

2017 HOUSE EDUCATION

HB 1052

2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

Bill No. 1052

1/4/2017

Job 26525

☐ Subcommittee

☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to the administration of a state assessment in reading and mathematics

Minutes:

Attachment 1.

Chairman- Mark S. Owens: calls to order bill HB 1052, and invites the clerk to read the title.

Robert Bauer: See attachment 1 for his testimony.

Chairman- Mark S. Owens: are there any questions? Calls on Rep. Denton Zubke.

Rep. Denton Zubke: You maybe have enough history, I never quite understood why we just went to the 11th grade in the beginning in any of these statutes, do you understand why we did that? Why we did not include grade 12 to begin with.

Robert Bauer: There is a history of specifying which grades this assessment was administered, for example if I go back to 1990's it was specifically for grades 6,8,10. They specified the grades, and subsequent bills they allowed ranges. In 2001 it was specified to be grades 3-5, 6-9, 10-12, That was in 2001. In 2003 it was amended to be 3,4,5,6,7,8, and 11. So there were specific years that were given as when this assessment should be administered, and over time it moved to a range of years, but it never did include grade 12.

Rep. Denton Zubke: thank you.

Rep. Donald W. Longmuir: Have you run this by the high school principals or the superintendents, are they in support to expand this ability to test in the 12th grade.

Robert Bauer: responds. There are some committees in place right now through the school improvement effort that is ongoing, to review is at all grade levels and it does include members of the associations, and members of the community as well that are looking at this, they are not specifically saying they would like to administer the assessment in grade 12 but they would like to look at a range of possibilities, and this restricts them from including grade 12 in that range of possibilities. In general, they are all supportive of having the latitude to

be able to include grade 12, where it would actually land in terms when the high school assessment will be given, is yet to be determined.

Rep. Donald W. Longmuir: thank you.

Rep. Mary Johnson: For reading and mathematics you administer approximately 7 tests, there are grades 3-8, and 9-12. In the second paragraph it does not say it's an annual test, but is it?

Robert Bauer: Yes, it is an annual test for those grade levels, so it is administered once as a summit of assessment in that year, at that grade level.

Rep. Mary Johnson: In the second paragraph you are administering 3 tests annually, 7 of the first 3, ok got it.

Chairman- Mark S. Owens: You created a question for me and answered it. Any other questions, hearing none. Any additional support testimony for House Education Bills bill 1052, any opposition for 1052. Any Neutral testimony for 1052.

Close hearing on House Education Bills bill 1052 at 10:40am.

2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1052
1/4/2017
Job 26580

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to the administration of a state assessment in reading and mathematics.

Minutes:

No attachments.

Chairman- Mark S. Owens: re-opens talk about HB 1052.

Rep. Rich S. Becker: The one thing I wrote down this morning was about over testing, and I would refer us to line 10 of the bill that says that public school's students in grades 3,4,5,6,7,8, and at least one grade between 9 and 12. There are 6 or seven different years of testing, I am not sure to what degree they are being tested today. What is the purpose of the bill, is it to go away from the common corps, is the 6 to 7 times is that desirable?

Vice Chairman- Cynthia Schreiber-Beck: I had the opportunity to serve on the assessment taskforce, I do not have the data in front of me, but the amount of testing that is required actually by the state is minimal. There is a purpose for testing, and there are other purposes like federal reasons. Some tests are down to learn more about their students, but it requires more time. As a legislative body the money is appropriated for this reason, and we need to know what is happening. We should let the department of public instruction decide and determine how they should be listened to. It has changed numerous times, and I believe we should respect the superintendent and public instruction, and I move for a do pass on this bill. Seconded by Rep. Mary Johnson.

Rep. Pat D. Heinert: I wanted to mention that I understand Rep. Rich S. Becker concerns Of the number of tests, but it is really not changing anything on the number of tests. It is giving the flexibility to add the senior year to the adjustment of the test. It gives the individual principals and school districts to running their programs based on their curriculum.

Chairman- Mark S. Owens: Rep. Rich S. Becker I looked at that when I first opened the bill, I said the same thing about the number of times the children are being tested, but its reading and math. At the state level they test for the two abilities. I left it alone and did not bring it up.no more discussion roll call vote on do pass HB1052. 13-0-1 person absent is Rep. Corey Mock. Carrier of the bill is Rep. Denton Zubke.

Date: 1/4/17Roll Call Vote # 1

**2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1052**

House Education Committee☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
 Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Schreiber-Beck Seconded By Rep. M. Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman- Mark S. Owens	✓		Rep. Andrew Marschall	✓	
Vice Chairman- Cynthia Schreiber-Beck	✓		Rep. Bill Oliver	✓	
Rep. Rich S. Becker	✓		Rep. Brandy Pyle	✓	
Rep. Pat D. Heinert	✓		Rep. Matthew Ruby	✓	
Rep. Dennis Johnson	✓		Rep. Denton Zubke	✓	
Rep. Mary Johnson	✓		Rep. Ron Guggisberg	✓	
Rep. Donald W. Longmuir	✓		Rep. Corey Mock	AB	

Total (Yes) 13 No 0Absent Corey MockFloor Assignment Rep. Zubke

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

REPORT OF STANDING COMMITTEE

HB 1052: Education Committee (Rep. Owens, Chairman) recommends **DO PASS**
(13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1052 was placed on the
Eleventh order on the calendar.

2015 SENATE EDUCATION

HB 1052

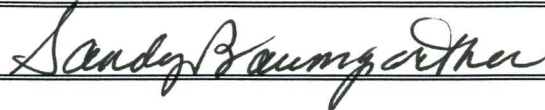
2017 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1052
2/14/2017
Job Number 28318

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to the administration of a state assessment in reading and mathematics

Minutes:

#1

Chairman Schaible: Open meeting. Roll Called: All present except Senator Davison.

Robert Bauer: Assessment Director within the Department of Public Instruction, testimony #1. Test windows often overlap. Recommends a Do Pass on HB 1052.

Senator Rust: How many states test in grade 12?

Robert Bauer: I don't know. This is not a requirement, just an option for grade 12.

Senator Rust: Grade 11 has many tests and then grade 12 has nothing. When you give tests you have to have a sufficient sampling of students to decide if it is an accurate sampling and you know where your kids fall. Do you see that being a problem with these test?

Robert Bauer: I don't. There is a state requirement to administer to all students. All schools would be administering this assessment to grade 12 students, except those who may opt out of testing.

Senator Rust: If states do like we have been doing by cutting testing off by grade 11, you won't have a sufficiently large number of twelfth graders taking that test. You may have problems trying to find out where they fall, or are they large enough to sample as you would in other grades. That is the only problem I would have.

Robert Bauer: Are you suggesting that fewer students would take it in grade 12 or if ND is the only state that is taking an assessment, there wouldn't be any comparability to other states?

Senator Rust: That's the one.

Robert Bauer: Right now, states are administering their own state assessments aligned to whatever their state standards are. Regardless of the grade in which they are administrated the assessment, there are many different assessments being offered to the students. Except those in a consortium.

Chairman Schaible: Could you explain how adding grade 12 to this process will improve our assessment process or the results we get from our assessments?

Robert Bauer: I am not sure that will improve the assessment or student's performance in the assessments. It would just spread it out so that they are not taking the ACT and ND State Assessment at the same time. The colleges and universities in ND have agreed to use the ND State Assessment for placement and credit bearing college courses or to determine if a student needs remediation. Having this assessment in grade 12 would still be useful then to the colleges and universities that are using it for that purpose. It is not part of the formula now, but maybe in the future, it could be used for the formula for the scholarship as well. Would the students improve as a result of having it in the fall of grade 12 versus spring of grade 11?

Chairman Schaible: Not so much as the improvement of the student, but the process of assessment and results. Would that be improved?

Robert Bauer: I think the schools would probably be more receptive to doing testing at a different time. I think the schools might feel that they are overloaded with assessment administration being that they give the ACT, Work Keys, and ND State Assessment in the same test window of spring of grade 11.

Senator Kannianen: If this is something that came about with conversations with local school districts? Are there certain districts that if this were passed take advantage of this right away and utilize the senior year or giving just the option to have it?

Robert Bauer: It would not be offered as a local option. It would be state wide. It's at the state's superintendent discretion to determine at what grade level the state assessment is given. But it would be given at that level state wide. There is a committee that is working on accountability, recording, and assessment that is looking at what is the optimal grade level for administering the state assessment. Right now that committee could not even consider the twelfth grade because it is not allowed according to state law. So this would give them at least option to consider that.

Senator Rust: Who is on the committee?

Robert Bauer: There are people in this room. The committee consists of members of NDCEL, LEAD organization and representation from administrators throughout the state.

Senator Rust: When is SAT and PSAT given?

Robert Bauer: That varies by school and district. Some do not offer the PSAT. There are various other assessments leading up to the grade 11 ACT.

Senator Rust: It could be a student choice as a requirement for certain colleges.

Robert Bauer: They can take the SAT as many times as they choose to improve their scores. Everyone takes it in grade 11.

Chairman Schaible: Other testimony?

Aimee Copas: NDCEL; No written testimony, but I have information that came out of our SS Committee. My testimony is probably neutral. The committee has decided for the best place for grade 11. We are only one of the states digging into this with the right kind of constituency support trying to do this the right way. We have parent groups, administrators, teachers, Special Ed. people, and from every walk of life on this committee. We are focusing on school improvement and growth. We thought the best place to target that growth is in the sophomore year. There is no intention to move the test in regard with the state plan, which has been submitted. There are no states that do their testing in the senior year. State assessment is targeted in ninth through eleventh grade. The basis of whether we need this bill is making the most of the senior year projects that the state superintendent has. Let the local school boards decide if the senior should have testing to graduate.

Chairman Schaible: This bill would not have any effect unless the superintendent would decide to have them statewide.

Aimee Copas: Providing the extra flexibility could benefit the students. The purpose of assessment, what we found over time is some of the assessments do a better job of accountability. They should help form instruction. I don't see us going toward Smarter Balance after this year. Assessment needs to inform instruction. It needs to make sure it helps our students.

Senator Kannianen: The assessment to this came after it was at the House?

Aimee Copas: Yes, our SS committee made this decision last week.

Chairman Schaible: No other testimony, we will close the hearing. Committee?

Senator Rust: The bill only provides an option. It discusses the option to give the test to the twelfth grade.

Senator Kannianen: I am not sure if it is an option I would like to use. I think the scores could suffer.

Senator Oban: I think the options should be made by professionals and not us. I guess they won't give it if it isn't good for kids. Providing the flexibility is not a big deal.

Chairman Schaible: We will look at this tomorrow morning at 9AM. We will not meet this afternoon.

2017 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1052
2/15/2017
Job Number 28383

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Sandy Baumgartner

Explanation or reason for introduction of bill/resolution:

Relating to the administration of a state assessment in reading and mathematics

Minutes:

"

Chairman Schaible: Meeting called to order. Roll taken. All present except Senator Davison.
Let's look at HB 1052.

Senator Rust: I move for a Do Pass for 1052.

Senator Kannianen: I second.

Chairman Schaible: We have a Do Pass and a Second on this bill. Any discussion?

Senator Rust: It gives some leeway. Someone said to trust the people to decide the best thing to do for kids in schools. Part of a test is to determine what a student has learned. Then you have some time after to review what they haven't learned. I worry a little bit about a senior test being more valuable for college than high school. I don't see this as an issue.

Senator Vedaa: Is this an individual or a whole grade that we are looking at?

Chairman Schaible: I think it is for the whole grade. I don't think there are any plans to do anything for grade 12 right now.

Senator Vedaa: It is to look at how the school did?

Chairman Schaible: It is statewide.

Senator Rust: In the past we tested less grades than now.

Chairman Schaible: No other comments? Clerk take the roll.

Roll taken: 5 yeas, 0 nays, 1 absent

Senator Rust will carry

Chairman Schaible: We will not meet this afternoon because we are done as of now for bills. I will inform you if we get some in. Meeting adjourned.

Date: 2-15-17
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1052

Senate Education Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rust Seconded By Kannianen

Senators	Yes	No	Senators	Yes	No
Chairman Schaible	✓		Senator Oban	✓	
Vice-Chairman Rust	✓				
Senator Davison	✓				
Senator Kannianen	✓				
Senator Vedaa	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Rust

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

REPORT OF STANDING COMMITTEE

HB 1052: Education Committee (Sen. Schaible, Chairman) recommends **DO PASS**
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1052 was placed on the
Fourteenth order on the calendar.

2017 TESTIMONY

HB 1052

Rob Bauer

HB 1052

Attachment
1

TESTIMONY ON HB 1052
HOUSE EDUCATION COMMITTEE
January 4, 2017

Robert Bauer, Assessment Assistant Director
North Dakota Department of Public Instruction
rgbauer@nd.gov
701-328-2224

1/4/17

Mr. Chairman and Members of the House Education Committee:

I am Robert Bauer, Assessment Assistant Director within the North Dakota Department of Public Instruction, and I stand in support to HB 1052, which amends current state statute to provide for a broader range of grade levels to administer the high school North Dakota State Assessment.

NDCC 15.1-21-08 currently restricts the high school administration of the North Dakota State Assessments in reading and mathematics in grades nine through eleven and in science in grades ten and eleven. HB 1052 adjusts existing statute to allow for the possible administration of the North Dakota State Assessment in grade 12. This offers additional flexibility and greater latitude in adjusting and balancing the administration of assessments across the high school years.

Currently the state annually administers the North Dakota State Assessment and the ACT/WorkKeys to approximately 7,600 grade 11 students statewide, as required by statute (NDCC 15.1-21-08; 15.1-21-19). This has caused an "over-testing" experience for one grade of high school students. Efforts to better balance the scope of testing for high school students have been constrained by the restricted placement of the North Dakota State Assessment, up to grade 11. Statewide advisory committees, comprised of North Dakota educators, parents, and community members, are presently analyzing the optimal placement and use of the North Dakota State Assessment within the state's wider school improvement efforts. The Department of Public Instruction seeks to amend statute to free up the full use of grade levels to allow more opportunities for the state's high school assessment schedule.

The Department of Public Instruction does not anticipate any fiscal impact resulting from the enactment of HB 1052.

By amending NDCC 15.1-21-08, as provided in HB 1052, the state will have all available tools to provide for a well-balanced, efficient state assessment system to best serve the academic needs of our students statewide. The Department of Public Instruction respectfully requests a Do Pass for HB 1052.

Mr. Chairman, this completes my testimony. I am available to address any questions from the Committee. Thank you.

TESTIMONY ON HB 1052
SENATE EDUCATION COMMITTEE
February 14, 2017

Robert Bauer, Assessment Assistant Director
North Dakota Department of Public Instruction
rgbauer@nd.gov
701-328-2224

HB 1052
2-14-17
H 1.

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