend to be the premiere classes of those institutions.

Rep. Bob Hunsakor: How is the governing board operated?

Morgan Forness – SANS: They governing board of the schools that we are talking about are usually pretty similar to the public school boards. They operated in similar fashion and have their own governing policies. I would sense that this might be similar in some cases to how Native America studies teaches are certified as well by governing boards.

Chairman RaeAnn Kelsch: Further questions?

Tom Eberle – SANS: (Testimony attachment 3).

Vice Chair Lisa Meier: How many courses of theological studies does your school offer?

Tom Eberle – SANS: Currently we offer 7 different courses. We offer a course for each year and then senior year we offer three different courses at the present time.

Rep. Phillip Mueller: The bill asks for 2 credits. How was that number determined?

Tom Eberle – SANS: We know how the legislative assembly works and we realized that asking for 4 might be too much so we went with 2.

Chairman RaeAnn Kelsch: Further questions?

Stanton Henderson – SANS: (Testimony attachment 4).

Chairman RaeAnn Kelsch: Questions?

Rep. Phillip Mueller: Do you require a certain amount of credits in theological studies to graduate?

Stanton Henderson – SANS: Currently we require 1 every year so 4 credits over 4 years.

Rep. Phillip Mueller: Would that reflect the schools that are in the nonpublic arena?

Stanton Henderson – SANS: I would say that is pretty typical. If we have a student that is in junior high school and has 3 credits then those three credits are worthless to them. It is hard to go back and make those up.

Chairman RaeAnn Kelsch: Further questions? Seeing none thank you.

Father James Shea – President, University of Mary: (Testimony attachment 5).

Rep. Bob Hunsakor: You indicated that each student must take one of your theological courses each year.

Stanton Henderson – SANS: I think it varies according to the student. I was grateful for the opportunity to be able to engage those students more deeply and to meet them where they are at. I want to emphasize that the underlined intent of the course isn't to convert the students to a particular creed; it is to make clear certain aspects of culture and beliefs for the world that we live in and that helps the student to navigate through further difficulties or questions with their life.

Vice Chair Lisa Meier: Do you require theological study to be taught?

Stanton Henderson – SANS: Yes and I think it is pretty typically in the private university and even in some public universities. There are courses that students need to take. Again if I might add there are students that come to the University of Mary and we want to share with them the rich tradition of the heritage of the foundation of the school. We feel it promotes our mission.

Connie Mittleider – DPI: (Testimony attachment 6).

Rep. Phillip Mueller: Do you anticipate that the department would have to be involved with standards and curriculum issues related to theological courses?

Connie Mittleider – DPI: We have had a discussion with members SANS. One of our requirements are that we are going to require those theology courses be assigned and matched to a national course code. Right now all of the courses in North Dakota have a state course code. We are in the process of aligning those to the national course codes.

When this came up I downloaded all the national course codes and there is an entire section devoted to religion and theology courses. In working with the administrators from SANS we told them that our expectation is that they would align the courses to the course codes and the content would be appropriate.

Rep. Phillip Mueller: And that seemed to be ok?

Connie Mittleider – DPI: Yes. When I first approached the issue I was told that they were already planning on doing that.

Chairman RaeAnn Kelsch: Is it your impression that the way it is written is if a nonpublic student wanted to take a theology class and use it toward their graduation requirements, would all school districts now need to offer theology classes? In our electives we have that school districts have to offer them so would they also have to offer theology classes?

Connie Mittleider – DPI: Are you referring to the public or nonpublic?

Chairman RaeAnn Kelsch: The publics.

Connie Mittleider – DPI: I don't see that as problem. The way the legislation is written is it specifically applies to the nonpublic. The only way that the publics would be involved would be in a transfer situation.

Rep. Karen Rohr: What percentage of nonpublic schools has been awarded the scholarship?

Connie Mittleider – DPI: Statewide we had 21% of the seniors last year under scholarship. Now remember last year the requirement was just that they graduate. Out of the nonpublic that was 30%.

Rep. Lyle Hanson: Do you see any problem using public tax dollars for religious classes in public schools?

Connie Mittleider – DPI: No because these courses wouldn't be offered in a public school. The only way they would be involved is if a school transfers from a nonpublic to a public and has those courses on their transcript.

Rep. Lyle Hanson: What I'm getting at is if the public schools start teaching religious classes could they use tax dollars for those classes?

Connie Mittleider – DPI: I don't believe that would ever happen. The courses cannot be taught in a public school. We don't do that and this bill wouldn't permit it.

Chairman RaeAnn Kelsch: Are you proposing that we do have a definition of the theology classes or not?

Connie Mittleider – DPI: I just defined it because I thought we needed to understand what we were talking about. I don't believe we should have a definition.

Chairman RaeAnn Kelsch: Further questions? Further support?

Janet Welk – Executive Director, ESPB: The board at their February meeting did have a chance to discuss this bill thoroughly and they are in total support.

Chairman RaeAnn Kelsch: Can you explain the fiscal note?

Janet Welk – Executive Director, ESPB: Computer programming.

Chairman RaeAnn Kelsch: Is the 10,000 dollars appropriated in something?

Janet Welk – Executive Director, ESPB: I think it is going to be in SB 2310 with the DPI bill. There is other programming dollars in that bill.

Chairman RaeAnn Kelsch: It is in there or are we not sure it is in there?

Janet Welk – Executive Director, ESPB: That hearing is actually on Wednesday.

Chairman RaeAnn Kelsch: So we will find that out before we send the bill out and it has to go to appropriations. Further questions. Further support? Opposition? We will close the hearing on SB 2317.

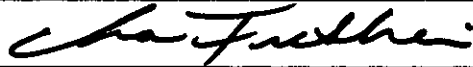
2011 HOUSE STANDING COMMITTEE MINUTES

House Education Committee
Pioneer Room, State Capitol

SB 2317
03/28/11
16058

☐ Conference Committee

Committee Clerk Signature



MINUTES:

Chairman RaeAnn Kelsch: We will open on SB 2317.

Vice Chair Lisa Meier: I move a do pass.

Rep. Mike Schatz: Second.

Chairman RaeAnn Kelsch: Discussion? We will take the roll on a do pass on SB 2317.
We will close on SB 2317.

14 YEAS 0 NAYS 1 ABSENT
CARRIER: Vice Chair Lisa Meier

DO PASS

Date: 03-28-11
Roll Call Vote #: _____

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2317 engrossed

House 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 VICE CHAIR MEIER Seconded By REP. SCHATZ

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	X		Rep. Hanson	X	
Vice Chairman Meier	X		Rep. Hunsakor	X	
Rep. Heilman	X		Rep. Mock		
Rep. Heller	X		Rep. Mueller	X	
Rep. Johnson	X				
Rep. Karls	X				
Rep. Rohr	X				
Rep. Rust	X				
Rep. Sanford	X				
Rep. Schatz	X				
Rep. Wall	X				

Total (Yes) 14 No 0

Absent 1- REP. MOCK

Floor Assignment VICE CHAIR MEIER

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

REPORT OF STANDING COMMITTEE

SB 2317, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2317 was placed on the Fourteenth order on the calendar.

2011 TESTIMONY

SB 2317

Monday, February 14, 2011

SENATE EDUCATION COMMITTEE SB 2317

CHAIRMAN FREBORG AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm appearing here today on behalf of the North Dakota Association of Nonpublic Schools (SANS) in strong support of SB 2317.

This bill will make it easier for nonpublic high school students to meet the 22 hour or unit graduation requirements by allowing them to count two hours of theological courses toward those 22 hours.

I've listed below the nonpublic schools in North Dakota that would benefit from this bill. There will be others who will be testifying in support of this bill with more specific details on how this bill will work.

The nonpublic schools understand that teachers who are approved for teaching these classes will have to follow state law regarding the regulation of teachers and meet certain requirements under the Education Standards and Practices Board.

We respectfully request a DO PASS for SB 2317. If you have any questions, I will be happy to try to answer them.

THANK YOU FOR YOUR TIME AND CONSIDERATION.

NONPUBLIC HIGH SCHOOLS IN NORTH DAKOTA

1. St. Mary's Central High School - Bismarck
2. Shiloh Christian - Bismarck
3. Dakota Adventist Academy - Bismarck
4. Trinity High School - Dickinson
5. Bishop Ryan High School - Minot
6. Dakota Memorial High School - Minot
7. Our Redeemers Christian School - Minot
8. Johnson Corners Christian Academy - Watford City
9. Prairie Learning Educational Center - Raleigh
10. Anne Carlsen Center - Jamestown
11. Faith Christian School - Lehr
12. Trinity Christian School - Williston
13. Shanley - Fargo
14. Oak Grove - Fargo

1 SB 2317

Monday, February 14, 2011
SENATE EDUCATION COMMITTEE – SB 2317

CHAIRMAN LAYTON FREBORG AND COMMITTEE MEMBERS:

My name is Morgan Forness. I am Superintendent at Shiloh Christian School in Bismarck. I previously spent 20 years at Oak Grove Lutheran School in Fargo. I am appearing here today on behalf of the State Association of Non-Public Schools (SANS) in support of SB 2317. This bill requires the Educational Standards and Practices Board to approve theological studies instructors and allows nonpublic schools to count two hours of theological studies towards the 22 hours of graduation requirements.

While SANS fully supports the licensure of teachers and the high school graduation diploma requirements of 22 credits, we have been at a disadvantage because most private schools have some sort of required theological coursework that is not able to be counted as a required elective offering necessary for graduation.

As such, many private/parochial schools have had to adjust their graduation requirements from the State number of 22 to as high as 26. This is primarily due to the fact that the theological classes have not been allowed to be recognized as an elective nor is there any current process in place to certify teachers of theological studies.

While we do not think that the courses should replace any of the required classes, we do believe the courses private school offer in theological studies have merit as electives. These courses have academic rigor similar or exceeding other electives and often cover topics of history, society, human relations, current events and philosophy. The courses are often taught by teachers who have bachelor or master degrees and often times from professionals with advanced seminary training.

Additional challenges we currently face deal with extending our school day with early morning starts and/or cutting into extra-curricular times, due to the need to operate in many cases, on an extended eight hour day when many public schools have seven. Many of our students also have to take summer school classes in the public schools to get "required courses" out of the way so they can fit the required theological studies classes that their school may require as a part of its mission.

Another concern is that when a private school student transfers to a public school the theological studies classes are often counted as electives. Yet the private school where the student came from cannot. Also state universities such as NDSU allow religion credits to be used to fulfill degree credit requirements.

In closing I ask that you support SB 2317. We believe this would not only provide equity for private schools, but also provide ease in scheduling and allow for elective credits to be counted for legitimate academic course offerings.

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

2 SB 2317

February 14, 2011

SENATE EDUCATION COMMITTEE – SB 2317

Chairman Freborg and committee members: My name is Dr. Tom Eberle. I am the principal of St. Mary's Central High School here in Bismarck. I'm appearing here this morning not only in that capacity but also on behalf of the State Association of Non-public Schools (SANS).

I'm asking you to support SB 2317. The bill makes two major changes in current law that will greatly assist North Dakota nine nonpublic high schools in meeting the needs of their students.

First, Section One states that the Education and Standards Practice Board (ESPB) will approve theological studies instructors if they hold a baccalaureate degree and are recommended for approval by the governing body of the nonpublic school.

Secondly, the changes in Section Two will allow nonpublic schools to count two hours of theological studies toward a student's required 22 units needed for graduation.

Being a principal for the past 11 years at St. Mary's Central High School (SMCHS), I understand how difficult it can be to ensure that our students meet many requirements: all those needed for state graduation, the new state scholarship, and our own graduation requirement, which includes 4 units of theological studies. Currently, our students are required to obtain 26 credits for graduation from SMCHS. It has become increasingly burdensome for our students to meet all these requirements. SMCHS has seen an increase in the number of students who are taking summer school course work through our local public schools in order to fulfill these requirements.

We believe that the courses private schools offer in theological studies are not a distraction from "real" academic work, but they are part of an enriching and academically rigorous discipline in itself. Through Scripture study, students reinforce their knowledge about ancient Middle Eastern history, literary genres and forms, and critically reading ancient texts and applying them to their lives. Through the study of morality, students are encouraged to examine moral issues critically, especially from the viewpoints of various Christian moral traditions. Counter to what some might believe about theological studies, the area actually encourages critical thinking and certain types of problem-solving skills.

We believe that this bill will help reduce the complexity of scheduling for our private schools and allow for elective credits to be counted as legitimate academic course offerings. In closing we respectfully ask that you consider a do pass recommendation for SB 2317.

I would be happy to answer any questions you may have.

#3 SB 2317

Monday, February 14, 2011

SENATE EDUCATION COMMITTEE – SB 2317

Chairman Freborg and committee members:

My name is Father James Shea, and I serve as president of the University of Mary in Bismarck. I was an advisor to the United States Conference of Catholic Bishops three years ago when they released a new, nationwide curriculum for theological studies courses in the America's more than 1200 Catholic high schools, including the four Catholic high schools in North Dakota. I also serve on the Governor's Commission for Education Improvement.

I am pleased to speak briefly on behalf of SB 2317.

I received my start in the world of education teaching the kinds of courses treated in this legislation. During five years of service at St. Mary's Central High School in Bismarck and two years of service at Trinity High School in Dickinson, I taught courses in social justice, Christianity and culture, marriage and family, community service, biomedical ethics, and morality. Such classes are part of the fabric of a Christian school. Far from being sideline classes or quaint add-ons, theological studies courses are meant to integrate and bring together the various fields of study, equipping a student to understand the coherence between faith and life.

On many occasions I had meaningful conversations about these courses with students and parents of students who were non-Catholic or even non-Christian. I was always very intentional - and this is important - to point out that the purpose of these courses is not proselytism, religious conversion. (And in such a case, the state would have no interest in recognizing such courses.) The purpose of these courses is educational and, in my experience, very rich educational content is offered in them. Far from covering just theology, the theological studies courses I am familiar with in our schools deepen a student's understanding of history, literature, culture, ethics, citizenship, and virtue. They provide the inspiration and moral courage needed to sacrifice for the sake of the greater good, to work to overcome obstacles to the good, and to rejoice at the betterment of society and individual lives. They provide a rich educational experience.

The process proposed in the legislation for the recognition of theological studies instructors is needed and helpful. In my experience, those asked to teach such courses are very qualified for teaching at the high school level, and we would welcome many of them to offer courses at the university level. The priests teaching in our schools, for instance, all have master's level training in philosophy and theology. The schools then provide continuing education and mentoring in pedagogy and instructional skills. The resulting courses are marked by academic rigor and have a deep integrating effect on the student's high school experience.

Thank you for your time and this opportunity to ask for your support from SB 2317. I would be happy to answer any questions you may have.

#4 SB 2317

February, 7, 2011

Testimony of SB 2317
Education Committee
Stanton Henderson Guidance Counselor
Bishop Ryan High School 701-852-4004

Madam Chairman and Members of the Committee:

My name is Stanton Henderson and I am the Guidance Counselor and registrar for the Minot Catholic Schools system in Minot, North Dakota. At the present time, our State of North Dakota holds the honorable distinction of having the highest graduation rate of all fifty states. This distinction is a great source of pride for both our public and private schools. Recent legislative changes to North Dakota graduation requirements and other state education programs have created a great deal of confusion and hardship for many of the students in our private schools. I am here today to speak in favor of SB 2317. State requirements for graduation have been in flux for the last several years. Under the present requirements, it will be difficult, if not impossible, to graduate some of the students I work with, unless SB 2317 is moved forward and passed. It is my belief that this bill alleviates any concerns regarding the qualifications of teachers who will be hired to teach theological studies. It is my understanding that this was the primary motivation in changing the state law to exclude counting theological studies courses towards the 22 credits currently required to receive a diploma in North Dakota.

It is important to note that the 22 minimum credits to receive a diploma comes into play most frequently with the students who are most at risk. Students such as those who receive special services, those who may have failed prior courses, those who transfer in from other states with less stringent graduation requirements, and those who have been hospitalized or may be receiving inpatient treatment.

#5 SB 2317

In sharp contrast, the inability to count theological studies course also affects our highest achieving students. Those who typically graduate with 27 or more credits, who are college bound, and, in particular, those who are trying to meet the North Dakota Scholarship requirements. This scholarship program provides \$6000 over four years. At the present time, the requirements for this program allow students to count up to four credits of theological studies towards the requirements to receive this award. These are students who have taken 2 years of foreign language, an extra year of advanced math, college dual credit and advance placement courses, fine arts credits, and scored over a 24 on the ACT test. If theological studies courses do not count as electives for graduation in North Dakota, it is doubtful that they will continue to be counted towards the requirements for this scholarship program. Do we as a state want to tell these students that registration decisions they made as freshman, before the state scholarship program even existed, now preclude them from meeting the requirements to receive this award? The process of course selection for our high school students has become increasingly complicated and confusing. We have minimum requirements to graduate, minimum requirements to attend a four-year college, the scholarship program requirements, and a separate set of rules to attend and compete at an NCAA college. The problem is that many of these requirements are mutually exclusive. For example: The scholarship program requires credits in fine arts, yet the NCAA rules do not count fine arts classes. I have in the past year taken a student out of an advanced science (Physics) and placed him in Band with no previous experience, to meet the scholarship requirements. I have also had talented band students drop their music to pick up courses that the NCAA will accept. The current trend is for students to register with the State scholarship requirements in mind and then they do not attain the needed 24 ACT score. My point is this: Any bill which simplifies the registration process for our students and allows them to utilize credits they already have is a good bill.

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In summary, I wish to reiterate my support for SB 2317. This bill will have no negative financial impact on the State. It will allow students to use credits needed for many different programs and admission standards, and, most importantly, this is a good common sense piece of legislation.

Thank you for your consideration.

Stanton Henderson

#5 SB2317

Senate Education Committee:

Submitted by:

John Jankowski, President (#307)

State Association of Non-Public Schools

Chairman Freborg and Committee Members:

I am completing my 9th year as Superintendent of St. Mary's Central High School, my 21st year in private education to go with my 12 years working in North Dakota Public Schools. In previous legislative sessions our organization presented legislation requesting some form of tax credits for our parents. Each year the legislation failed. I hear "the separation of church and state", whenever we ask for tax credits or any form of what could be construed as financial incentives for our parents.

Separation of church and state? Each day when the State Senate or State House convenes, the session begins with prayer. Please, I'm not advocating that you stop that long held tradition, I think more importantly let's not use the phrase when deliberating this issue.

SB 2317 will address the issue that developed when the statute for the state scholarship was enacted last session. When we heard about the state scholarship and the criteria to qualify, private schools met to discuss what it meant for our students. We thought, should we compromise our values and change our curriculum and requirements to "better fit", the state requirements? Actually the opposite view resulted. We shouldn't compromise our values, but instead try to determine how we can "make things" work for our students. Thus SB 2317.

The state scholarship is very important to our students. Five of the private high schools in the state had students qualify above the 21% level which was the state average. We want our students to continue to score high, have access to quality electives, and continue the tradition of academic excellence in their theology studies. If our students have to make choices our fine arts, career and technical courses will suffer. In addition, many of our students have part-time jobs to help pay their tuition. We believed that to simply keep adding to our students work-load was not acceptable.

Using my school as an example: SMCHS has been in existence since 1916. We meet the accreditation guidelines as set by NCA (now Advanced Ed) and have a tradition of providing to our students a quality education in a Christian environment. We don't want that to change. We want to continue as an NCA school, we want to continue working within the guidelines as set by the legislature and DPI.

We come today to ask for your assistance for our students and their parents. We ask help for our schools so that we can continue to provide the rigorous academic programs that we currently offer. We are not asking for funding, or tax credits, only for recognition of what is so important to our private schools.

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School Name	Senior Students that Applied and were Eligible for Scholarship	Total Number of Senior Students Enrolled	Percent	School Type
Standing Rock Comm Grant High Sch	0	56	0%	BIA / Grant School
Bishop Ryan High School	12	42	28%	Nonpublic School
Dakota Adventist Academy	0	12	0%	Nonpublic School
Dickinson Trinity High School	25	38	66%	Nonpublic School
Johnson Corners Christian Academy	0	0	N/A	Nonpublic School
New Testament Baptist Christian Sch	0	5	0%	Nonpublic School
Oak Grove Lutheran High School	9	46	20%	Nonpublic School
Our Redeemers Christian School	1	8	13%	Nonpublic School
Shanley High-Sullivan Middle School	17	79	22%	Nonpublic School
Shiloh Christian School	11	30	37%	Nonpublic School
St Marys Central High School	25	62	40%	Nonpublic School
Trinity Christian School	0	7	0%	Nonpublic School
Alexander Public School	1	3	33%	Public School
Ashley Public School	2	9	22%	Public School
Barnes Co N-North Central Public School	3	13	23%	Public School
Barnes Co N-Wimbledon/Courtenay Public School	3	14	21%	Public School
Beach High School	10	27	37%	Public School
Belfield Public School	3	20	15%	Public School
Berthold Public School	6	18	33%	Public School
Beulah High School	25	56	45%	Public School
Bismarck High School	54	399	14%	Public School
Bottineau Jr-Sr High School	11	64	17%	Public School
Bowbells Public School	1	5	20%	Public School
Bowman Co Public School	5	31	16%	Public School
Burke Central Public School	3	6	50%	Public School
Carrington High School	7	57	12%	Public School
Cavalier Public School	6	29	21%	Public School
Center-Stanton Public School	9	21	43%	Public School
Central Cass Public School	11	68	16%	Public School
Central High School	45	247	18%	Public School
Central Valley Public School	2	12	17%	Public School

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Century High School	52	314	17%	Public School
Community Alt High School	0	22	0%	Public School
Dakota Prairie High School	12	36	33%	Public School
Del Easton Alternative High School	0	3	0%	Public School
Des Lacs-Burlington High School	6	41	15%	Public School
Devils Lake High School	19	136	14%	Public School
Dickinson High School	62	211	29%	Public School
Divide County High School	13	27	48%	Public School
Drake High School	3	17	18%	Public School
Drayton Public School	0	7	0%	Public School
Dunseith High School	0	29	0%	Public School
Edgeley Public School	6	18	33%	Public School
Edinburg Public School	0	10	0%	Public School
Edmore High School	3	15	20%	Public School
Eight Mile Public School	1	14	7%	Public School
Elgin-New Leipzig Public School	1	22	5%	Public School
Ellendale Public School	10	22	45%	Public School
Enderlin Area Public School	5	24	21%	Public School
Fairmount Public School	1	7	14%	Public School
Fessenden-Bowdon Public School	2	15	13%	Public School
Finley-Sharon Public School	1	16	6%	Public School
Flasher Public School	4	23	17%	Public School
Fordville-Lankin Public School	3	11	27%	Public School
Four Winds Comm High School	0	33	0%	Public School
Gackle-Streeter Public School	5	12	42%	Public School
Garrison High School	7	28	25%	Public School
Glen Ullin Public School	5	11	45%	Public School
Glenburn Public School	2	20	10%	Public School
Goodrich Public School	4	7	57%	Public School
Grafton High School	12	68	18%	Public School
Grenora Public School	2	6	33%	Public School
Griggs County Central Public School	6	23	26%	Public School
Halliday Public School	0	1	0%	Public School
Hankinson Public School	14	27	52%	Public School

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Harvey High School	9	34	26%	Public School
Hatton Public School	6	22	27%	Public School
Hazelton-Mof-Brad Public School	7	23	30%	Public School
Hazen High School	23	62	37%	Public School
Hebron Public School	5	12	42%	Public School
Hettinger Public School	1	32	3%	Public School
Hillsboro High School	8	28	29%	Public School
Hope High School	5	22	23%	Public School
Jamestown High School	36	171	21%	Public School
Kenmare High School	6	23	26%	Public School
Kensal Public School	0	6	0%	Public School
Killdeer Public School	15	30	50%	Public School
Kindred Public School	6	44	14%	Public School
Kulm High School	5	8	63%	Public School
Lakota High School	11	23	48%	Public School
LaMoure Public School	11	32	34%	Public School
Langdon Area High School	4	44	9%	Public School
Larimore High School	4	43	9%	Public School
Leeds Public School	2	9	22%	Public School
Lidgerwood Public School	4	16	25%	Public School
Linton Public School	6	26	23%	Public School
Lisbon High School	6	47	13%	Public School
Litchville-Marion High School	7	23	30%	Public School
Maddock Public School	1	13	8%	Public School
Magic City Campus High School	99	413	24%	Public School
Mandan High School	28	217	13%	Public School
Mandaree Public School	0	10	0%	Public School
Maple Valley High School	6	18	33%	Public School
Max Public School	0	13	0%	Public School
May-Port CG Middle-High School	9	45	20%	Public School
McClusky High School	3	8	38%	Public School
Medina Public School	2	14	14%	Public School
Midkota High School	1	5	20%	Public School
Midway Public School	2	15	13%	Public School

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Milnor Public School	4	16	25%	Public School
Minnewaukan Public School	0	13	0%	Public School
Minto Public School	7	20	35%	Public School
MLS-Mohall Public School	7	25	28%	Public School
Montpelier Public School	0	8	0%	Public School
Mott-Regent Public School	5	26	19%	Public School
Mt Pleasant Public School	3	22	14%	Public School
Munich Public School	7	10	70%	Public School
Napoleon Public School	7	16	44%	Public School
New England Public School	6	10	60%	Public School
New Rockford-Sheyenne Public School	3	23	13%	Public School
New Salem-Almont High School	4	28	14%	Public School
New Town High School	0	44	0%	Public School
Newburg-United Public School	0	5	0%	Public School
North Border-Pembina Public School	2	8	25%	Public School
North Border-Walhallia Public School	4	24	17%	Public School
North Central Public School	1	4	25%	Public School
North High School	52	281	19%	Public School
North Sargent Public School	11	23	48%	Public School
North Shore High School	0	7	0%	Public School
North Star Public School	8	22	36%	Public School
Northern Cass Public School	15	53	28%	Public School
Northwood Public School	0	11	0%	Public School
Oakes High School	25	46	54%	Public School
Park River Public School	8	30	27%	Public School
Parshall High School	1	19	5%	Public School
Pingree-Buchanan High School	1	12	8%	Public School
Powers Lake High School	3	7	43%	Public School
Ray Public School	6	15	40%	Public School
Red River High School	64	242	26%	Public School
Richardton-Taylor High School	6	15	40%	Public School
Richland Jr-Sr High School	13	29	45%	Public School
Rolette Public School	1	8	13%	Public School
Rugby High School	15	53	28%	Public School

Sargent Central Public School	11	32	34%	Public School
Sawyer Public School	4	17	24%	Public School
Scranton Public School	1	12	8%	Public School
Selfridge Public School	0	0	0%	Public School
Solen High School	0	8	0%	Public School
Souris River Campus Alt High School	0	20	0%	Public School
South Central Alt High School	3	36	8%	Public School
South Heart Public School	3	20	15%	Public School
South High School	88	495	18%	Public School
Southwest Community High School	1	45	2%	Public School
St John Public School	1	26	4%	Public School
St Thomas Public School	2	10	20%	Public School
Stanley High School	10	22	45%	Public School
Starkweather Public School	4	12	33%	Public School
Steele-Dawson Public School	7	30	23%	Public School
Strasburg High School	2	15	13%	Public School
Surrey Public School	4	21	19%	Public School
Tappen Public School	0	6	0%	Public School
TGU Granville Public School	1	9	11%	Public School
TGU Towner Public School	2	24	8%	Public School
Thompson Public School	10	35	29%	Public School
Tioga High School	10	26	38%	Public School
Turtle Lake-Mercer Public School	2	20	10%	Public School
Turtle Mt Comm High School	0	143	0%	Public School
Underwood Public School	5	18	28%	Public School
Valley City Jr-Sr High School	18	78	23%	Public School
Valley High School	2	14	14%	Public School
Velva Public School	21	38	55%	Public School
Wahpeton High School	40	113	35%	Public School
Warwick Public School	0	21	0%	Public School
Washburn Public School	17	29	59%	Public School
Watford City High School	6	37	16%	Public School
West Fargo High School	45	434	10%	Public School
Westhope Public School	2	8	25%	Public School

#6
2317

White Shield Public School	0	6	0%	Public School
Williston High School	52	175	30%	Public School
Wilton Public School	2	25	8%	Public School
Wing Public School	0	4	0%	Public School
Wishek Public School	6	13	46%	Public School
Wolford Public School	1	5	20%	Public School
Woodrow Wilson Alt High School	0	61	0%	Public School
Wyndmere Public School	11	23	48%	Public School
Zeeland Public School	0	5	0%	Public School
TOTAL	1589	7677	21% statewide	
*Senior numbers based on students still enrolled in school as of 5/1/2010				
50% or more seniors qualified for scholarship				
40-49% of seniors qualified for scholarship				
30-39% of seniors qualified for scholarship				

#6 SB 2317

TESTIMONY ON SB 2317
SENATE EDUCATION COMMITTEE
Connie Mittleider, Assistant Director
701-328-2755
Department of Public Instruction

Mister Chairman and Members of the Committee:

My name is Connie Mittleider and I am the Assistant Director, ACT/ND Scholarship Program for the North Dakota Department of Public Instruction. I am here to speak in favor of SB 2317 and provide information regarding how this bill will impact the administration of the North Dakota Scholarship Program.

I oversee the statewide ACT and WorkKeys testing for all high school juniors and administer the North Dakota Scholarship Program. I would like to specifically address Section 2, Subsection 7 which amends the current minimum diploma requirements in nonpublic high schools, permitting the inclusion of up to two units of theological studies.

Theology is defined as the study of the nature of God and religious truth; rational inquiry into religious questions, especially those posed by an organized religious community; an organized, often formalized body of opinions concerning God and man's relationship to God; a course of specialized religious study usually at a college or seminary.

Theology courses taught in nonpublic schools are sectarian in nature, characteristic of, and pertaining to, a particular religious sect. These courses are not taught in public educational institutions. Secular courses with content not specifically pertaining to religion or a religious body, Religions of the World, for instance, may be taught in a public high school.

7 SB 2317

When the scholarship program was initiated after the 2009 legislature, one of the issues we needed to address was whether theology courses could be counted as an elective unit for graduation and for scholarship eligibility. It was decided that theology classes would NOT be included in the 22-unit minimum diploma. This information was conveyed to the nonpublic high schools in the state. In response to that decision, some, but not all, of the nonpublic high schools increased their graduation requirements to 26 units to allow for the required theology courses taught each year.

This was not an issue for the scholarship program last year since the curricular and grade requirements go into effect for this year's graduates. The question of inclusion of theology classes in diploma and scholarship requirements came up again this past fall.

In September, I contacted school personnel in the public schools in Minot, Dickinson, and Bismarck and asked how they handled "religion" or theology classes when a student from a nonpublic school transferred into their school. I asked the question of three schools and received three different responses. Bismarck does not assign credit to a theology class and it is therefore not used for diploma or scholarship eligibility. Minot uses the theology credit for graduation but not for the scholarship. Dickinson uses the theology credit for both graduation and the scholarship. My concern is this: school districts have some latitude in what and how many units are required for graduation and that is good. However, students applying for a North Dakota scholarship must have an even playing field. All schools, public and private, must be on the same page regarding credit for theology classes.

This legislation would provide the direction to all schools in North Dakota relative to the awarding of credit for theology classes, both for the diploma and for the scholarship. The nonpublic schools may use two units of theology credit for graduation and those units may be used for scholarship eligibility. Public schools

receiving a transfer student from a nonpublic school will award up to two units of theology credit. This legislation provides consistency and uniformity to the scholarship program.

Mister Chairman and members of the Committee, this concludes my testimony. I would be pleased to answer any questions you may have.

#7 SB2317

Subject Area 7: Religious Education and Theology (secondary)

07001 Religious Foundations

Religious Foundations courses' primary objectives include instruction in the history, tenets, and organization of a religion; development of personal faith and conviction; and exposure to the ways in which daily life may reflect personal religious beliefs. These courses typically include various components particular to a specific religion, such as religious sacraments and symbols, food laws, the authority and structure of the church, the church calendar, and so on.

07002 Comparative Religion

Comparative Religion courses survey and compare the various forms and values of several world religions, offering students a basic understanding of the world's diverse religious faiths and practices. Course topics typically include the belief systems of adherents; the relationships among humans, nature, ancestors, and the spiritual world; and the historical development of each religion.

07003 Eastern Religions

Similar to Comparative Religion, Eastern Religions courses provide students with an overview of various religions and belief systems but focus on those of the Eastern World. Particular religious or philosophical systems of study usually include Buddhism, Hinduism, Islam, Taoism, Shintoism, and Confucianism, among others.

07004 Western Religions

Similar to Comparative Religion, Western Religions courses provide students with an overview of various religions and belief systems but focus on those of the Western World. Particular religious or philosophical systems of study usually include Judaism; Christianity (including various faiths such as those of Catholics, Episcopalians, Baptists, Quakers, Mormons, Mennonites, and others); and Native Indian belief systems, among others.

07005 Scriptures

Scriptures courses emphasize understanding and interpreting the sacred writings of a faith (such as the Bible, Torah, Koran, Book of Mormon, and so on) from the standpoint of a religious faith. Course objectives are designed so that students may comprehend the theological, doctrinal, and ethical messages contained within religious scriptures.

07006 Old Testament

Old Testament courses emphasize understanding and interpreting the sacred writings of the Old Testament from the standpoint of a religious faith and may focus on one or several books. Course content typically focuses on themes, theological concepts, and portrayal of ethical messages, but may also include critique and commentary.

07007 New Testament

New Testament courses emphasize understanding and interpreting the sacred writings of the New Testament from the standpoint of a religious faith and may focus on one or several religious books. Course content typically focuses on themes, theological concepts, and portrayal of ethical messages, but may also include critique and commentary.

07008 Bible History

Bible History courses treat the Bible as a historical document and provide an overview of significant biblical events. The content usually includes geography; the relationship among cultures, belief systems, and the events chronicled in the Bible; and early Jewish or Christian Church history.

07009 Christology

Christology courses concern the work and life of Jesus Christ and the literature related to him. Course content is typically based on Christian scriptures, leading to an examination of the message of Jesus Christ and applying His message to daily life.

07010 Religious Figures

Religious Figures courses offer students the opportunity to examine the lives and messages of one or several people who are central to a religious faith, such as a prophet, apostle, philosopher, or leader. In addition to a historical study of the person (or people), these courses typically emphasize how the teachings of these individuals influence the faith and culture of a religious group.

07011 Liturgy and Prayer

Liturgy and Prayer courses vary widely, usually depending upon the underlying religion, but generally seek to inform students about the meaning and message of public and private worship. Course content typically includes an examination or exploration of common rituals, spoken or sung prayers, and observed sacraments.

07012 Prayer and Spirituality

Prayer and Spirituality courses vary widely, but seek to enable students to experience deeper communion with the divine through public and private worship. Course content may include an examination or exploration of traditional and contemporary practices.

07013 Religious Ethics and Morality

Usually including an introduction to or examination of the tenets of a particular faith, Religious Ethics and Morality courses seek to enable students to apply the moral teachings of a faith to their own lives, to the larger community, and to their decision-making processes. Course content may focus on such issues as peace and justice, death and dying, human sexuality, professional ethics, and human rights.

07014 Justice, Peace, and Faith

Justice, Peace, and Faith courses examine the scriptural foundations for justice, typically with a historical overview of a faith's social teaching. These courses discuss such topics as poverty, hunger, conflict, discrimination, justice, and environmental issues, with a view toward developing students' ability to critically reflect upon and analyze their own roles and responsibilities.

07015 Faith and Lifestyle

Faith and Lifestyle courses focus on the development of young adults from puberty to adulthood, approached from the perspective of a faith or church. In these courses, the religion's values and traditions provide an underpinning for examining such topics as identity, independence, sexuality, employment, and leisure. Typically, Faith and Lifestyle courses include discussions about adult roles—single life, marriage, religious life, and ordained ministry.

07016 Ministry

Ministry courses introduce students to the vocation of service. Students may learn counseling skills, plan and participate in religious services, and minister to younger students or to members of the local community (assisting in hospitals and convalescent homes, crisis centers, soup kitchens, and so on).

07995 Religious Education and Theology—Aide

Religious Education and Theology—Aide courses offer students the opportunity to assist instructors in preparing, organizing, or delivering course curricula. Students may provide tutorial or instructional assistance to other students.

07997 Religious Education and Theology—Independent Study

Religious Education and Theology—Independent Study courses, often conducted with instructors, members of the clergy, or religious leaders as mentors, enable students to explore topics of interest related to religion or theology. Independent Study courses may serve as an opportunity for students to expand their expertise in a particular religion, to explore a topic in greater detail, or to develop more advanced skills.

07998 Religious Education and Theology—Workplace Experience

Religious Education and Theology—Workplace Experience courses provide students with work experience in a field related to religion and theology. Goals are typically set cooperatively by the student, teacher, and employer (although students are not necessarily paid). These courses may include classroom activities as well, involving further study of the field or discussion regarding experiences that students encounter in the workplace.

07999 Religious Education and Theology—Other



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SB 2317 Testimony

Theological Study Instructors

Good morning Mister Chairman and Members of the Senate Education Committee. For the record, I am Janet Welk, Executive Director of the Education Standards and Practices Board and I wish to testify on SB 2317.

The Board would like to propose the following amendment to SB 2317:

Page 1, line 9, after "studies" insert "upon receipt of the application and fees pursuant to section 15.1-13-11 and pending completion of the background check required by section 15.1-13-14."

Page 1, line 13, start a new paragraph after "course."

"The approval will be valid for a period of one year pursuant to section 15.1-13-12 and can be renewed with the approval of the board. The board may adopt rules governing the issuance of this approval. "

Two other sections 15.1-13-25 and 15.1-13-26 would also apply to this approval.

Thank you for the opportunity to testify on SB 2317. I would be happy to answer any questions at this time.

#9 SB 2317

ATTACHMENT 1

NONPUBLIC HIGH SCHOOLS IN NORTH DAKOTA

1. St. Mary's Central High School - Bismarck
2. Shiloh Christian - Bismarck
3. Dakota Adventist Academy - Bismarck
4. Trinity - Dickinson
5. Ryan - Minot
6. Dakota Memorial High School - Minot
7. Our Redeemers Christian School - Minot
8. Johnson Corners Christian Academy - Watford City
9. Prairie Learning Educational Center - Raleigh
10. Anne Carlsen Center - Jamestown
11. Faith Christian School - Lehr
12. Trinity Christian School - Williston
13. Shanley - Fargo
14. Oak Grove - Fargo

TESTIMONY ATTACHMENT 2

Monday, March 14, 2011

HOUSE EDUCATION COMMITTEE

CHAIRMAN RAEANN KELSCH AND COMMITTEE MEMBERS:

My name is Morgan Forness. I currently serve as the Superintendent at Shiloh Christian School in Bismarck and previously spent 20 years at Oak Grove Lutheran School in Fargo. I am appearing here today on behalf of the State Association of Non-Public Schools (SANS) in reference to Senate Bill 2317. Basically, this bill is written to create a new section to the current North Dakota Century Code 15.1 as it relates to the approval of theological studies instructors and to also **amend** the current law as it relates to the consideration of theological studies being counted towards the graduation requirements.

While SANS fully supports the licensure of teachers and the high school graduation diploma requirements of 22 credits, we have been at a disadvantage due to the fact that most private schools have some sort of required theological coursework that is currently not able to be counted as a required elective offering necessary for graduation.

As such, many private/parochial schools have had to adjust their graduation requirements from the State number of 22 to as high as 26. This is primarily due to the fact that the theological classes have not been allowed to be recognized as an elective nor is there any current process in place to certify teachers of theological studies.

While we do not think that the courses should replace any of the required classes mandated by DPI, we do believe that the courses private school offer in theological studies have merit as electives. These courses have academic rigor similar to or exceeding other electives and often cover topics of history, society, human relations, current events and philosophy. The courses are often taught by teachers who have bachelor or master degrees and often times from professionals with advanced seminary training.

Additional challenges we currently face deal with extending our school day with early morning starts and/or cutting into extra-curricular times, due to the need to operate, in many cases, on an extended eight hour day when many public schools have seven. Many of our students also have to take summer school classes in the public schools to get "required courses" out of the way so they can fit the required theological studies classes that their school may require as a part of its mission.

What we have also found to be of concern, is that when a private school student transfers to a public school often times the theological studies classes are being counted by the principals of those schools as electives to meet the state mandate of 22 credits. Yet the private school where the student came from cannot. Also, State Universities such as NDSU allow religion credits to be used to fulfill degree credit requirements.

In closing, I ask that you support SB 2317 and the method it provides for approving instructors who will be teaching the theological study courses. This would not only provide equity for private schools, but provide ease in scheduling and allow for theology elective credits, which we believe are legitimate academic course offerings, to be counted for graduation. Again, SANS is supportive of SB 2317 as written.

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

TESTIMONY ATTACHMENT 3

March 14, 2011

HOUSE EDUCATION COMMITTEE – SB 2317

Chairwomen Kelsch and committee members: My name is Dr. Tom Eberle. I am the principal of St. Mary's Central High School here in Bismarck. I'm appearing here this morning not only in that capacity but also on behalf of the State Association of Non-public Schools (SANS).

I'm asking you to support SB 2317. The bill makes two major changes in current law that will greatly assist North Dakota's nine nonpublic high schools in meeting the needs of their students.

First, Section One states that the Education and Standards Practice Board (ESPB) will approve theological studies instructors if they hold a baccalaureate degree and are recommended for approval by the governing body of the nonpublic school.

Secondly, the changes in Section Two will allow nonpublic schools to count two hours of theological studies toward a student's required 22 units needed for graduation.

Being a principal for the past 11 years at St. Mary's Central High School (SMCHS), I understand how difficult it can be to ensure that our students meet many requirements: all those needed for state graduation, the new state scholarship, and our own graduation requirement, which includes 4 units of theological studies. Currently, our students are required to obtain 26 credits for graduation from SMCHS. It has become increasingly burdensome for our students to meet all these requirements. SMCHS has seen an increase in the number of students who are taking summer school course work through our local public schools in order to fulfill these requirements.

We believe that the courses private schools offer in theological studies are not a distraction from "real" academic work, but they are part of an enriching and academically rigorous discipline in itself. Through Scripture study, students reinforce their knowledge about ancient Middle Eastern history, literary genres and forms, and critically reading ancient texts and applying them to their lives. Through the study of morality, students are encouraged to examine moral issues critically, especially from the viewpoints of various Christian moral traditions. Counter to what some might believe about theological studies, the area actually encourages critical thinking and certain types of problem-solving skills.

We believe that this bill will help reduce the complexity of scheduling for our private schools and allow for elective credits to be counted as legitimate academic course offerings. In closing we respectfully ask that you consider a do pass recommendation for SB 2317.

I would be happy to answer any questions you may have.

TESTIMONY ATTACHMENT 4

February, 7, 2011

Testimony of SB 2317
Education Committee
Stanton Henderson Guidance Counselor
Bishop Ryan High School 701-852-4004

Madam Chairman and Members of the Committee:

My name is Stanton Henderson and I am the Guidance Counselor and registrar for the Minot Catholic Schools system in Minot, North Dakota. At the present time, our State of North Dakota holds the honorable distinction of having the highest graduation rate of all fifty states. This distinction is a great source of pride for both our public and private schools. Recent legislative changes to North Dakota graduation requirements and other state education programs have created a great deal of confusion and hardship for many of the students in our private schools. I am here today to speak in favor of SB 2317. State requirements for graduation have been in flux for the last several years. Under the present requirements, it will be difficult, if not impossible, to graduate some of the students I work with, unless SB 2317 is moved forward and passed. It is my belief that this bill alleviates any concerns regarding the qualifications of teachers who will be hired to teach theological studies. It is my understanding that this was the primary motivation in changing the state law to exclude counting theological studies courses towards the 22 credits currently required to receive a diploma in North Dakota.

It is important to note that the 22 minimum credits to receive a diploma comes into play most frequently with the students who are most at risk. Students such as those who receive special services, those who may have failed prior courses, those who transfer in from other states with less stringent graduation requirements, and those who have been hospitalized or may be receiving inpatient treatment.

In sharp contrast, the inability to count theological studies course also affects our highest achieving students. Those who typically graduate with 27 or more credits, who are college bound, and, in particular, those who are trying to meet the North Dakota Scholarship requirements. This scholarship program provides \$6000 over four years. At the present time, the requirements for this program allow students to count up to four credits of theological studies towards the requirements to receive this award. These are students who have taken 2 years of foreign language, an extra year of advanced math, college dual credit and advance placement courses, fine arts credits, and scored over a 24 on the ACT test. If theological studies courses do not count as electives for graduation in North Dakota, it is doubtful that they will continue to be counted towards the requirements for this scholarship program. Do we as a state want to tell these students that registration decisions they made as freshman, before the state scholarship program even existed, now preclude them from meeting the requirements to receive this award? The process of course selection for our high school students has become increasingly complicated and confusing. We have minimum requirements to graduate, minimum requirements to attend a four-year college, the scholarship program requirements, and a separate set of rules to attend and compete at an NCAA college. The problem is that many of these requirements are mutually exclusive. For example: The scholarship program requires credits in fine arts, yet the NCAA rules do not count fine arts classes. I have in the past year taken a student out of an advanced science (Physics) and placed him in Band with no previous experience, to meet the scholarship requirements. I have also had talented band students drop their music to pick up courses that the NCAA will accept. The current trend is for students to register with the State scholarship requirements in mind and then they do not attain the needed 24 ACT score. My point is this: Any bill which simplifies the registration process for our students and allows them to utilize credits they already have is a good bill.

In summary, I wish to reiterate my support for SB 2317. This bill will have no negative financial impact on the State. It will allow students to use credits needed for many different programs and admission standards, and, most importantly, this is a good common sense piece of legislation.

Thank you for your consideration.

Stanton Henderson

TESTIMONY ATTACHMENT 5

Monday, March 14, 2011

HOUSE EDUCATION COMMITTEE – SB 2317

Chairman Kelsch and committee members:

My name is Father James Shea, and I serve as president of the University of Mary in Bismarck. I was an advisor to the United States Conference of Catholic Bishops three years ago when they released a new, nationwide curriculum for theological studies courses in the America's more than 1200 Catholic high schools, including the four Catholic high schools in North Dakota. I also serve on the Governor's Commission for Education Improvement.

I am pleased to speak briefly on behalf of SB 2317.

I received my start in the world of education teaching the kinds of courses treated in this legislation. During five years of service at St. Mary's Central High School in Bismarck and two years of service at Trinity High School in Dickinson, I taught courses in social justice, Christianity and culture, marriage and family, community service, biomedical ethics, and morality. Such classes are part of the fabric of a Christian school. Far from being sideline classes or quaint add-ons, theological studies courses are meant to integrate and bring together the various fields of study, equipping a student to understand the coherence between faith and life.

On many occasions I had meaningful conversations about these courses with students and parents of students who were non-Catholic or even non-Christian. I was always very intentional - and this is important - to point out that the purpose of these courses is not proselytism, religious conversion. (And in such a case, the state would have no interest in recognizing such courses.) The purpose of these courses is educational and, in my experience, very rich educational content is offered in them. Far from covering just theology, the theological studies courses I am familiar with in our schools deepen a student's understanding of history, literature, culture, ethics, citizenship, and virtue. They provide the inspiration and moral courage needed to sacrifice for the sake of the greater good, to work to overcome obstacles to the good, and to rejoice at the betterment of society and individual lives. They provide a rich educational experience.

The process proposed in the legislation for the recognition of theological studies instructors is needed and helpful. In my experience, those asked to teach such courses are very qualified for teaching at the high school level, and we would welcome many of them to offer courses at the university level. The priests teaching in our schools, for instance, all have master's level training in philosophy and theology. The schools then provide continuing education and mentoring in pedagogy and instructional skills. The resulting courses are marked by academic rigor and have a deep integrating effect on the student's high school experience.

Thank you for your time and this opportunity to ask for your support from SB 2317. I would be happy to answer any questions you may have.

TESTIMONY ATTACHMENT 6

**TESTIMONY ON SB 2317
HOUSE EDUCATION COMMITTEE
Connie Mittleider, Assistant Director
701-328-2755
Department of Public Instruction**

Madam Chair and Members of the Committee:

My name is Connie Mittleider and I am the Assistant Director, ACT/ND Scholarship Program for the North Dakota Department of Public Instruction. I am here to speak in favor of SB 2317 and provide information regarding how this bill will impact the administration of the North Dakota Scholarship Program.

I oversee the statewide ACT and WorkKeys testing for all high school juniors and administer the North Dakota Scholarship Program. I would like to specifically address Section 2, Subsection 7 which amends the current minimum diploma requirements in nonpublic high schools, permitting the inclusion of up to two units of theological studies.

Theology is defined as the study of the nature of God and religious truth; rational inquiry into religious questions, especially those posed by an organized religious community; an organized, often formalized body of opinions concerning God and man's relationship to God; a course of specialized religious study usually at a college or seminary.

Theology courses taught in nonpublic schools are sectarian in nature, characteristic of, and pertaining to, a particular religious sect. These courses are not taught in public educational institutions. Secular courses with content not specifically pertaining to religion or a religious body, Religions of the World, for instance, may be taught in a public high school.

When the scholarship program was initiated after the 2009 legislature, one of the issues we needed to address was whether theology courses could be counted as an elective unit for graduation and for scholarship eligibility. It was decided that theology classes would NOT be included in the 22-unit minimum diploma. This information was conveyed to the nonpublic high schools in the state. In response to that decision, some, but not all, of the nonpublic high schools increased their graduation requirements to 26 units to allow for the required theology courses taught each year.

This was not an issue for the scholarship program last year since the curricular and grade requirements go into effect for this year's graduates. The question of inclusion of theology classes in diploma and scholarship requirements came up again this past fall.

In September, I contacted school personnel in the public schools in Minot, Dickinson, and Bismarck and asked how they handled "religion" or theology classes when a student from a nonpublic school transferred into their school. I asked the question of three schools and received three different responses. Bismarck does not assign credit to a theology class and it is therefore not used for diploma or scholarship eligibility. Minot uses the theology credit for graduation but not for the scholarship. Dickinson uses the theology credit for both graduation and the scholarship. My concern is this: school districts have some latitude in what and how many units are required for graduation and that is good. However, students applying for a North Dakota scholarship must have an even playing field. All schools, public and private, must be on the same page regarding credit for theology classes.

This legislation would provide the direction to all schools in North Dakota relative to the awarding of credit for theology classes, both for the diploma and for the scholarship. The nonpublic schools may use two units of theology credit for graduation and those units may be used for scholarship eligibility. Public schools

receiving a transfer student from a nonpublic school will award up to two units of theology credit. This legislation provides consistency and uniformity to the scholarship program.

Madam Chair and members of the Committee, this concludes my testimony. I would be pleased to answer any questions you may have.

WELLNESS- 11/12

One Semester 1/2 Credit Open to Grades 11, 12 Prerequisite: None

Physical education classes will include team and individual activities such as bowling, badminton, flicker ball, volleyball, softball, ultimate Frisbee, tennis and speedball. A fee will be paid during the bowling section of the course. A user fee will be required based on available activities.

**Students will be required to take 1 semester of physical education during their 11th or 12th grade year.

HEALTH

One Semester 1/2 Credit Open to 9, 10, 11, 12 Graders Prerequisite: None

Students will receive instruction in Health and Fitness topics such as, physical fitness, weight management and eating disorders, managing stress, drug abuse, alcohol abuse and tobacco use.

RELIGION

RELIGION - 9

One-Year One Credit Required of 9th Graders Prerequisite: None

Semester One--The Revelation of Jesus Christ in Scriptures (Old Testament)

The Purpose of this semester is to give students a general knowledge and appreciation of the Old Testament. Students will learn the basic principles for understanding and interpreting Sacred Scripture and become familiar with the major sections of the Old Testament, its books, covenants, and the stories of the Chosen People.

Semester Two--Who is Jesus Christ (New Testament)

The emphasis of the New Testament course is on Jesus Christ, the living Word of God. Students will become familiar with the New Testament's sections, books, and teachings of Jesus in the gospels. Through their study, students will come to know Jesus more personally, and also learn who He calls them to be.

RELIGION - 10

One-Year One Credit Required of 10th Graders Prerequisite: None

Semester One--Who is Jesus Christ and What is His Mission (The Paschal Mystery)

The purpose of this semester is to help students understand all that God has done for us through his Son, Jesus Christ. Through this course of study students will learn that for all eternity, God has planned for us to share eternal happiness with him, which is accomplished through the redemption Christ won for us. Students will learn they share in the redemption only in and through Jesus Christ. The students will also learn what it means to be a disciple of Christ and what life as a disciple entails.

Semester Two--Jesus Christ's Mission Continues in the Church

The purpose of this course is to help the students understand that in and through the Church they encounter the living Jesus Christ. The students will come to know that the Church is the living Body of Christ today. This Body has both divine and human elements. In this course, students will learn not so much about events in the life of the Church but about the sacred nature of the Church.

RELIGION - 11

One-Year

One Credit Required of 11th Graders

Prerequisite: None

Semester One--*Sacraments as Privileged Encounters with Jesus Christ*

The Purpose of this course is to help students understand that they can encounter Christ today in a full and real way in and through the sacraments, and especially through the Eucharist. Students will examine each of the sacraments in detail so as to learn how they may encounter Christ throughout life.

Semester Two--*Life in Jesus Christ*

The purpose of this course is to help students understand that it is only through Christ that they can fully live out God's plans for their lives. Students are to learn the moral concepts and precepts that govern the lives of Christ's disciples.

RELIGION - 12

One-Year

One Credit Required of 12th Graders

Prerequisite: None

Semester One--*History of the Catholic Church*

The purpose of this course is to present a catechesis of the Church and the Body of Christ in history, from apostolic times to the present. Students will be introduced to the fact that the Church was founded by Christ through the Apostles and is sustained by him throughout history through the Holy Spirit. The students will learn about the Church's 2,000 years of history and about how the Church is led and governed by the successors of the Apostles.

Semester Two--*Responding to the Call of Jesus Christ and Living as His Disciple in Society*

The purpose of this course is to help students to understand the vocations of life and to introduce students to the Church's social teaching. In this course students should learn how all vocations are similar and how they differ and how Christ's calls all vocations to help the poor and the needy. The course is structured around married life, single life, priestly life, and consecrated life. Students should learn what it means to live a life for the benefit of others as presented in the Church's social teaching and mission. They will also learn the value in considering a vocation in service to the Christian community.

RESOURCE ASSISTANTS

LIBRARY AIDE

One Semester

1/2 Credit Open to Grades 11, 12

Prerequisite: None

Approval by Administration

A library aide must be familiar with the Dewy Decimal Classification System and must be able to file alphabetically and numerically. Aides must have a positive attitude toward the library media center. Library aides are responsible for keeping the library media center neat in appearance. Aides assist students, faculty and administrators in locating materials in the library. They prepare and shelve books, periodicals and media software for circulation. Aides maintain the circulation file and perform tasks and duties assigned by the library media specialist.

OFFICE AIDE

One Semester

1/2 Credit Open to Grades 11, 12

Prerequisite: None

Approval by Administration

Students are assigned to work in the administrative office to get practical work experience in handling the telephone, filing, gathering attendance, dispersing mail and other general office procedures.