

FISCAL NOTE
Requested by Legislative Council
02/02/2017

Amendment to: HB 1358

- 1 A. **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.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties	\$0	\$0	\$0
Cities	\$0	\$0	\$0
School Districts	\$0	\$0	\$0
Townships	\$0	\$0	\$0

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

HB 1358, provides for legislative management to consider studying, during the 17-18 interim, the use of open educational resources in the elementary and secondary school system. If adopted and if selected for study, an expenditure will be required for expenses of committee members and related cost.

- 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.*

There is no fiscal impact to counties, cities, school districts or townships related to HB 1358, as amended.

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.*

HB 1358, as amended, has no fiscal impact on revenue.

- 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.*

HB 1358, as amended, has no fiscal impact on the NDDPI expenditures or revenue. If selected for study by legislative management, an unknown expenditure will be required to pay expenses of the committee members and any other expenses incurred while conducting the study.

- 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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

HB 1358, as amended, does not identify any additional appropriation.

Name: Robert V. Marthaller

Agency: ND Department of Public Instruction

Telephone: 701-328-2267

Date Prepared: 02/03/2017

FISCAL NOTE
Requested by Legislative Council
01/16/2017

Bill/Resolution No.: HB 1358

- 1 A. **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.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$22,406	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties	\$0	\$0	\$0
Cities	\$0	\$0	\$0
School Districts	\$0	\$0	\$0
Townships	\$0	\$0	\$0

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

HB 1358 authorizes the State Superintendent to create the North Dakota Education Foundation. Fiscal impact is a result of compensation and reimbursement for meals, lodging, and mileage paid to the foundation members.

- 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.*

Seven foundation members are authorized by HB 1358 and the fiscal impact is based on the assumption that the foundation will meet once each quarter (four times per year) for each year of the 2017-2019 biennium. There is no appropriation identified in the bill. If passed, the bill becomes ineffective on June 30, 2019.

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.*

HB 1358 has no fiscal impact on revenue.

- 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.*

HB 1358 does impact expenditures to the extent necessary to provide compensation and reimbursement to foundation members, a cost estimated to be \$22,406.00. Cost associated with the foundation, including administrative support, are the responsibility of the Superintendent of Public Instruction. There is no change to FTE positions.

- 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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

HB 1358 does not identify any additional appropriation.

Name: Robert V. Marthaller

Agency: ND Department of Public Instruction

Telephone: 701-328-2267

Date Prepared: 01/18/2017

2017 HOUSE EDUCATION

HB 1358

2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1358
2/1/2017
Job 27742

- Subcommittee
 Conference Committee

Committee Clerk Signature 

Explanation or reason for introduction of bill/resolution:

Relating to authorization for the creation of a North Dakota education foundation; to provide for a report to the legislative management; and to provide an expiration date.

Minutes:

Attachment 1

Chairman- Mark S. Owens: open hearing on HB 1358.

Representative Beadle: See attachment 1 to see amendment being explained.

Chairman- Mark S. Owens: any questions for representative Beadle. Anyone else in support for HB 1358

Bob Marthall: represents the North Dakota Department of Public Instruction, superintendent Baesler and North Dakota DPI does support the amendment, and we hope that you will take fair rule action with that.

Chairman- Mark S. Owens: any questions from the committee. any additional support. Anyone opposed. Any neutral testimony. What is the committees wishes?

Rep. Ron Guggisberg: I move the amendment.

Chairman- Mark S. Owens I have a motion to move the amendment, and seconded by Rep. Dennis Johnson. Voice vote, and amendment passes.

Rep. Pat D. Heinert: I move a do pass.

Chairman- Mark S. Owens: we have a motion for a do pass as amended from Rep. Pat D. Heinert, and seconded by Rep. Bill Oliver.

Rep. Brandy Pyle: is this the week of studies, it feels like everything is turning into a study this week.

Chairman- Mark S. Owens: you haven't seen anything yet.

Rep. Ron Guggisberg: I hope this is a study that is picked, to me it is a big item to discuss in our education system, not only open up textbooks like this, and allow people to access them for free, but it's a big part of how we pay for academics in this system right now. I wonder how it is going to affect people who do research and make their money from textbooks too. It would be interesting to learn about.

Chairman- Mark S. Owens: I agree with you, because I work with a lot of state governments across the United States, and public/private partnerships are generally used extensively in the avenue of innovation and new technology, but it is time we moved in more into the established portion of government, and see if we cannot create more robust public/private partnerships, and what the government does day in and day out. We will have to wait and see what the legislative management comes up with. Any further discussion. We have a bill in front of us as amended do pass recommendation, and I call the clerk to do a roll call vote. 14-0-0, and Rep. Ron Guggisberg will carry this bill.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1358

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the use of open educational resources in the elementary and secondary school system.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - KINDERGARTEN THROUGH GRADE TWELVE OPEN EDUCATIONAL RESOURCES USAGE AND DEVELOPMENT. During the 2017-18 interim, the legislative management shall consider studying the use of open educational resources in the elementary and secondary school system. The study must include an analysis of potential cost savings for school districts and the department of public instruction; the availability of private sector partnerships that can aid in the development, adoption, implementation, and funding of open educational resources; and the steps necessary to establish North Dakota as a #GoOpen state with the United States department of education. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

Date: 2/1/17

Roll Call Vote # 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1358

House Education Committee

Subcommittee

Amendment LC# or Description: 17.0857.01001 Title 02000

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. Guggisberg Seconded By Rep. D. 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		

Total (Yes) _____ No _____

Absent _____

Floor Assignment Rep.

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

Voice vote. passes.

Date: 2/1/17

Roll Call Vote # 2

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1358

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. Heinert Seconded By Rep. Oliver

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	✓	

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Guggisberg

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

REPORT OF STANDING COMMITTEE

HB 1358: Education Committee (Rep. Owens, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1358 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the use of open educational resources in the elementary and secondary school system.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - KINDERGARTEN THROUGH GRADE TWELVE OPEN EDUCATIONAL RESOURCES USAGE AND DEVELOPMENT. During the 2017-18 interim, the legislative management shall consider studying the use of open educational resources in the elementary and secondary school system. The study must include an analysis of potential cost savings for school districts and the department of public instruction; the availability of private sector partnerships that can aid in the development, adoption, implementation, and funding of open educational resources; and the steps necessary to establish North Dakota as a #GoOpen state with the United States department of education. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

2017 SENATE EDUCATION

HB 1358

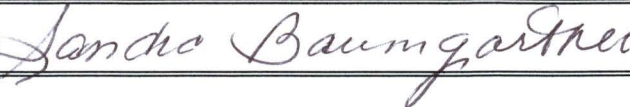
2017 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1358
3/6/2017
Job Number 28722

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Study for the use of open educational resources in the elementary and secondary school system.

Minutes:

#1, #2, #3

Vice-Chairman Rust: Reconvene this committee hearing for HB 1358. Deals with open education resources.

Repr. Thomas Beadle: District 27 in Fargo: Testimony #1. HB 1358 looks to continue discussions. In 2013, one of them would encourage the university system to adopt open sourced textbooks and the second one was an assembly to study how to utilize open sourced textbooks. At the time the goal was to look at the average the student was paying about \$1100 per year in textbook costs and we wanted to figure how to make a dent in that. We studied that and found some good information. In the 2015 session, we were able to appropriate \$110,000 into the university system budget to go towards grant opportunities to develop open education resources. I was sitting on a steering committee in which we awarded grants up to \$10,000 apiece to various and faculty across our university system. First round of grant funding was about \$60,000 appropriated. Grants went to UND Law School, Mayville State, VCSC, and UND. Those grants went to a variety of things from training to books adapted to open sourced textbooks. That saves ND students over 1.9 million dollars this school year alone. Now it is over 2.1 million for fall of 16-17 for our students. In Dec. we awarded the second round of grant projects. We should be able to get another half million dollars of savings off of our \$110,000 investment from last legislative session. These costs do not get back to our tax payers. Saving money for students does help them. We want to look at pivoting that towards k-12 education, particularly our high school students. Changing out textbooks cost around \$60,000 for some schools. If we can adapt and adjust instead of using textbooks and using OER materials, we can see a significant cost saving with districts across the state. There are non-profits out there offering grant projects and help leverage tax monies. I hope committee gives this a green light.

Senator Oban: Do you know how the universities in the past who get the grants tend to be the same little handful of departments and how are they made award of these opportunities?

Repr. Thomas Beadle: In October 2016 there was an open access conference to get faculty and staff and departments aware. It has been about the 4-5 schools that have responded and put in funding requests. We are hoping to expand that after the October conference. We did

have representatives from all 11 universities across the state. Schools were very interested on how they can go forward on this. It is starting to get more understood by the people and being more embraced

Senator Rust: Time and energy goes into writing a textbook, and when you go to open resources, are you getting the best information? Is it up to date and the best resources?

Repr. Thomas Beadle: When I took classes in high school the book was old and information was outdated. We have thousands of places for access to information. They have been previewed to make sure they are accurate and informational. Quality information is out there and put out by institutions because they value the knowledge base and freedom of information.

Senator Rust: I assume the process in a public school would be the same as textbook adoption. Most schools replace books between 7-10 years, and that textbook selection is the biggest determining factor of what gets taught. Would you still have the same process with committees in regards with their textbooks?

Repr. Thomas Beadle: I would assume so that they would go through the committee process with the school district level with the various departments. Commented on the fact in Fargo some are using e-books now. Working with the group they already have everything categorized based off of core subject and grade level. University level has more to choose from unlike the k-12 school districts.

Senator Rust: OER, I presume it goes from books to units to lesson, is that correct?

Repr. Thomas Beadle: It certainly can. One of the OER projects is to take the 1967 North Dakota Studies book and updating and incorporating maps, video, and all sorts of supplemental materials to go with the book. It can go far beyond just the book. That is why it went from Open Sourced Text Books to Open Educational Resources. In California there are over 89,000 open sourced licensed public published materials for use in their school districts. Because of what is there is why I think it is important to take a look at it.

Senator Oban: I don't know if you are aware of NDStudies.gov when the 4th and 8th grade curriculum was rewritten at the state level and made available on-line. It was something we were presented last session.

Repr. Thomas Beadle: I can look at that and also with the Go Open States and what their Department of Education has as part of their technology initiative. Because as part of that they have 5 area outlined in terms of the steps that the state would need to take to become a Go Open State. They have them for school districts as well. If the state doesn't do it the districts can choose to do it on their own.

Senator Kannianen: Help me understand the details with higher ed. and the specifics on a reference of \$60,000 in grant funding that helps save 1.9 million.

Repr. Thomas Beadle: Last session was the first time we got money as a part of the university budget system. We appropriated \$110,000 out of general fund dollars to go towards that. At the time we didn't look at other public partnerships or leverage dollar. We gave that authority to the university system and said develop methods on how to award grant dollars. They choose to do grants up to \$10,000 to go towards an individual professors or departments. They submitted proposals and they were vetted by the steering committee. Many different people involved in steering committee. One of the ones we funded was a psychology book at UND to retool the course of their book to use OER instead of the traditional book. By doing that replaced a \$320 textbook with one that cost nothing. Students had access to digital opportunities and resources that they could use. It was an open license so it didn't cost the student anything and saved a huge total for all students added together.

Senator Rust: The original bill was to create a ND Education Foundation. It went to an OER.

Repr. Thomas Beadle: We actually retooled the original bill to something that we wanted to work towards. Hewlett Foundation has come to the table and said they have about \$200,000 they would be willing to apply to North Dakota for a dollar for dollar match for development. We needed a place to house that. At the university system level, they have foundations in place where they can accept those dollars. At k-12 we have it at some of the district levels but nothing set up state wide. Rather than go through the Department of Public Instruction Foundation as we had it originally worded, we know that we can use other methods to receive those dollars and wanted to study those private-public partnerships, the end goal of the bill anyway.

Chairman Schaible: Any other testimony?

Christine Kujawa: Library Director at Bismarck Veterans Memorial Public Library, testimony #2. ND Library Association's Legislative Committee requests that you support this bill.

Senator Oban: We do have some programs working in the university level and you want us to help support these efforts and you want to be involved?

Christine Kujawa: Yes, if they had additional funding they could add more success in the elementary and secondary school systems.

Cynthia Claremont Schmidt: ND State Library in behalf of Mary Soucie our State Librarian, Testimony #3. We encourage the study to include colleges and universities.

Chairman Schaible: any other testimony? If not, we will close the hearing.

2017 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1358
3/8/2017
Job Number 28846

- Subcommittee
 Conference Committee

Committee Clerk Signature

Sandy Baumgartner

Explanation or reason for introduction of bill/resolution:

Study for the use of open educational resources in the elementary and secondary school system

Minutes:

#1

Chairman Schaible: Open meeting for 1358.

Senator Oban: I passed out amendment 17.0857.02001. All this does is add to the study if we were to pass the study under the higher ed. institutions. It was a request of the librarians that came in and the sponsors have no problem with it. So I move .02001.

Senator Rust: For the purposes of discussion, I will second the motion.

Chairman Schaible: We have a second for the 2001 amendment. Is there any other discussion?

Senator Davison: Higher ed. already has open resources. I think the focus should be K-12. They seem to get shorted more often than not working with grants. I'll be voting no.

Senator Oban: The more we can tie these resources from one end of the spectrum to the other together is a good thing. The person who was responsible for this through NDUS actually was let go. So they no longer have a person dedicated to this.

Chairman Schaible: Other comments or suggestions? None, clerk take roll on 2001 which would include secondary education.

Roll taken: 2 Yeas, 4 Nays 0 absent.

Chairman Schaible: We have the bill before us. Do we need more time? It says "shall".

Senator Oban: I have payed attention to the studies and they all use "shall".

Chairman Schaible: Any other discussion?

Senator Oban: I move a "Do Pass" on 1358.

Senator Davison: I second.

Chairman Schaible: Any other discussion? None, clerk take roll.

Roll taken 6 Yeas, 0 Nays, 0 absent

Senator Vedaa will carry.

March 6, 2017

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1358

Page 1, line 2, after "system" insert "and at institutions of higher education"

Page 1, line 5, replace "**GRADE TWELVE**" with "**POST SECONDARY EDUCATION** -"

Page 1, line 7, after "system" insert "and at institutions of higher education"

Page 1, line 8, replace "and" with a comma

Page 1, line 8, after "instruction" insert ", and students and institutions of higher education"

Renumber accordingly

Date: 3-08-17
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1358

Senate Education Committee

Subcommittee

Amendment LC# or Description: ^{17.0857} 2001

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 Oban Seconded By Rust

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

Total (Yes) 2 No 4

Absent 0

Floor Assignment N/A

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

Date: 3-08-17
Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1358

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 Oban Seconded By Davison

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

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Vedaa

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

REPORT OF STANDING COMMITTEE

HB 1358, as engrossed: Education Committee (Sen. Schaible, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1358 was placed on the Fourteenth order on the calendar.

2017 TESTIMONY

HB 1358

17.0857.01001
Title.

Prepared by the Legislative Council staff for
Representative Beadle
January 31, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1358

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the use of open educational resources in the elementary and secondary school system.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - KINDERGARTEN THROUGH GRADE TWELVE OPEN EDUCATIONAL RESOURCES USAGE AND DEVELOPMENT. During the 2017-18 interim, the legislative management shall consider studying the use of open educational resources in the elementary and secondary school system. The study must include an analysis of potential cost savings for school districts and the department of public instruction; the availability of private sector partnerships that can aid in the development, adoption, implementation, and funding of open educational resources; and the steps necessary to establish North Dakota as a #GoOpen state with the United States department of education. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

LIB 1358
3-06-17
#1p.1

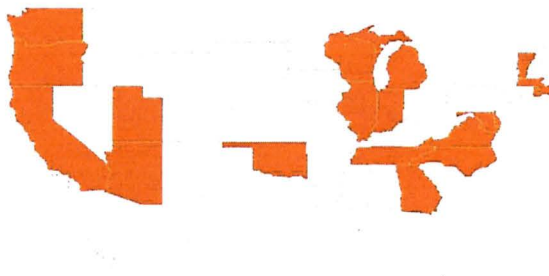
The US Department of Education's #GoOpen campaign encourages states, school districts and educators to use openly licensed educational materials to transform teaching and learning.

District and State leaders work alongside innovators from education technology companies and nonprofit organizations to share effective strategies and ideas, create new tools and provide professional learning opportunities that help educators find, adapt, create and share resources. In order to be a #GoOpen state, North Dakota must:

1. Adopt/Implement a statewide technology strategy that includes the use of openly licensed resources as a central component.
2. Develop and maintain a statewide repository solution for openly licensed resources
3. Develop the technical capabilities to publish OER to the Learning Registry
4. Participate in a community of practice with other #GoOpen states and districts to share learning resources and professional development resources.
5. Create a webpage to share the commitment to #GoOpen and document the state's progress.

19 #GoOpen States include

- Arizona
- California
- Delaware
- Georgia
- Illinois
- Indiana
- Maryland
- Massachusetts
- Michigan
- North Carolina
- Oklahoma
- Oregon
- Rhode Island
- Tennessee
- Utah
- Vermont
- Virginia
- Wisconsin
- Washington



HB 1358

3-06-17

H 1 p. 2

First round of grants:

1. Mayville State University. \$10,000.00. For training program to help Faculty and staff redevelop courses to incorporate OER materials. Indeterminable ROI for year 1.
2. UND Faculty Participation. \$10,000.00. Several faculty will work with Center for Instructional Learning Technologies to train and implement OER into several classes. ROI Estimated of \$140,000 for year 1.
3. UND Opening History of ND. \$7,000.00. UND partnering with University of Nebraska to digitize "The History of North Dakota", a book used by all 4th grade classes in state and is celebrating its 50th anniversary. Indeterminable ROI for year 1.
4. Valley City State University. \$10,000.00. Ten faculty will implement OER into their course, and ten additional faculty will research OER for their fall courses. ROI Estimated \$41,518 first year.

Second round of grants:

1. NDSCS. \$9,910.50. Create 2 OER math courses. First year minimum ROI estimated at \$18,109.
2. UND. \$6,000. Create an OER English 130. First year minimum ROI estimate \$25,500.
3. UND. \$5,629. Create an OER Calculus III. First year minimum ROI estimate \$100,440. [This project was not fully funded as funds were insufficient to cover the full proposal].
4. UND. \$3,000. Create an OER Computer Science course. First year minimum ROI estimate \$14,591.
5. UND. \$6,000. Create OER art history courses. First year minimum ROI estimate \$6562.
6. UND. \$10,000. Create an OER History of Applied Science and Technology. First year minimum ROI estimate \$25,500.

To date, based on student enrollment data for Fall 2016 and Spring 2017, actual ROI for the first round of grants has been estimated at over \$2,100,000, with the bulk of these savings being realized at UND.

HB 1358
3-06-17
1 p. 3

Open Educational Resources are a new technology tool that most people have little experience with. Prior to the 2013 legislative session, not a single legislator knew what these were, and no faculty members in our state were utilizing them on a consistent basis. As a result, any initiative that utilizes OER technologies needs a champion and a teacher.

In order for any initiative like this to succeed, we need to ensure that legislators are educated and informed about why the investment is needed, and where the investment is going. Legislators will need to see what the return on investment is in order for the program to see any sort of long lasting results.

Faculty in our University System have started to have some exposure to Open Educational Resources and the impact that they can have on their students, their students' budgets, and their classroom dynamics. However, widespread implementation of these tools has not been achieved. We have some champions on a few of our campuses for these resources, but we still are in the position where we need to recruit and train faculty about OER materials and assist faculty in retooling their courses. Effort still needs to be made to expand the existing OER infrastructure at campuses like UND and VCSU, and we need to develop a solid foothold into campuses like NDSU, NDSCS and BSC. Faculty on the campuses across the state need not only a champion, but a trainer and a mentor so that they can implement resources effectively.

Our K12 system has been largely untapped for utilization of OER materials. While there has been some discussion with DPI regarding utilization of Open technologies for distance education, there hasn't been any implementation to date. K12 is where we can see real savings for our taxpayers, as in that system, the districts have to purchase the textbooks instead of the students absorbing that cost. The US Department of Education has some best practices that we can follow to successfully transition some school districts into open materials, but we will need a coordinator who can help develop Ambassador districts that can be successful, and can help grow those successes across the state.



Bismarck
Veterans Memorial
Public Library

HB 1358.
3-06-17
#2 p.1

March 6, 2017

To: Senate Education Committee

Dear Chairman Schaible and Members of the Senate Education Committee:

I serve as Co-Chair of the ND Library Association's Legislative Committee. Our school and university library members have requested that we speak on their behalf, and make it known to the Education Committee and the legislature as a whole that they support House Bill 1358 to spearhead a study on the use of Open Educational Resources (OERs) for elementary and secondary school systems. In addition, our university library members request that this committee amend the bill such that the study also includes higher education institutions.

According to our university library members, during the 64th Legislative Session a one-time allotment for funding was approved for the ND University System to form a committee on OERs. This funding resulted in the first-ever state symposium on OERs. The University of North Dakota utilized some of this funding, along with some one-time grant funding, to create OERs and made them available to their students. It was reported that these OERs saved students close to \$3 million. The university librarians who reached out to our committee stated that they are confident that elementary and school systems can expect similar savings for their students.

Given the great amount of savings the students received as a result of this one-time funding, university librarians request that you add university institutions to the study, so the use of OERs in their setting can be reported to the legislature, and any funding that may result from this study will be available to them, as well as the elementary and secondary systems.

On behalf of our school and university members, the ND Library Association's Legislative Committee requests that you support this bill to be amended with language that includes university institutions.

Thank you for your time and consideration.

Sincerely,

Christine Kujawa MS, MM
Library Director
Bismarck Veterans Memorial Public Library
Co-Chair ND Library Association Legislative Chair
Email: ckujawa@bismarcklibrary.org
Phone: 701-355-1482

HB 1358
3-6-17

CHESTER FRITZ LIBRARY
3051 UNIVERSITY AVENUE STOP 9000
GRAND FORKS ND 58202-9000
(701) 777-2617

#2 p. 2

2/21/2017

To: Education Committee

From: Sally Dockter

Title: Assistant Director

Library: Chester Fritz Library, University of North Dakota

Chairman Schaible and Members of the Committee:

Chester Fritz Library (CFL) writes in support of SB 1358, relating to conducting a study of the use of open educational resources (OER) in the elementary and secondary school system.

Over the past two years, Chester Fritz Library conducted a pilot project exploring the use of OER in higher education, financed by the North Dakota University System using funds provided by the legislature (see: HCR 3009) in the amount of \$48,000 across two years. We identified, acquired and made available OER in 9 different areas, including: history, math, psychology, political science, sociology, science, art, meteorology, and business. Based on enrollment in classes that used the OER and the typical costs of traditional textbooks, we estimate that the project saved students at the University of North Dakota approximately three million dollars – a return of \$62.50 for every dollar spent. The significant cost savings to students from this initiative have convinced us that OERs are an important tool in reducing the costs of attending college.

We believe that the K-12 school system can expect to realize similar savings through the use of OERs. If anything, there is potential for even greater results in the K-12 sector because it uses a more uniform set of textbooks in a larger volume.

We strongly urge the committee to support SB 1358. We believe conducting a study to evaluate the feasibility and potential impact of OERs in the K-12 sector is well worth the state's investment of time and money, and we fully expect that the state will ultimately realize significant savings from adopting the use of OERs.

Thank you for your time.



Sally Dockter

Asst. Director, Chester Fritz Library

University of North Dakota

and also a member of the School Board for the Manvel Public School

Home address: 504 12th St Manvel, ND 58256 Phone: 701 330 3936

Anne Mostad-Jensen
101 4th Ave S #E2
Grand Forks, ND 58201
Tele: 408-893-4290
annemj82@gmail.com

HB 1358
3-6-17
#2 p. 3

February 23, 2017

Dear Chairman Schaeible and Members of the Education Committee,

I am writing to support Senate Bill No. 1358 which would provide for a legislative management study of open educational resources (OERs) in the North Dakota elementary and secondary school system.

I have personally seen the upsides of having access to OERs. As a law librarian I use open educational resources and am in the process of creating an OER myself. I teach legal research to law students in their introductory legal writing course and also teach a 2-credit Advanced Legal Research course. I no longer require students to purchase a book for the Advanced Legal Research course and am in the process of creating an OER legal research book that will be available both to law students and members of the general public who would like to or need to learn how to do legal research. Students save almost \$70 on the book for the class (which is actually remarkably inexpensive for a law book). In addition to monetary savings, I also have a greater ability to customize educational resources for my audience (students, legal practitioners, general public).

I have also seen the downside of not having access to OERs within educational settings – both for the instructor and for the student. Legal resources are exceptionally expensive. We pay exorbitant amounts of money to allow students and the general public to access legal databases and law school books can cost students over \$200 a pop. I actually had a student who did not take my class because the other class did not require him to purchase a book. The legal information environment can also change quickly so the expensive textbooks become outdated very quickly. With OERs you have more flexibility to update them in real time.

This study and the use of OERs in our educational systems will be a win for North Dakota, both with dollar savings and student learning outcomes, and a win for the legislature. I strongly encourage you to support SB 1358.

Thank you for your time and good luck with the rest of your legislative session.

Sincerely,


Anne Mostad-Jensen

HB 1358

3-6-17

2 p. 4

North Dakota Library
Association (NDLA)
Member

Head of Faculty Services
Thormodsgard Law Library
University of North Dakota
School of Law

2/24/2017

To: Education Committee

From: Megan Keely Carroll and Kristen Borysewicz

Title: Reference Librarian

Library: Chester Fritz Library, University of North Dakota

HB 1358
3-6-17
#2 p.5

Chairman Schaible and Members of the Committee:

I am writing this letter in my support of SB 1358, relating to conducting a study of the use of open educational resources (OER) in the elementary and secondary school system.

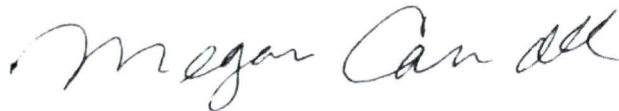
Over the past two years, Chester Fritz Library conducted a pilot project exploring the use of OER in higher education, financed by the North Dakota University System using funds provided by the legislature (see: HCR 3009) in the amount of \$48,000 across two years. We identified, acquired and made available OER in 9 different areas, including: history, math, psychology, political science, sociology, science, art, meteorology, and business. Based on enrollment in classes that used the OER and the typical costs of traditional textbooks, we estimate that the project saved students at the University of North Dakota approximately three million dollars – a return of \$62.50 for every dollar spent. The significant cost savings to students from this initiative have convinced us that OERs are an important tool in reducing the costs of attending college.

We believe that the K-12 school system can expect to realize similar savings through the use of OERs. If anything, there is potential for even greater results in the K-12 sector because it uses a more uniform set of textbooks in a larger volume.

We strongly urge the committee to support SB 1358. We believe conducting a study to evaluate the feasibility and potential impact of OERs in the K-12 sector is well worth the state's investment of time and money, and we fully expect that the state will ultimately realize significant savings from adopting the use of OERs.

Thank you for your time.

Megan Keely Carroll, MLIS
Reference Librarian
Chester Fritz Library, University of North Dakota



Kristen Borysewicz
Reference Librarian
Chester Fritz Library, University of North Dakota



HB 1358
3-6-17
#2 p. 6

February 23, 2017

To: Education Committee

Laurie L. McHenry
3720 Cherry St D-13
Grand Forks ND 58201
701-741-0411
laurie.mchenry@gmail.com

Dear Chairman Schaeible and Members of the Education Committee,

I am writing to support House Bill No. 1358 which would provide for a legislative management study of open educational resources (OERs) in the North Dakota elementary and secondary school system, as well as to ask that academic institutions be included in this study.

I have served as an elementary and junior high school teacher, a K-12 librarian, and as an academic librarian. I worked in education of some sort for nearly 40 years in two states. I have seen instructional materials purchased that were never used, or because of a state replacement standard. In addition to the monetary savings that can be achieved with OER's, the ability to adapt these educational resources to meet the needs of the students is huge. There is also the flexibility to update the materials in real time.

OER's tend to be more current and adaptable as well as less expensive to purchase and update. The cost of materials is important to everyone from our Kindergarten students through our college students. Whether the taxpayer is paying for the materials or the student is buying the book for a course.

This study and the use of OERs in our educational systems will be a victory for North Dakota, both with the money saved and student learning outcomes. I strongly encourage you to support HB 1358 with the addition of academic institutions.

Thank you for your time.

Laurie L. McHenry
Teacher, Librarian, Parent and Taxpayer

#3-p1

March 6, 2017

Chairman Schaible

Senate Education Committee

Dear Chairman Schaible and Members of the Senate Education Committee:

The North Dakota State Library supports HB1358 to study the impact of Open Education Resources or OER's for elementary and secondary education. We also encourage an amendment to include college and universities. Librarians are an integral part of the process of moving to OER's. They are able to identify and vet possible resources as well as teach students how to access and use them.

There is a great potential for savings to local school districts if OER's are implemented. Likewise, our academic students can also save greatly if OER's are implemented in place of traditional textbooks. I encourage you to support HB1358 with an amendment to include colleges and universities.

Thank you for your time and consideration.

Sincerely,

Mary J. Soucie, State Librarian

msoucie@nd.gov

(701) 328-4654

17.0857.02001
Title.

Prepared by the Legislative Council staff for
Senator Oban

March 6, 2017

HB 1358

3-08-17

#1 p-1

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1358

Page 1, line 2, after "system" insert "and at institutions of higher education"

Page 1, line 5, replace "**GRADE TWELVE**" with "**POST SECONDARY EDUCATION** -"

Page 1, line 7, after "system" insert "and at institutions of higher education"

Page 1, line 8, replace "and" with a comma

Page 1, line 8, after "instruction" insert ", and students and institutions of higher education"

Renumber accordingly