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FISCAL NOTE STATEMENT

Senate Bill or Resolution No. HB 1143

This bill or resolution appears to affect revenues, expenditures, or fiscal liability of counties, cities, school districts, or townships. However, no state agency has primary responsibility for compiling and maintaining the information necessary for the proper preparation of a fiscal note regarding this bill or resolution. Pursuant to Joint Rule 502, this statement meets the fiscal note requirement.

Sheila Sandness
Senior Fiscal Analyst

2017 HOUSE EDUCATION

HB 1143

2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1143
1/11/2017
Job 26822

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to the joint employment of school districts superintendents; and to amend and reenact section 15. 1-09-55 of the North Dakota Century Code, relating to the joint employment of school district superintendents.

Minutes:

Attachments 1 and 2.

Chairman- Mark S. Owens: Invites the clerk to read the bill introduction, and welcomes Representative Brandenburg.

Representative Brandenburg: HB 1143 has been around for a long time, there has been talk of schools sharing superintendents as well as administrators in different schools. This discussion is about schools that are out there that have budget issues that they have to deal with, and when you have schools that have small numbers they have the ability to be able to share, the only problem is that the accreditation standards are so stringent that you have to be very qualified to be able to do it, and that is what this bill talks about is accreditation standards would be adjusted so that schools could share administrators if they wish. Mr. Chairman that is what the bill does, and I stand for any questions.

Rep. Denton Zubke: You are saying that under section 4, that the accreditation standards are different for a superintendent for a single district then it is for another district.

Representative Brandenburg: Yes, there is different accreditation standards. If you are employed for superintendent for one school, and you want to be able to be superintendent for two schools, you need to have more accreditations standards. Which means you need to have a larger degree. It is possible to do it, but it is hard to do.

Rep. Dennis Johnson: This has been going on for some time, what seems to be the credentials they are lacking that they cannot do this.

Representative Brandenburg: I have to dig into that, I don't have accreditation standards, but you have to be able to meet those standards through the standards and practices board, that would possibly be a question for them to ask, some superintendents have those

requirements, and some don't. That would be a question to ask a standards and practices board. Because I don't know that.

Rep. Dennis Johnson: The purpose of the bill is to find out what we are lacking.

Representative Brandenburg: Yup, that is exactly what we need to find out. I appreciate your time and have a great day.

Chairman- Mark S. Owens: any support testimony for HB 1143. Any opposition testimony for HB 1143.

Aimee Copas: (see attachment 1 for testimony).

Rep. Denton Zubke: We addressed the accreditation, but the difference is in credentials then if the superintendent is employed by a single district opposed to a joint.

Aimee Copas: No there are not, it is the exact same credentialing standards to hold a superintendent credential.

Rep. Pat D. Heinert: On the bill on line 8 it talks about the school district superintendent joint Employment, says if multiple school districts within a county have fewer than 1000 combined students the school district may jointly employ a superintendent, is there a stance for that in your organization?

Aimee Copas: We have no stance, that is currently done in multiple places throughout the State, one example that pops into my mind is Hope page they have one superintendent and they share that superintendent across district lines, there is nothing at all that precludes that, many districts do it, it just depends on a variety of circumstances within the neighboring districts, we are fine with it.

Chairman- Mark S. Owens: Let me ask you this then, so obviously line 8 through 10 were put into code, would that also prevent 2 school with a combined population of 1010, since we have limited it to 1000 and fewer.

Aimee Copas: That is a great question, but I don't believe that it would, because the decision to share employees is not something that is prohibited by code, and I don't believe if you put it in it will prohibit any from doing that. It does not currently exist that we have any prohibition from sharing any employees across districts. The ideal situation is for a school district to have as much flexibility as possible to be as fiscally responsible, and to provide the best outstanding opportunities. The last thing our organization would want to happen is for that creativity to stop or make it more challenging.

Chairman- Mark S. Owens: Any other questions. Any other testimony?

Jon Martinson: (see attachment 2 for his testimony).

Chairman- Mark S. Owens: any further testimony and opposition for HB 1143. Any neutral testimony for HB 1143.

Kirsten Baysler: Accreditation and credentialing, just to affirm for you that the testimony you hear for opposition is actually true. There is no difference we require for any credentialing for superintendents, when we approve a credential for a person to become a superintendent credentialed in the state there is no difference. We evaluate it in the same manner and the same way, so all of our superintendents are credentialed in exactly the same way. When it comes to the point of reviewing schools for accreditation, determining that they have all the pieces in place, that are required by state and federal law, there is also no difference in any way that we approve and accredit our schools. The accreditation process does not require different credential and a different level of superintendent for a school that shares a superintendent or not. So the credentialing is exactly the same, and the accreditation review process for all the schools in a personnel area is exactly the same.

Rep. Dennis Johnson: has there been an issue in district 28 that has been brought up to your attention?

Kirsten Baysler: There has not been an issue that has been brought to our attention. We generally, try to work with our students need to be met.

Chairman- Mark S. Owens: any further questions.

Rep. Rich S. Becker: One of my sheets of paper here says that the bills we have been looking at solve a problem that does not exist, and I concur with that. Do you see credentialing changing within the next 4 to 5 years, is this something we have to worry about down the road.

Kirsten Baysler: I do not. This specific problem will not have to addressed in the near future, there may be changes in credentialing in the future, but it is not differentiated between a large school and a small school.

Chairman- Mark S. Owens: hearing ends. Then Rep. Denton Zubke motions for a Do Not Pass vote for HB 1143. The second is from Vice Chairman- Cynthia Schreiber-Beck. The vote is 13-0-1. The absent person is Rep. Corey Rep. Corey Mock. The person carrying the bill is Rep. Brandy Pyle.

Date: 1/11/17Roll Call Vote # 1

**2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1143**

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. Zubke Seconded By Rep. Schreiber-Beck ^{vice chair}

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	<u>AB</u>	

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

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

REPORT OF STANDING COMMITTEE

HB 1143: Education Committee (Rep. Owens, Chairman) recommends **DO NOT PASS**
(13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1143 was placed on the
Eleventh order on the calendar.

2017 TESTIMONY

HB 1143

Attachment 1

1143

1/11/17



**HB 1143 – Relating to joint employment of superintendent
Testimony in Opposition
North Dakota Council of Educational Leaders – Dr. Aimee Copas
1/11/2017**

Good morning Chair Owens, Vice Chair Shreiber-Beck and members of the House Education Committee. For the record, my name is Dr. Aimee Copas and I serve as the Executive Director for the ND Council of Educational Leaders representing North Dakota school leaders. I stand before you today providing testimony in opposition to HB 1143.

Very simply this bill is requesting additional statute in areas that are not currently necessary in North Dakota – in essence, solving a problem that doesn't currently exist.

School districts are already able to share school district superintendents. There is no permission that must be granted – this is a local decision making process by local school boards and is done rather commonly in the state when the local boards find that decision to be advantageous and fitting to their local district.

The next part of the bill discusses things that cannot be managed through the accreditation process. It is important to note that school accreditation does not take place through the ND Department of Public Instruction – they manage the school approval process. In the NDDPI administrative code, it is clear that schools are *accredited* through AdvancEd and the AdvancEd process – this has been the case since approximately 2011. None of the assurances in the accreditation process are related to the length of time a superintendent is in a building.

We respectfully recommend a DO NOT PASS of HB1143

Thank you for your time – I am happy to answer any questions you may have.

HB 1143 – Testimony

Jon Martinson, Executive Director

1/11/17

North Dakota School Boards Association

January 11, 2017

This bill is not necessary.

Lines 9-10: If multiple school districts within a county have fewer than one thousand combined students, the school districts may jointly employ a superintendent.

State law already allows this. Examples:

1. In Bottineau County, Jason Kersten is superintendent at Bottineau (651 students) and Newberg (73 students)
2. In Ransom County, Steve Johnson is superintendent at Lisbon (613 students) and Ft. Ransom (26 students)
3. In Grand Forks County, Roger Abbe is superintendent at Larimore (403 students) and Midway (189 students) in Inkster, ND

Examples of superintendents who serve two school districts in two different counties:

1. Hi Schlieve is superintendent at Hope (68 students) in Steele County and Page (93 students) in Cass County
2. Judy Zinns is superintendent at Flasher (235 students) in Morton County and Roosevelt (49 students) in Carson located in Grant County.

The new language reminds me of the Paul Simon song, *50 Ways to Leave Your Lover* because this bill states multiple ways of saying the same thing. By the way, that song appears in the album, *Still Crazy After All These Years*.

Lines 14-16: The superintendent of public instruction may not impose through the accreditation process any penalties or sanctions on a school district for employing a superintendent jointly with one or more other school districts.

Lines 17-18: the superintendent of public instruction does **NOT** currently require that school districts employ a full-time superintendent through the accreditation process.

Lines 19-20: the superintendent of public instruction does **NOT** currently require that school districts employ a full-time superintendent as a condition for accreditation.

Lines 21-24: the superintendent of public instruction does **NOT** currently require additional requirements above and beyond the accreditation requirements on a superintendent employed by multiple school districts.

The NDSBA urges a NO vote on this bill.