

2017 HOUSE EDUCATION

HB 1428

2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1428
1/31/2017
Job 27659

- Subcommittee
 Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

relating to home education standards.

Minutes:

Attachments 1, 2, 3, and 4.

Chairman- Mark S. Owens: welcomes Representative Olson.

Representative Olson: see attachment 1 for testimony.

Chairman- Mark S. Owens: any questions for Representative Olson. I have one, you gave us this list of about this convention and a list of vendors, and then you invited us, but you did not tell us when or where.

Representative Olson: I would be happy to get that information to you, and I will forward it to the committee.

Chairman- Mark S. Owens: any questions, seeing none thank you. Anyone else in support of HB 1428.

Ben Stegman: see attachment 2 for testimony.

Chairman- Mark S. Owens: are there any questions

Rep. Mary Johnson: are any of your children special needs.

Ben Stegman: no.

Vice Chairman- Cynthia Schreiber-Beck: has there been any data gathered on the children that are home schooled, as in effect of, you are here you are doing an exemplary job, and a lot of the people that we hear testify are doing the same or similar, but has there been any data compiled just to say, children that are home schooled are. I am a data driven person, so you have it in here and I missed it.

Ben Stegman: yes, the answer to that question is there is a large amount of data. At the bottom of page 1 I have a reference to a study performed in 2009, that was a cross sectional survey of 12,000 students in the United States, it came across multiple states, and other parameters as well. There wasn't any kind of exclusion from that criteria, and the bottom line of that particular survey or study was that controlling for state regulations, investment on the part of families, it is a whole list, there is little to no impact on the test scores, all these students are scoring minimum 83 percentile or higher. Does that answer that question.

Vice Chairman- Cynthia Schreiber-Beck: is there anything gathered for North Dakota, since we are regulating North Dakota.

Ben Stegman: I can probably find you specific data, I think the report does actually answer that question, if you like I can forward that information to you.

Vice Chairman- Cynthia Schreiber-Beck: I would, thank you.

Rep. Corey Mock: I just wanted to clarify, you are testifying in support of other home school families that may not have the credentials, but this bill in effect would not affect you and your family, since you have a baccalaureate degree.

Ben Stegman: that is correct, I do have the sufficient criteria. And this somewhat answers one of the other questions too. I come from a family where several of my siblings are special needs, and home schooled. I have several siblings that do not have college degrees, that are home schooling their children, and several of my siblings that came to us through adoption with pretty severe special needs are doing quite successfully as a result of that, as are my siblings that are educating their children without the aid of a college degree, they share some of the objections that I have, I would like to see them have that same access that I do.

Rep. Corey Mock: this is not a fair question for you, you may not know the answer. Would you happen to know what percentage of home schooling families do not meet the criteria that currently exists in code, regarding license to teach, baccalaureate degree, or met certain teaching standards. Maybe that is an unfair question for you.

Ben Stegman: I do not have a number myself, I do know from my prior involvement with the bill last session, that based on the amount of concern raised by homeschooled parents in this state, to me to others and our association, I think there is a significant percentage there.

Rep. Mary Johnson: I am curious because you mentioned that you have siblings with special needs, that were home schooled, did they have contact with a monitor outside to your family, where their progress was evaluated.

Ben Stegman: yes initially, and particularly because of the special needs adoption process, none of my biological siblings have any of those particular issues, but several of my adopted siblings do. I guess that maybe is more in support of the next bill, but my parents had quite a time trying to figure out how to work through that, the only way they were able to successfully implement the educational objectives and decisions they wanted to, to help my siblings that actually resulted in their becoming productive members of society now, had to

do with getting rid of their diagnosis, if they had kept their diagnosis, if they had not pushed though in getting them re-evaluated and reassessed where they were at, it would have been a lot harder for them. My dad is not here today, but he would say that.

Chairman- Mark S. Owens: Any other questions. Anyone else in support of HB 1428.

Kenneth Night: see attachment 3 for testimony

Chairman- Mark S. Owens: any questions, thank you. Anyone else in support for HB 1428.

Jeff Holberson: I am in support of this bill, I will reduce this to two questions. Am I allowed to ask a question of you guys.

Chairman- Mark S. Owens: it will really help us understand the issue, we are not the experts.

Jeff Holberson: it would lead into my explanation; I am going to use more logic.

Chairman- Mark S. Owens: you are welcomed to ask a rhetorical question.

Jeff Holberson: the rhetorical question is this. Why is this law necessary? Or do you think is required. Understandably some will think yes, it makes sense that somebody with a degree would be more capable of making the exemption decision than somebody without a degree. So let's just assume that there is some in this room that do think that way, and I used to to, I was a public school teacher, actually still technically am, I have my Minot state substitute teaching card in my rear view mirror out in the parking lot, so I still substitute, and I home school, so I have a unique view of seeing public education still as a teacher on the inside of a substitute teacher. I do all levels, and also in the home. I am very strongly in support of this as well, because that question I think begs for a good explanation. If you are open in reconsidering your position, if you do think that is a good law. I would like to propose a hypothesis that there is more myth than truth in that statement. I am going to give a simple logical explanation. In education there are 2 sides to it, there is the teaching side which involves licensure, degrees, curriculum, and standards. Then there is also the learning side, unfortunately it's the learning side that gets missed in all of this, I think this is why home schooling works so well, it is not because the parents have a lot of degrees, or even better teachers than public school teachers. In my opinion it is because the home schooling process, which is more individualized, and like it has already been said, goes really against the grain of a standardization, the reason is because of the increase of the capacity to learn. (illustration with hands) he has a cup, the cup represents the capacity for anybody to learn, outside of the cup is the knowledge that they want to bring into the cup, knowledge is done through curriculums, and it is done through good teachers, and we have a lot of good teachers in North Dakota, I am personally friends with many good teachers, I am one. Degrees, standards, all this stuff, but guess what. There is a lid on top of this cup, ok, and that lid has to be opened, that represents the capacity for the child to learn. So let me ask you this, if you as a parent, if you were to sit in the classroom at a public school just as a parent, just sit in the back, would the capacity of your child to learn, to listen better, to take in more would it go up or down. I think a reasonable answer is that it would go up, the lid would come off a little bit, you can have 16 PhD's in the room, if there is a cover on that lid, the knowledge is not going in the cup or the child is not going to absorb it. The parent in the

room, my point is the power of the influence of the parent. If you were simply in the room, your child's capacity to learn would go up, now move that parent right next to the child to help, have him sit next to him, and learn along with the child, that lid will open even more, the capacity to learn is gonna go up even further. Now put the parent as the teacher in that public school room, we are talking generalization, but that lid is going to open more, so the ultimate would be what? Put that child in the home with their parent, and you have almost completely opened up that child's capacity to learn. The degree really is miniscule in its effect, when it comes to individualized education, it has some merit in a mass conveyor belt situation where every kid is on a conveyor belt, everybody is in third grade, and then that is on steroids when you put it with standardizing across the state or the whole nation. Every kid is measured against every other kid, there is some merit with a degree in that situation, and my opinion, but I think that hopefully that that illustration can help you understand that the difference between me having a degree and a parent that doesn't, it does not mean anything really. I am no better of a teacher than they are, it is simply that I am the parent. Let me leave you with this last question that I will not give an explanation for, is what really has to drive this, is my child, who does my child belong to, and we cannot forget that. Does my child belong to you, to the state, I am not asking does the state have an vested interest, or course they have an vested interest in every child, but who's child is he, is he mine or is he yours.

Chairman- Mark S. Owens: are there any questions.

Vice Chairman- Cynthia Schreiber-Beck: my question is, and we had a little e-mail exchange on that. Are we to assume that all parents whether they hold a degree or do not hold a degree are as good as you maybe with your children, that is maybe the assumption that you want us to have. That everybody that home schools has the same value system, and the same energy put into their children as you do. I know a lot of people that home school, and yes those are the representations I see, but is that totally across the board. That is my question, maybe that is where some of the requirements lie, I am not sure, but just that question.

Jeff Holberson: great question by the way. I would say that what we think is happening from a degree is not really happening, that is why I called it a myth. I have been on both sides, and I want to encourage you to really consider that. Could you repeat your question.

Vice Chairman- Cynthia Schreiber-Beck: yes, the question would be are we to assume that every parent whether they have a degree or not, the parent that is homeschooling, has the same qualities across the board, and we know that is not true that every teacher is not the same, but from the evidence of the question of removing that, is the assumption that everybody has the same skills, everybody has the same desires, and the outcome is going to be the same for all children that are home schooled.

Jeff Holberson: I think the answer is that that's is so miniscule, I will use logic again. Think about a parent that just chooses to homeschool, just the fact that you are choosing to homeschool already puts you in the camp that you want parents to be in. Because if you really did not care about your kid, the easier path, I am not saying it is a worse path, the easier path is to put them on the bus, and send them off for the day. Just the fact that a parent would even choose to take on homeschooling, they would have to have the

sensibilities I would think, so it becomes an irrelevant answer. Great question, but an irrelevant answer. I am sure that our statistics for that there are control groups that can answer that as well, but compare the falling through the cracks, compare that to the public school, you kind of have the same dilemma, so you can almost say well, if you are going to go down that path too far, the public school teacher should really be accountable to that. It should be the home schoolers that are holding that, how do I say it. Well something to think about anyways.

Chairman- Mark S. Owens: any other questions. Anyone else in support for HB 1428. Anyone in opposition to HB 1428.

Russ Ziegler: see attachment 4 for testimony.

Chairman- Mark S. Owens: any questions. Seeing none thank you. Anyone else in opposition to HB 1428. Any neutral testimony. Closing the hearing on HB 1428.

2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1428
2/8/2017
Job 27763

- Subcommittee
 Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to home education standards.

Minutes:

No attachments.

Chairman- Mark S. Owens: committee this is about opt out, if the other opt out, if you decide to pass that one, it overrides this one anyways. I would like to hold this one until we get the amendment on the other one, and the committee makes a final decision on that one. Depending on how the other one is written it may encompass all testing. The one I am talking about is HB 1389 is opting out of testing, if a parent can opt out of testing they should be able to opt out of any testing, whether they are home schooling or not is my thought, but that is part of the discussion we can have.

Vice Chairman- Cynthia Schreiber-Beck: Mr. Chairman you are thinking code, there are 2 different sections of code, that.

Rep. Pat D. Heinert: this requires the parent to have educational.

Chairman- Mark S. Owens: I was reading something over here, I might have had the wrong testimony with the wrong bill.

Rep. Longmuir: this is whether we change a word and to or.

Chairman- Mark S. Owens: right, right.

Rep. Longmuir: I don't know if it is something I could support.

Chairman- Mark S. Owens: it starts off by saying, this is the objective to the use of standardized achievement tests does not apply if they have a moral objection or if the parents a licensed teacher. This is not about teaching; this is still about opting out of the standardized achievement tests.

Rep. Bill Oliver: they have an objection using the tests.

Chairman- Mark S. Owens: if they have an objection, the way the law reads now is previous requirement that they notify the school district in which the child resides, that the parent has a problem with the school testing, and the parent is licensed to teach.

Rep. Longmuir: they want to change that to or.

Chairman- Mark S. Owens: right, but it is still about standardized achievement test, it is not about teaching.

Rep. Pat D. Heinert: isn't this about who can home school?

Rep. Dennis Johnson: who can teach.

Chairman- Mark S. Owens: it's not the way I am reading this though.

Rep. Mary Johnson: that's the other one.

Vice Chairman- Cynthia Schreiber-Beck: if I am not mistaken this bill, would allow those people that are not certified or holding a baccalaureate to opt out, and right now they cannot, if my understanding is correct.

Rep. Longmuir: the way I read it, it says relating to home education standards, and then in the paragraph they are refereeing to they are talking about who can teach, it is kind of.

Chairman- Mark S. Owens: let me help you out there (says some code) home education standardized achievement test exemption, that is the section. It goes on to talk about who is exempt from taking the test. Ok, then it gets to 2a and it says that this requirement above while in grades 4, 6, 8, 10 each child receiving home education shall take, then it turns around and says the requirement of subsection 1 does not apply, so they do not have to take the test if the parent notifies the school district that they have a problem, and the parent is qualified to teach, so it is all about standardized testing. What they want is, they want the objection to be enough, they do not want the requirement of having to be a teacher and the objection.

Vice Chairman- Cynthia Schreiber-Beck: if the parent is a certified teacher, they do not have to take the standardized test, if the parent is a certified teacher.

Chairman- Mark S. Owens: if the parent is not a certified and they have a moral objection, right now they still can't.

Rep. Corey Mock: it's a certified teacher or have a baccalaureate degree, so essentially you are saying that if the parent is certified to teach or has a higher education degree or, you can make that decision to not have your child take the standardized test, this is saying that the objection is enough, simply objecting regardless of your qualifications to hoe school your child, your own qualifications, you can make that objection and be exempted, your child can be exempted from standardized tests.

Chairman- Mark S. Owens: now having said that, if the committee would like I can hold this bill, because I think this one and the previous one go hand in hand, I think the previous one overrides this one if we approve that any parent may object to taking a standardized test. However, we can always hold this one until, then we can handle both of them at the same time, and if the committee prefers we can make sure that they both have the same option, and they both have the same restrictions.

Rep. Corey Mock: we would want to make sure that if the intention on HB 1389 is to allow any parents to object, and to withhold their child from any standardized test, that we are including the section of code related to home school, because while you are right, it would apply to all students that are enrolled in school, it would not apply to home education. We are running into with the oil extraction tax, where we changed the oil extraction tax from 6.5% to 5% and every section of code except the code related to tribal agreements, and now we are coming back 2 years later having to fix what we did not do two years ago, so we want to make sure that we are adding this into that bill if that is our intention.

Chairman- Mark S. Owens: I do not have a problem with that, I was just suggesting one wait for the other, or they both operate together, is what I was getting at, ok that leaves.

2017 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1428
2/8/2017
Job 28054

- Subcommittee
 Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to home education standards.

Minutes:

No attachments.

Chairman- Mark S. Owens: if you read what's in code, and you look at the bill it changed the and to or, once you change and to or the remaining portion of that is really not an issue anymore, why keep it in there to begin with if you are going to change it to or. So then the question just becomes, do you want to send the bill forward with the or, amend it without that section and send the bill forward, or recommend a do not pass. That's what we are looking at, what is the committee's desires.

Rep. Pat D. Heinert: as a freshman legislature not knowing the background on this, when home schooling was developed, does somebody know why the other items were put in there, the philosophical difference and they needed to hold the other, it basically saying they have to have a degree to teach homeschool, is there reasoning behind that, that I do not know about.

Chairman- Mark S. Owens: what the law says is in order to opt out, you have to have an objection, philosophical, moral, or religious, and you have to have the degree right now, but yet you can opt out of regular school without having a degree, why do we have different criteria for home schooling vs regular school. I do not believe and listening to the testimony, they kept talking about transparency, but they never talk about why you have to have a bachelor's degree to do it.

Vice Chairman- Cynthia Schreiber-Beck: probably the variation or the difference would be when you bring up home school vs public education. In public education that child is still in a classroom environment even if they are opting out of a test, so there is an option to know where the child is at, not even if they did not take the standardized test, you would have the particular instructor in the room would have an idea that that child was maintaining or achieving. In the homeschool environment, there is no way of knowing whether or not the child is achieving, and we can look at that and say well, we don't, if you have that option we do not really care or want to know, but is there. Are we responsible for looking out for that child in any way shape or form, is this legislative body or DPI. Because who is advocating

for that child, or who knows what the situation is. We have great home school parents come in and testify, and I would hope that all of them are excellent in their abilities, and what they want to do, I have nothing against home schooling, but who is looking out for that child if there isn't something in place. And regarding whether or not, when you have somebody that doesn't have an educational background there is a difference, I am sorry, there is a difference.

Rep. Denton Zubke: in the public school system if they opt out of the standardized achievement tests, I think 1, 2, 3, all apply in the public school system. I don't think that this is unusual, this is kind of what is standard. Unless I am mistaken, in the public school system the teacher is licensed to teach by the education standards and practices board, holds a bachelor degree, and has probably that or exceeded, I do not think this is unusual it is kind of conforming to what is happening in the public education system.

Chairman- Mark S. Owens: I will point out just two things based on both of your comments, and I do not disagree with what you all are thinking, and where you are going, but this requirement requires in both the public and the private or homeschooling, they have the ability to withdraw their student if they have a moral objection, however in homeschooling they have to meet another test, the test of being a certified teacher. The parent doesn't have to meet the test of being a certified teacher if they are in the public school, because this is not about the teacher, this is about the parent required to have 1, 2, 3. So the parent has to have, so if you have a parent that happens to be a certified teacher who is homeschooling, then they get to make this determination, so now we have a double standard in home schooling, and in the other homeschooling, because you don't have a teachers certificate, you do not get to make this determination. So we have a double standard. The only thing I am pointing out here it does not seem fair to me across the board.

Rep. Bill Oliver: now I am sort of confused. This is just dealing with home education, how about online education, because there are K-12 programs out there, is this part of that or is that like unto a public school system.

Chairman- Mark S. Owens: now you are talking about curriculums, and whether curriculum is selected. That is really up to the homeschooling, or the private school, or the public school. Now we are crossing the border, now we are talking about curriculum rather than the parental right to opt out of, this one is strictly says the use of standardized achievement test period. This is not about withdrawing from curriculums or anything, this is strictly standardized tests.

Vice Chairman- Cynthia Schreiber-Beck: but that parent is the teacher, so they are one in the same. Whether you are talking parent or teacher, they are still the teacher in the role of homeschool yes they are the parent deciding, but they are the teacher also. So when you are looking at two different things I have to disagree with that, because they are playing the dual role.

Chairman- Mark S. Owens: right, but my point with the public school was, it's not the teacher that requesting them to be excused.

Vice Chairman- Cynthia Schreiber-Beck: I understand that.

Chairman- Mark S. Owens: my argument about duality is, if you are not a teacher, the way the law reads right now, you can't have your child opt out if you are homeschooling, and if you are certified as a teacher and you are home schooling you can opt out, so why do we have two different standards for the same, that is the only thing that bothers me.

Rep. Dennis Johnson: when a student is in the public school, and the parent wants to opt out, it is still under the guidance of a certified teacher, so you know they are getting an education with the guidelines of DPI, when that student is homeschooled you do not know what the guidelines are, the ability for that teacher to teach, if they do not have some type of a degree. I think that is why.

Chairman- Mark S. Owens: I have no argument when we are comparing public to private in that discussion you are all absolutely correct, I am talking about Rep. Corey Mock homeschools, and he has a bachelor's degree in education, and he is a certified teacher. The way the law reads right now and I home school, all of a sudden I do not want my child to take this test, but my degree is in business, it has nothing to do with education. Because of the way the law is written right now, I cannot opt him out of achievement tests.

Rep. Dennis Johnson: yes you can, number 2 you hold a bachelor's degree. You don't have to be a certified teacher to be a homeschooler, just to hold a degree.

Chairman- Mark S. Owens: we are done thanks.

Rep. Matthew Ruby: does it say anywhere, if I hold a teaching degree, but my wife is doing the homeschooling can you opt out, even if I am not the one teaching.

Chairman- Mark S. Owens: you are the parent; all it says is a parent.

Rep. Matthew Ruby: ok.

Rep. Denton Zubke: I am going to move a do not pass on HB 1428.

Chairman- Mark S. Owens: ok we have a motion for a do not pass, is there a second, Rep. Ron Guggisberg second the motion. Any further discussion.

Rep. Ron Guggisberg: I just wanted to point out and put on the record that the amendments really would not change anything, even if we did adopt them, there is no reason to.

Chairman- Mark S. Owens: the amendments were never discussed, so it does not matter at this point. But I appreciate your comments.

Rep. Andrew Marschall: I will be voting in favor of this bill, for the same reason you mentioned before the double standard, if a child is in school and the parent can opt out, but he is in homeschool, if the parent does not have one of these requirements they can't, I agree that is a double standard, and I think the parent, I think we are mixing apples and oranges here. Whether the child is in school or homeschooled we are just talking about a standardized test, that's all we are talking about, we are not talking about curriculum, we are talking about a

standardized test, and has nothing to do with curriculum per se. I will be voting in favor of the bill.

Rep. Corey Mock: just for the committee's reference for information, this is the only section of law that allows a parent in statute that allows a parent to opt their child out of standardized test. There is no statute in code regarding opting out for public or private education, it is not written in code.

Vice Chairman- Cynthia Schreiber-Beck: I just wanted to elaborate on Rep. Corey Mock, it is not in code but there are federal aspects to it. So that is not to say that they do not have the right, I just want to clarify that. They do have the right to opt out based on federal regulations in our public schools no matter what state you are in.

Rep. Corey Mock: you are exactly right, we as a state have not codified any provisions for opting out for public or private education, we did because the state does require requirements for homeschool education that we did codify requirements that must be met or satisfied if you are going to choose to opt out. Because there is no administration, there is no real way of overseeing a situation and evaluate in a case by case, you cannot look to a school administrator, you can in a public or private, a school administrator can make that call, as where in homeschool the history of this bill at least there is some requirements that need to be met if you are going to opt out, since no other administration exists.

Chairman- Mark S. Owens: any further comments, I am going to resist the motion too, just because I think it needs to be equal across the board, but that is just me. Seeing no further discussion, I will invite the clerk to do a roll call vote for a do not pass on HB 1428. 8-4-2, and Rep. Denton Zubke will carry this bill.

Date: 2/8/17

Roll Call Vote # 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1428

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. Guggisberg

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	AB		Rep. Brandy Pyle	AB	
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	✓	
	4	2		4	2

Total (Yes) 8 No 4

Absent 2

Floor Assignment Rep. Zubke

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

REPORT OF STANDING COMMITTEE

HB 1428: Education Committee (Rep. Owens, Chairman) recommends DO NOT PASS
(8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1428 was placed on the
Eleventh order on the calendar.

2017 SENATE EDUCATION

HB 1428

2017 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1428
3/8/2017
Job Number 28867

- Subcommittee
 Conference Committee

Committee Clerk Signature

Sandy Baumgartner

Explanation or reason for introduction of bill/resolution:

Relating to home education standards

Minutes:

#1, #2, #3, #4, #5

Chairman Schaible: Opening the hearing on 1428.

Repr. Chris Olson: District 13 West Fargo; Testimony #1 Stand for any questions.

Chairman Schaible: We already have students not being tested because they meet the requirements listed on the bill. The school districts are required to monitor students that don't have these requirements. How do we do that if we don't have testing?

Repr. Chris Olson: Monitoring is for the student if the parent does not have a high school education. There is no other way.

Chairman Schaible: If we don't use the test how would we monitor them?

Repr. Chris Olson: I don't know if they need to be monitored.

Chairman Schaible: I can agree with that, but public education is still required to monitor. We need some tools to do that. This would take all that out of that.

Conversation continued on requirements.

Repr. Nathan Toman: District 34, Mandan: I stand in support of HB 1428. I think it is proper to have freedom for parents to educate as what fits for their child. If there is a problem, then due process through the superintendents or social services should happen if a person is not educating their children properly.

Chairman Schaible: If school districts are required to educate, how do we see that happen?

Repr. Nathan Toman: The school districts could go through evidence and go through the court system if necessary.

Dr. Ben Stegman: Home school dad and veterinarian from Cavalier. Testify in support of this bill, Testimony #2. Questions?

Senator Rust: Compulsory education laws, does the state have an obligation for educating?

Dr. Ben Stegman: In the constitution, I believe there is not a specific provision for compulsory education, certainly not in the Century Code. The provision that I am thinking about has to do with a notion that we need to provide a free uniform system of public schools. I think that address is part of the concern. The benefit of education is to maintain a good society. I don't think anyone has a more invested interest in that outcome than a parent. The best way to do that is empower the parents to make the best decisions for their children's education. For me and thousands of others in this state that is the way we live every day. They may be other options for other public schools and that is a subject for a heavy debate right now. I don't think of myself as my children's teacher. I am there to facilitate and provide

them the resources that they need to go forward and work to remove obstructions that present themselves. We have one of the richest resources of support groups in North Dakota. Regulating home schoolers is not a benefit to the state.

Senator Rust: How do they make sure they are fulfilling their obligation?

Dr. Ben Stegman: Data hasn't changed since 1989. Discussion continued on monitoring. We are second generation home schoolers. We know what works and what is needed.

Theresa Deckert: Veteran home-school parent from Devils Lake. Testimony #3

Christine Miller: Single home school parent for 3 children. Parents are the best to educate their children. I am thankful to live in North Dakota where it is legal. North Dakota had the highest regulation for home school education in 2008. This has improved with less regulation. Because I don't have a 4-year degree, my children have to test. We have school year around, like most home school families. I know the weaknesses and strong points of my children. Is one test really going to tell me what I already know? Public school parents without a degree can opt out of testing.

Kenneth Knight: President of board of directors of ND Home School Association. Testimony #4.

Chairman Schaible: I believe everyone has to take the ACT. Any other testimony?

Russ Ziegler: Assistant Director for ND Council of Educational Leaders: Testimony #5

Senator Davison: Could you say that again? The parents are required to be monitored. Is that what requires them to be monitored?

Russ Ziegler: It is 2 separate things. The monitoring is if you do not have a high school diploma or a GED, you are automatically in the monitoring. There are no instructions from the Department of Public Instruction on the monitoring. The other part of this is if the parent has a high school diploma or a GED and that is the level of their education, then they have to take the assessment. If the student scores below a certain percentile they have to be monitored. If they score above a certain percentile they would not have to be monitored. With this bill they would not have to take this test.

Continued discussion:

Senator Davison: What is your biggest fear?

Russ Ziegler: I don't believe in standardized tests. What about the students that are not be served, what do we do about them? We need to figure out the right way to find those students who are not be educated so we have an educated populace coming up. I think something would have to put in place of the standardized tests. School districts do not even know all the home schoolers unless the parents put in an intent to educate at home to the school districts.

Senator Rust: Right now students in a public school can opt out of standardized tests right now with no questions asked?

Russ Ziegler: Correct, but the public school children are being taught by a person with a degree.

Chairman Schaible: Other questions? Any other testimony?

Senator Davison: Could we have the state agency for home schooling here?

Gwyn Marbeck: Assistant Director of School Approval and Opportunity: How can I help?

Senator Davison: Are there monitors from the Department of Public Instruction to monitor home schoolers?

Gwyn Marbeck: No, there is not. It is up to the district to control if a parent does not have a high school diploma. We do not monitor. It is up to the local school district.

Senator Kannianen: Do you have data on the home school whether they have a high school degree.

Gwyn Marbeck: No, we do not. We only collect the intent from the local school district if they have it. We would have to collect the data from each district and that is not being done.

Senator Rust: North Dakota laws states that the student is still the responsibility of the local school district, is that correct?

Gwyn Marbeck: Correct. It is up to the local superintendent to monitor a student that is in the district. At the end of statute, it does indicate that a home-harmless clause the district is not responsible and

cannot be sued for liability in relationship from a home educated student. But they are required to supervise that intent.

Senator Rust: As a home educated student they have some options and can pick and choose if they want their child to take a class in a public school or play sports. Is that true in all other states?

Gwyn Marleck: There are other states that allow students to take courses in public schools. As of today, I can't give you any numbers.

Senator Rust: Are there any states that prohibit students to take classes or sports in public schools?

Gwyn Marleck: I am not aware at this time.

Chairman Schaible: Any other questions or testimony? With that we will close the hearing.

2017 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1428
3/21/2017
Job Number 29491

- Subcommittee
 Conference Committee

Committee Clerk Signature

Sandy Baumgartner

Explanation or reason for introduction of bill/resolution:

Relating to home education standards

Minutes:

Chairman Schaible: Let's look at 1428. By changing "and" to "or" that makes it anybody can opt out. I feel if the state is mandated to monitor these children we have to have something to do that. I think the only thing we have is this test. There are probably other ways to do it, but we don't have it. The ones we probably have to worry about weren't here to testify. I am going to vote no on this.

Senator Rust: When I look at this, I think it is reasonably fair what we are doing now. If you have a student to opt out in a public school that child is still being taught by a qualified person. If you have a home school and the parents opt out, that child should be taught by a qualified person. In that regard it appears to me what we are doing is fair. If we approve the "or" the home school child could be taught by someone with a GED or not even?

Chairman Schaible: Correct. If you are going to offer an exempt, you don't have to have the reasons why. It just says that basically anyone can opt out. If we are going to do that why have the law at all.

Senator Davison: I struggle with the point. I am not sure the bill should be that the parents just make a decision and they don't have to have a list for the reasons. I think we always bang heads with the home school parents on a regular basis. When I called superintendents and they don't have a lot of problems where the parents don't meet those 3 qualification. I would like to have seen a little more data like how many parents are out there that don't meet the qualifications. They tell me that they don't have to monitor because they meet those qualifications or the others only had 1 or 2. We should have someone go out to the parents and see what kind of a system they have and what are they teaching and what are they using. Schools give them the test and hand it back to them. It isn't how they test itself. It is just that they took it. We are just checking a box. I don't think the superintendents should be spending their time monitoring. What happens if they don't pass the test?

Chairman Schaible: If they don't do good on the test they have to have follow up educational plan. It is just like they are checking off a box. Should we monitor and have more follow up? I think our Home School Association parents are doing this. They don't want us messing with their education from the state. Are we losing kids that their parents are not engaged and doing the correct thing? Our state has given them flexibility. I agree with the sponsor of the bill that if we give them the responsibility maybe we should let them take care of their own destiny. As long as we have the

requirement in law that we will monitor them we should have something to do that. It is not the perfect system. I do not suggest that we get rid of the exemptions unless we have something in place.

Senator Davison: The superintendents I talked to are fine with this. NDCL testified against it. I don't know who they gathered information from to get that. Some of the bill sponsors are people who are not always on the home schooling side of things. I don't know that setting up a monitoring system has to be code. That could just be done within the Department of Public Instruction and the need for monitoring. I don't know if we accomplish anything with them taking the test. We take away from the time the superintendents should be taking care of the students in the school as opposed to parents who don't want to be.

Senator Oban: I have some data that was shared with me. What do we have in place for monitoring home school kids? If all home school parents were doing their job, we wouldn't have to worry.

Chairman Schaible: There are 3 sections in code that provide for that. Most of it is the testing. If they don't do well on the test, then there is a follow up where they create an educational plan. Parents that showed up here and testified are doing a good job and they are already exempt. Who is speaking for these kids where the parent isn't doing such a good job? We are going to lose some kids through the cracks. Home school parents have to be responsible for their actions. Maybe the state's responsibility should be taken from these parents.

Senator Oban: I have numbers from Child Protective Services. I don't know how many are home school families. In 2015 there were 795 reports of suspect of educational neglect. What has to happen for Child Protective Services to receive a complaint?

Senator Davison: I believe what happens is when I call the superintendent because the child has missed too many days and the parents are neglecting the education of their child. In the home school piece is when they sign up for that then they get out of the county social service.

Senator Rust: The law deals with standardized tests and results. It says if the child's basic composite score is less than 30, an assessment will be had. It could result in a remediation plan. North Dakota home school is designed where the parents can pick the best of the both worlds. The child can attend certain classes in the public school or do sports. The state still does have an obligation to educate the children.

Senator Oban: There is no other way to monitor except with the standardized test score? I would be more comfortable with this if they come up with something different, but they didn't.

Chairman Schaible: For the really low neglected children, this is how we could catch them. Do we want to create something else?

Senator Davison: The only thing they are changing in here is the "or" or is there an amendment in the House that isn't reflected in here?

Chairman Schaible: By changing the "or" mean anybody can opt out for any reason you want of the test. With the "or" why have the law at all?

Senator Davison: Are home schoolers still required to be monitored, even the ones that qualify under the current law? Is there any monitoring done to those or required?

Chairman Schaible: Not if the parents chose to opt out. I think most opt out. There is not any other monitoring that can be done if they opt out of the test.

Senator Rust: This only applies to children who are taught by parents who do not have one of those 3 qualifications. A lot of them have a BS degree, or approved by the teacher standard and practices board or have done the national teacher exam.

Senator Oban: How many home school families do not have the qualification?

Senator Kannianen: I don't know. Department of Public Instruction didn't have any info on that. Of families that I know 1-2 don't have a bachelor's degree, but most of them do. Is it the school district's or states responsibility to teach every child? Most of the testing data isn't used.

Chairman Schaible: We asked what would be the minimal requirement for these parents who teach their children so that we are assured that they are being educated. Those 3 standards were put in.

Senator Rust: the state is to provide an education by law, but it also says assure. Testing is to assure they are getting a good education. Most of our laws deal with somebody living up to their responsibility of educating the populace. I do think it is the state's responsibility and to assure that it happening.

Senator Kannianen: There are many occupations you don't need a degree, but you can still do it for yourself like a plumber or electrician or something like that. But if you do it for pay you have to have a degree. Teaching your own kids is almost the same. Things are pretty good in ND for home schoolers now.

Senator Rust: I move for a "Do Not Pass" for HB 1428.

Senator Oban: Second

Chairman Schaible: We have a motion for a "do not pass" on HB 1428. Any discussion? Clerk take roll.

Roll taken: 4 yeas, 2 nays, 0 absent

Senator Schaible will carry

Date: 3-21-17
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1428

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 Oban

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

Total (Yes) 4 No 2

Absent 0

Floor Assignment Schaible

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

REPORT OF STANDING COMMITTEE

HB 1428: Education Committee (Sen. Schaible, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1428 was placed on the Fourteenth order on the calendar.

2017 TESTIMONY

HB 1428

Standardized testing is meant for standardized education. But the reality for many homeschool families is that their instruction will be remarkably different than the instruction in public schools. Because of this, and the differences in the wide variety of tests, it is my opinion that standardized testing requirements are an undue burden yielding little in the way of actual improvement or incentive to the average homeschool family.

And, while state law requires that certain subjects be taught in certain grade levels, and that homeschoolers teach for a certain number of hours for a certain number of days every year, *there is no specified curriculum or textbooks*. This results in a wide variety of teaching methods, plans and curriculum.

A visit to the NDHSA Home Educator's Annual Convention on any given year will reveal an incredibly wide variety of vendors, presenters and speakers (over 50 presently registered for 2017), offering many options for curriculum, plans, tools, advice, etc. The State of North Dakota even has a regular presence at this convention offering resources in ND History and ND Studies from the State Historical Society, ND Water Education with Project WET, resources from the ND Forest Service with NDSU. You will see thousands of children from hundreds of families in attendance from all over the state and the region. And these are some of most successful and civically engaged kids you will find anywhere in America! (and I would encourage you all to attend so that you could see this first hand)

Because of the eclectic nature of homeschooling there is no one-size-fits-all approach to measuring the performance of home educators. For instance the math system that my wife and I use teaches fractions in the 5th grade but some standardized tests, such as the California Achievement Test (through Seton testing), measure it in 4th grade. And since there is such a wide variety of curriculum, trying to find the "right" standardized test to fit with the "right" curriculum is a tedious and unnecessary chore. This results in many dedicated, capable parents simply "teaching the test" for expediency's sake, which is *often* an arbitrary and unnecessary burden.

(As a point of interest, my middle school kids are already well ahead of the State subject requirements for middle school and have already begun work in foreign languages (Latin), literature, biology, computer programming and basic robotics.)

Presently, many homeschool families in North Dakota are already exempt from the requirement of taking a standardized test. Those who:

- are licensed or approved to teach by the education standards and practices board or,
- hold a baccalaureate degree or,
- have met or exceeded the cutoff score of a national teacher examination given in this state

Since this is already the case there are a number of children being homeschooled within our state who do not currently participate in **any form of monitoring or testing administered by a North Dakota school district** (including mine). And, this is a situation which is highly successful both in ND and in many states which do not require standardized tests for home educators.

Presently, a total of 26 states do not have laws mandating standardized testing for home educators. Six states - Georgia, Maine, Minnesota, New Hampshire, North Carolina, and Washington - require assessments but do not require parents to submit the assessments or do

not have a minimum score. In these states, assessments are for parents' information only and not for providing accountability.

With this in mind, the purpose of HB1428 is to allow for a parent to file an objection to standardized testing with their local superintendent at the same time that they file the normal documentation, known as the "statement of intent to homeschool", as required under 15.1-23-02. With this objection, any parent would be allowed to claim the same exemptions as some parents already do under 15.1-23-09(a)(1-3). However, if the parent would like to participate in the required testing, they could continue to do so by simply failing to object.

The same requirements for the required monitoring of progress will still be retained under 15.1-23-06 for those parents who do not have a high school diploma or equivalent.

Additionally, the prescribed subject matter (under 15.1-21-01 and 15.1-21-02) and the schedule requirements (under 15.1-23-04) will continue to remain in force.

Further, parents will continue to be required to "maintain an annual record of courses taken by the child and the child's academic progress assessments, including any standardized achievement test results" as required under 15.1-23-05 which further requires that "If the child transfers to a public school district, the parent shall furnish the record, upon request, to the school district superintendent or other administrator."

HB1428 is a bill that the good people of the North Dakota home education community deserve. These are some of the best citizens we have, who have studiously complied with all requirements of law for many years and have shown themselves to be well deserving of policy that respects and encourages their most honorable endeavors. North Dakota home schoolers are people of great conviction and dedication, at least 4 of which are members of North Dakota's 65th Legislative Assembly, and I believe it is time to honor them with the same freedoms that a majority of states have honored their home education communities with already.

The most important things cannot be measured!

Curiosity, creativity, character, collaboration, persistence and love for learning.

15.1-23-04. Home education - Required subjects - Instructional time.

A parent supervising home education shall **include instruction in those subjects** *required by law to be taught to public school students*. The instruction must have a duration of at least four hours each day for a minimum of one hundred seventy-five days each year.

15.1-23-05. Home education - Academic records.

A parent supervising home education shall maintain an annual record of courses taken by the child and the child's academic progress assessments, including any standardized achievement test results. If the child transfers to a public school district, the parent shall furnish the record, upon request, to the school district superintendent or other administrator.

FRIDAY	KEYNOTE HALL A	PR Room 105	PR Room 104	PR Room 103	PR Room 102	PR Room 101	Birch/ Cottonwood	Linden/ Maple	Spruce	Oak Kids' Track
9:00 AM- 10:00 AM	Zimmerman <i>Leading Your Family</i>	Jenni & Jody <i>How Do You Do It All</i>	Shafer <i>Laying Down the Rails</i>	Kummer <i>Preparing Teens For Life</i>	Bentley <i>Multilevel Teaching</i>	B. Mora <i>Next Writing Level</i>	Saylers <i>Payday Principles</i>	Whitney <i>Christianity & the Constitution</i>	Deckert <i>Getting Started</i>	Prince <i>Crime Scene Investigators</i>
11:00 AM- NOON	Whitney <i>Engaging in Culture War</i>	Jenni & Jody <i>Definitions & Routines</i>	Shafer <i>More is Less</i>	Kummer <i>Can Home School HS</i>	Bentley <i>Curriculum Options</i>	B. Mora <i>Managing Anger</i>	Saylers <i>Leaving a Legacy</i>	Zimmerman <i>Power of Purity</i>	Patterson <i>I Want to Be a Writer</i>	Prince <i>Why Leaves Change Colors</i>
1:30 PM- 3:00 PM	KEYNOTE ADDRESS: Travis Zimmerman "Courageous Parenting" CHILDREN'S KEYNOTE ADDRESS: Hall B									
4:00 PM- 5:00 PM	Zimmerman <i>Amazing Marriage</i>	Jenni & Jody <i>From C's to A's</i>	Shafer <i>Looking Past Fear</i>	Kummer <i>High School Transcripts</i>	Bentley <i>When Life Broadships</i>	B. Mora <i>Smart...Can't Tie Shoes</i>	Saylers <i>Plant a Money Tree</i>	Whitney <i>Christian Citizenship</i>	Kenney/ Bartlett <i>Photography</i>	Prince <i>Microscope Fun</i>
SATURDAY										
9:00 AM- 10:00 AM	Zimmerman <i>Boys to Men</i>	Jenni & Jody <i>Am I Wrecking My Kids?</i>	Shafer <i>Habit Training Yourself</i>	Kummer <i>Plan for High School</i>	Bentley <i>Kids Helping at Home</i>	B. Mora <i>Dyslexia, Etc</i>	Saylers <i>Investing</i>	Whitney <i>Our Founding Fathers</i>	Wentz <i>Special Needs</i>	Young <i>Writing for Kids</i>
11:00 AM- 12:30 PM	KEYNOTE ADDRESS: Hall A Travis Zimmerman—"Fight or Flight" CHILDREN'S KEYNOTE ADDRESS: Hall B									
2:00 PM- 3:00 PM	Bjorkman <i>Veteran HSer Q & A Panel</i>	Jenni & Jody <i>Kidpreneurs</i>	Shafer <i>Reach Your Child's Heart</i>	Kummer <i>College Admissions Process</i>	Bentley <i>Organization Skills</i>	B. Mora <i>Beauty in Bloom</i>	Saylers <i>Payday Principles</i>	Zimmerman <i>Priceless Jewels</i>	Hoverson/Stover Haakenson <i>Brain Health</i>	Whitman <i>Charcoal Art</i>
3:30 PM- 4:30 PM	Zimmerman <i>Stop Checking Boxes?</i>	Jenni & Jody <i>Middle School Years</i>	Shafer Strong <i>Weak Willed Child</i>	Kummer <i>Extra Curricular Activities</i>	Bentley <i>HS on a Shoestring Budget</i>	Knight <i>Family History Unit Study</i>	Saylers <i>Money & Marriage</i>	Snavelly <i>Non-Traditional Traditions</i>	Turnbow <i>Support Group Ideas</i>	Patterson <i>Drama Fun Ages 12 & Up</i>

4

Membership

Membership Pay or Renew

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Testing Information

Special Needs

Common Core

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VENDORS

- A Beka
- A Faithful Dad
- Apologia
- Assn. Free Lutheran Bible School
- Bethel University
- Bismarck Lion's Club
- BJU Press/HomeWorks by Precept
- Bytespeed
- Christian Light Education
- Classical Conversations
- Common Ground North Dakota
- Creating a Masterpiece
- Discovery Toys
- Frahm Publications
- Geology by Northwest Treasures
- Glendive Dinosaur & Fossil Museum
- Heppner's Legacy Homeschool Resources
- Here to Help Learning
- HSLDA
- Institute for Excellence in Writing
- Institute on the Constitution
- John Birch Society
- John Witherspoon College
- Judy Buchholtz Frueh
- Knight Publishing
- Lamplighter Publishing
- Made By Alejandro LLC
- Midwest Christian Filmmakers Academy
- Miller Pads & Paper, LLC
- Moti-Venture
- ND History
- ND Studies/State Historical Society of ND
- ND Water Education/Project WET
- ND Woman's Christian Temperance Union
- NDHSA
- NDSU-ND Forest Service
- Oak Hills Christian College
- Payday Principles
- Pensacola Christian College
- Perfect Praise Publishing
- POP Parenting
- Prairie Public Education Services
- RightStart Mathematics
- RWVA Project Appleseed
- Samaritan's Ministries
- Simply Charlotte Mason
- Spanish Connection
- Teaching Textbooks
- The Works People
- Trail Life USA
- Trinity Bible College
- Truth & Life Ministries
- Usborne Books & More
- ...and more

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5

**CHAPTER 15.1-21
CURRICULUM AND TESTING**

15.1-21-01. Elementary and middle schools - Required instruction.

In order to be approved by the superintendent of public instruction, each public and nonpublic elementary and middle school shall provide to students instruction in:

1. English language arts, including reading, composition, creative writing, English grammar, and spelling.
2. Mathematics.
3. Social studies, including:
 - a. The United States Constitution;
 - b. United States history;
 - c. Geography;
 - d. Government; and
 - e. North Dakota studies, with an emphasis on the geography, history, and agriculture of this state, in the fourth and eighth grades.
4. Science, including agriculture.
5. Physical education.
6. Health, including physiology, hygiene, disease control, and the nature and effects of alcohol, tobacco, and narcotics.

15.1-21-02. High schools - Required units.

1. In order to be approved by the superintendent of public instruction, each public and nonpublic high school shall make available to each student:
 - a. Four units of English language arts from a sequence that includes literature, composition, and speech;
 - b. Four units of mathematics, including:
 - (1) One unit of algebra II; and
 - (2) One unit for which algebra II is a prerequisite;
 - c. Four units of science, including:
 - (1) One unit of physical science; and
 - (2) One unit of biology;
 - d. Four units of social studies, including:
 - (1) One unit of world history;
 - (2) One unit of United States history; and
 - (3) (a) One unit of problems of democracy; or
(b) One-half unit of United States government and one-half unit of economics;
 - e. One-half unit of health;
 - f. One-half unit of physical education during each school year, provided that once every four years the unit must be a concept-based fitness class that includes instruction in the assessment, improvement, and maintenance of personal fitness;
 - g. Two units of fine arts, at least one of which must be music;
 - h. Two units of the same foreign or native American language;
 - i. One unit of an advanced placement course or one unit of a dual-credit course; and
 - j. Two units of career and technical education from a coordinated plan of study recommended by the department of career and technical education and approved by the superintendent of public instruction.
2. In addition to the requirements of subsection 1, each public and nonpublic high school shall make available to each student, at least once every two years, one-half unit of North Dakota studies, with an emphasis on the geography, history, and agriculture of this state.
3. Each unit which must be made available under this section must meet or exceed the state content standards.

HB 1428

1/31/17

Attachment 2

FOR: HB1428

North Dakota 65th Legislative Assembly

HB 1428 Testimony- House Education Committee

Benjamin Stegman, DVM

Cavalier, ND

BenStegmanDVM@gmail.com

701-520-5106

February 2nd, 2017

Chairman Owens, Members of the committee, Ladies and Gentlemen;

My name is Dr. Ben Stegman. I am a second generation homeschooling Dad and Veterinarian from Cavalier ND. My wife Heather and I have five children, ranging in age from 2 through 11, and we teach all of them at home. I am pleased today to testify in support of HB 1428.

This bill will make it possible for parents who lack a baccalaureate degree or teaching credentials to opt out of standardized achievement tests for their children if they are opposed to using them. Currently North Dakota law requires home schooled students to take a standardized test in grades 4,6,8, and 10. This requirement is a leftover from the early days of home schooling regulation in North Dakota, when there was a perceived need to assure that a minimum of instruction was being provided. Since then, the numbers of successful home schooled graduates have risen exponentially all over the US and the overwhelming consensus of experts is that homeschooling works well and children do not benefit from the earlier regulatory burden. Recently a major study¹ of nearly 12,000 home schooled students from across the United States indicated clearly that the level of government regulation of home

1 Ray, Brian D 2009 Home Schooling Across America-Academic Achievement and Demographic Characteristics. Retreved January 25th, 2017 from http://www.hslda.org/docs/study/ray2009/2009_Ray_StudyFINAL.pdf

education has little or no affect on academic achievement. As it turns out, this is also true of parental qualifications, teacher certification, household income, or spending on the home school program. Although this particular study looked at home schooled students, other analyses show similar trends for our public school counterparts as well. The most important ingredients in the success of any educational program are hard work and parental involvement. We have a proud tradition of academic excellence in this state across all our instructional systems, and this reflects less on the quality of North Dakota schools than it does on North Dakota families,

My wife and I have chosen to home school our children because we believe this to be the highest quality education available and that there is no one more qualified than us to direct that education. Like many in the home school movement, we believe that we bear a direct responsibility to God for our children, and I know that no one else has the vested interest that I and my wife do in our children's success, be it academically, socially, emotionally, or spiritually. We know each of our children's strengths and weaknesses, as they do ours, and our life together is a continual dance of exploration, discovery, and opportunity. This gives us a unique ability to intimately tailor each child's educational experience to develop and encourage their abilities in real time.

We are part of a large number of parents who strongly object to the use of standardized achievement tests for our children. There is ample research to show that tests with high stakes encourage a disconnected and superficial level of knowledge on the part of students, and a profound narrowing of curriculum on the part of teachers.² Other studies in the aftermath of NCLB and more recent federal initiatives have shown that these tests directly inhibit many student's intrinsic motivation and can alienate them from self directed learning,³ both characteristics absolutely essential to success in

2 Nichols, S. L., Glass, G. V, Berliner, D.C. (2012) High-stakes testing and student achievement: Updated analyses with NAEP data. Education Policy Analysis Archives, 20 (20) Retrieved January 25th, 2017, from <http://epaa.asu.edu/ojs/article/view/1048>

3 Amrein, A.L. & Berliner, D.C. 2003 The effects of High Stakes Testing. Retrieved January 25, 2017 from http://www.wou.edu/~girodm/611/testing_and_motivation.pdf

our educational program. Finally, these tests fail to meet the original objectives, since their sensitivity and specificity does not substantiate their use for the precise assessment of *individuals for specific* problems. Rather, they are intended to give school districts and regulators summary information regarding populations of students to guide curriculum policy and provide accountability for government education spending.

In light of these potentially detrimental effects, and the lack of real benefit or rationale for a blanket test policy for all home schoolers, it was reasonable that an exemption was made available for parents who object to their use. The bill before you completes the improvement and reflects the ability of the home school community in ND to regulate and support itself. Homeschooling parents in ND, along with the rest of the nation, have shown that they are capable of providing an excellent educational experience for their children regardless of their academic credentials.

This bill will serve to improve the ability of homeschooling parents to make good decisions for their children's education, and so I urge you to acknowledge the success of North Dakota's homeschooling families, and to give a do pass recommendation for HB 1428.

Thank you very much for your time and attention, I will be happy to answer any questions you may have.

MICHAEL P. FARRIS, JD, LL.M.
CHAIRMAN (WA, DC)

J. MICHAEL SMITH, ESQ.
PRESIDENT (CA, DC, VA)

JAMES R. MASON III, ESQ.
VICE PRESIDENT (OR, DC)

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HSLDA

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January 30, 2017

Honorable Mark S. Owens
Chairman, Education Committee
The North Dakota House of Representatives

Re: *House Bill 1428*

Dear Mr. Chairman, Honorable Members of the Committee:

By way of introduction, Home School Legal Defense Association (HSLDA) is a national advocacy organization committed to preserving the right of parents to educate their children at home. We presently have more than 81,000 member families in the United States, including nearly 400 member families in North Dakota.

HSLDA supports House Bill 1428, which would modernize the homeschool law in two significant ways: First, it would exempt a parent who is a licensed teacher, college graduate, or who has passed a national teacher competency examination from the testing requirement in the current law. Second, it would allow all homeschooling parents to utilize the current exemption from standardized testing that violates their philosophical, moral or religious beliefs.

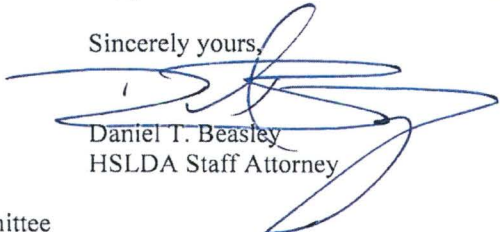
North Dakota is one of only 10 states that require homeschool students to take standardized tests without offering another assessment option. 13 states allow parents to select an assessment from several other options, such as a portfolio review by a qualified person, progress reports, or some other measurement of student progress. 27 states do not mandate an annual assessment. The consistent, prevailing trend across the country has been reducing government regulation of homeschooling families.

A 2009 survey (<http://www.hslda.org/docs/study/ray2009/>) of homeschool academic achievement by the National Home Education Research Institute found that government regulation of homeschooling has no bearing on student academic achievement. Studies like this one, as well as the most recent data from The College Board on student SAT scores (<https://www.hslda.org/docs/news/2016/201606240.asp>) consistently document that homeschool students outperform their peers on tests of academic achievement and college aptitude.

H.B. 1428 would bring North Dakota closer to the mainstream when compared to the level of homeschool regulation in other states across the country. H.B. 1428 modernizes the North Dakota homeschool law by giving parents who object to one-size-fits-all tests the freedom to choose alternative assessments for their children. For this reason, I encourage you to support H.B. 1428.

If you have any questions or would like additional information, please do not hesitate to contact me.

Sincerely yours,


Daniel T. Beasley
HSLDA Staff Attorney

cc: Honorable Members of the House Education Committee

HOME SCHOOL LEGAL DEFENSE ASSOCIATION

NATIONAL OFFICE ■ ONE PATRICK HENRY CIRCLE ■ PURCELLVILLE, VA 20132 ■ 540-338-5600 ■ 540-338-1952 FAX

CAPITOL HILL OFFICE ■ 119 C STREET, S.E. ■ WASHINGTON, DC 20003

HB 1428 – Yes

Dear House Education Committee Members:

My name is Cam Leedahl. My husband and I began homeschooling our three children in 1989, the year it became legal in North Dakota. All three have long since graduated from our homeschool, but I remain active in the arena of home education.

I urge a do pass recommendation on HB 1428.

This bill extends the opt-out option from standardized achievement tests as set forth in 15.1-23-09.

It not only lessens the notification burden on one set of home educating parents, but it prevents the discrimination of children whose parents don't have a certain academic level or score on an exam.

The best advantages of home education happen when a parent, unhindered by regulation, is free to direct the education of their own child, including why, how, and when the child will be assessed.

That is the environment in which a child can do his best

Sincerely

Cam Leedahl District 26

15470 County Road 2

Leonard, ND 58052

701-238-7580

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Dear Mr. Chairman and Committee members,

I am a veteran home-educating mother of 11 children. I have been homeschooling my children for 25 years. Eight years ago we were blessed with a son with Down Syndrome. He has been educated along with his siblings in a very busy, emotionally nourishing home. He just completed his 2 year phonics program and is reading at a 2nd grade level. Our 22 year old daughter teaches him piano lessons. Several of the family work with him on math concepts and flash cards during the day. He is involved in the family chores daily. He unloads the dishwasher, dries dishes, folds clothes, gathers eggs from the chickens, feeds the dog and generally has a productive day. I would say he flourishes in the family and homeschooling life. He plays ball with his 87 year old grandfather that lives with us.

We are a family dedicated to developing our son's character and giving him the best education we can. Because of our love and commitment to him, we believe we are providing the best possible learning environment for him. We have no need of intervention from outside sources at this point. In the past we sought out four (4) therapy sessions with a licensed speech therapist until she convinced us that we really did not need her services. She prompted us to keep up the effective techniques we had already researched and were implementing for his continued speech development.

For our family the current North Dakota statutes present an unwanted burden. I am a busy mother and do not find it profitable or necessary to have a multidisciplinary team evaluate my child and set goals that I may not find in the best interest of my son. I recognize the need that some families have for outside intervention and want that to be available to them as they request it. I do not, however, desire that burden of time, burden of government monies being unnecessarily spent, and burden of needing to meet someone else's goals for my son. Allowing families to determine what's needed for their individual child is most desirable. Thank you for your consideration.

Sincerely,

Lisa Geiger - Baldwin, ND

Contacts: 701-673-3222 or geigerfamily13@gmail.com

House Bill No. 1428

Testimony in Opposition

North Dakota Council of Educational Leaders, Russ Ziegler

Good Morning Chairman Owens, Vice-Chairwoman Schreiber-Beck, and members of the House Education Committee. For the record, I am Russ Ziegler, Assistant Director for North Dakota Council of Educational Leaders. Thank you for the opportunity to testify in opposition to HB 1428.

House Bill 1428 looks like a minor change but in actuality, it is a pretty major change. The simple wording change from an "and" to an "or" is significant. There has been a lot of discussion between the differences of homeschool and public school. I am not here to debate which one is better, I am here to ask for a more equal playing field. Currently a home school parent would be allowed to opt out of the use of a standardized achievement test, does not have to be the North Dakota State test, for their child if the parent has a philosophical, moral, or religious objection AND is a licensed teacher, holds a baccalaureate degree, or has met the cutoff score of a national teacher examination. The bill changes that AND to an OR which means that a parent could opt out of a standardized achievement test for any of the reasons listed.

Back to my comment about an even playing field. The state has been asking for and has required more and more accountability and transparency from the public schools in the state. We believe that is a good thing, entities need to be held accountable. However, for years now the homeschool parents have asked for less and less accountability and transparency and has been successful in their requests. Currently there would be no statistical way to compare the public school students with their homeschool counterparts. Public school students have to follow state

standards and take state assessments to see how they are achieving, and homeschool students do not.

If we now add the request for the Education Savings Account which would allow for home school parents to receive public funds to educate their child and yet there would be less accountability and transparency. Could you tell your constituents that homeschool student are achieving at or above the level of public school students if they do not have to take any standardized assessments? How would you know if you would be spending their tax dollars in a responsible way?

We do understand the right of parents to homeschool their children, however we also believe that they should be subject to the same accountability and transparency rules as a public school! Because of this we request a Do Not Pass Recommendation on House Bill 1428.

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February 8, 2017

PROPOSED AMENDMENTS TO HB 1428

Page 1, line 8, after “tests” insert “.”

Page 1, line 8, after “or” remove “the parent:”

Page 1 remove lines 9 – 14

SECTION 1. AMENDMENT. Subsection 2 of section 15.1-23-09 of the North Dakota Century Code is amended and reenacted as follows:

2. a. The requirement of subsection 1 does not apply if the parent notifies the school district in which the child resides that the parent has a philosophical, moral, or religious objection to the use of standardized achievement tests, ~~and or the parent:~~
 - ~~(1) Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;~~
 - ~~(2) Holds a baccalaureate degree; or~~
 - ~~(3) Has met or exceeded the cutoff score of a national teacher examination given in this state or in any other state if this state does not offer such an examination.~~

Senate Education Committee, March 8th, 2017
Testimony Regarding H.B. 1428
Rep. Christopher Olson
District 13, West Fargo

4B1428

#1 p.1

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Chairman Schaible, members of the committee:

When it comes to standardized tests there is no shortage of controversy! As you know there are many sincere, passionate people who care a great deal about the topic - many of whom you know personally. And we don't always agree.

But one point I think we can all agree on, no matter what we think about the debate, it is clear that standardized testing is meant for standardized education.

When standardized tests first came about in the 1970s, their primary purpose was for policy makers to track statistics amongst the public schools. And when you're providing publicly funded education for free to the masses (*and can't afford to fund class sizes of less than ten as is the norm in nearly every home school*) - standardized testing makes sense, though even in this setting they're still the subject of much controversy.

So what about when it comes to home education? In this case, I think the answer is also clear.

Home educators are not taxpayer-funded, have small class sizes, with parents who must take real initiative and bear substantial costs.

And although our *state law does require that certain subjects be taught during certain grade levels*, it does not require that home education follow the ND State Standards or any established standards. The guidelines are pretty broad and this results in a wide variety of teaching methods, plans and curricula.

So how could standardized tests fit in to this environment?

Because of the eclectic nature of home education there is no one-size-fits-all approach to measuring the performance of home educators.

For instance the math system that my wife and I use teaches fractions in the 5th grade but many standardized tests, such as the California Achievement Test, measure it in 4th grade. And since there is such a *wide variety* of curriculum, trying to find the "right" standardized test to fit with the "right" curriculum sort of defeats the purpose.

This results in many dedicated, capable parents simply "teaching to a test" that most often doesn't fit in to their highly specialized education plan. It also results in a great deal of test anxiety for many kids - creating unnecessary fear of the education process.

HB1428 is a very simple bill that makes one small change which would codify the right of any home educator with a high school diploma or a GED to opt-out of state-mandated standardized testing requirements by notifying their local superintendent of their objection when file their statement of intent to homeschool.

This is a privilege that many home educating families in North Dakota already enjoy, including my own. However, to qualify right now one of the parents must:

- be licensed or approved to teach by the education standards and practices board or,
- hold a baccalaureate degree or,
- have met or exceeded the cutoff score of a national teacher examination given in this state

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It's worth noting that this requirement does not currently need to be met by a parent actually **doing** the teaching - only by one that is supervising the process.

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So, there are already number of children being homeschooled within our state who do not currently participate in **any form of monitoring or testing administered by a North Dakota school district** (including mine).

The national trend across the country is to reduce regulation on home education.

Presently, a total of 27 states do not mandate any end-of-year assessment at all. ND is one of 10 states that presently mandate an assessment in the manner that we do.

Arkansas just recently eliminated their testing provisions in 2014, and this change was not opposed by the AR Department of Education.

There are several reasons for this reduction in regulation, the two primary of which are that: (1) **all statistical data available** suggests that the amount of regulation on home-schools does not affect student academic achievement. (2) Reducing the unnecessary burden on state and local school authorities saves the state money and education staff time.

In 2009 the National Home Education Research Institute (a very scholarly outfit, feel free to google them) surveyed nearly 12,000 homeschool students and collected student test scores. The study revealed that the homeschool students not only performed extremely well (37 percentile points higher than the national average), but also that there was no significant difference in student achievement based on the amount of state regulation of home education.

A 2009 study of more than 11,000 homeschool students from all 50 states found that homeschool students not only performed extremely well (37 percentile points higher than the national average) but that higher levels of state government regulation on homeschooling programs had no bearing on student test scores. Many other studies of student test scores, including the most recent data from The College Board on student SAT scores, consistently document that homeschool students outperform their peers on tests of academic achievement and college aptitude.

Passage of 1428 would not be leaving homeschoolers without oversight or accountability. Like every state in the country, parents who choose to homeschool would still have the obligation to provide a good faith education, and they would still be required to teach for 4 hours per day, 175 days per year, and provide instruction in specific subjects per grade (more detailed requirements than those in most states). Also, this bill would **not** change the requirement for the monitoring of progress for those parents who do not have a high school diploma or equivalent.

Parents who do not provide education as required by law CAN, SHOULD and WOULD STILL face legal consequences under ND law.

The Supreme Court has repeatedly held that parents have a prior right to provide their children with an education. Since this is a fundamental right, parents should not have to jump through all kinds of regulatory hoops in order to exercise their fundamental right. That's un-American. Rather, parents should be give the liberty to exercise this right and then face consequences if they abuse it.

HB1428 is a bill that the good people of the North Dakota home education community deserve. These are some of the best citizens we have, who have studiously complied with all requirements of law for many years and have shown themselves to be well deserving of policy that respects and encourages their work.

The majority of states have honored their homeschoolers in this way, and I respectfully ask the committee to recommend that we do the same.

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FOR: HB1428

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North Dakota 65th Legislative Assembly

HB 1428 Testimony- Senate Education Committee

Benjamin Stegman, DVM

Cavalier, ND

BenStegmanDVM@gmail.com

701-520-5106

March 8th, 2017

Chairman Schaible, Members of the committee, Ladies and Gentlemen;

My name is Dr. Ben Stegman. I am a second generation homeschooling Dad and Veterinarian from Cavalier ND. My wife Heather and I have five children, ranging in age from 2 through 11, and we teach all of them at home. I am pleased today to testify in support of HB 1428.

This bill will make it possible for parents who lack a baccalaureate degree or teaching credentials to opt out of standardized achievement tests for their children if they are opposed to using them. Currently North Dakota law requires home schooled students to take a standardized test in grades 4,6,8, and 10. This requirement is a leftover from the early days of home schooling regulation in North Dakota, when there was a perceived need to assure that a minimum of instruction was being provided. Since then, the numbers of successful home schooled graduates have risen exponentially all over the US and the overwhelming consensus of experts is that homeschooling works well and children do not benefit from the earlier regulatory burden. Recently a major study¹ of nearly 12,000 home schooled students from across the United States indicated clearly that the level of government regulation of home education has little or no affect on academic achievement. As it turns out, this is also true of parental

1 Ray, Brian D 2009 Home Schooling Across America-Academic Achievement and Demographic Characteristics. Retrieved January 25th, 2017 from http://www.hslda.org/docs/study/ray2009/2009_Ray_StudyFINAL.pdf

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#2 p 2
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qualifications, teacher certification, household income, or spending on the home school program. Home schooling has been shown to be an effective alternative to classroom based instruction because the most important ingredients in the success of any educational program are hard work and parental involvement. We have a proud tradition of academic excellence in this state across all our instructional systems, and this reflects less on the quality of North Dakota schools than it does on North Dakota families.

My wife and I have chosen to home school our children because we believe this to be the highest quality education available and that there is no one more qualified than us to direct that education. We believe that we bear a direct responsibility to God for our children, and no one else has the vested interest that I and my wife do in our children's success, be it academically, socially, emotionally, or spiritually. We know each of our children's strengths and weaknesses, as they do ours, and our life together is a continual dance of exploration, discovery, and opportunity. This gives us a unique ability to intimately tailor each child's educational experience to develop and encourage their abilities in real time.

We object to the use of standardized achievement tests for our children because their use is antithetical to our family's educational philosophy and practice, and because we believe them to be harmful to children in general. Recent research relating to the effects of high stakes testing in general concludes that the tests:

- Encourage a disconnected and superficial level of knowledge on the part of students, and a profound narrowing of curriculum on the part of teachers².

2 Nichols, S. L., Glass, G. V, Berliner, D.C. (2012) High-stakes testing and student achievement: Updated analyses with NAEP data. Education Policy Analysis Archives, 20 (20) Retrieved January 25th, 2017, from <http://epaa.asu.edu/ojs/article/view/1048>

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- Directly inhibit many student's intrinsic motivation and can alienate them from self directed learning,³

During the house education committee hearing, concern was presented by an opponent regarding less accountability for home schoolers while public schools come under greater scrutiny. I think Kirsten Baesler gave a good answer to this point in her remarks at the hearing for HB1389: accountability follows federal and state allocations, public schools receive a large investment of taxpayer dollars every year, it is perfectly reasonable for the state to ask them to justify this expense. Home schoolers have no interest in receiving public funding for their efforts. It's therefore inappropriate to compare regulation of home schoolers to accountability measures for public schools. With respect to concerns about detecting educational neglect, there is no indication that anyone in North Dakota is abusing the home school statute to hide abuse. Existing child protection laws are sufficient protection because good parents are good educators, regardless of their credentials or educational background⁴. State restrictions on home education such as testing and requirements for parental qualifications are simply unnecessary in light of the rich support system that has evolved for home education in this state as well as the US⁵.

This bill will serve to improve homeschooling parent's ability to make good decisions for their children's education, and so I urge you to acknowledge the success of North Dakota's homeschooling families, and to give a do pass recommendation for HB 1428.

3 Amrein, A.L. & Berliner, D.C. 2003 The effects of High Stakes Testing. Retrieved January 25, 2017 from http://www.wou.edu/~girodm/611/testing_and_motivation.pdf

4 Ray, Brian D 2009 Home Schooling Across America-Academic Achievement and Demographic Characteristics. Retrieved January 25th, 2017 from http://www.hsllda.org/docs/study/ray2009/2009_Ray_StudyFINAL.pdf

5 See the North Dakota Home School Association website at www.ndhsa.org for a sample of the resources available. <https://www.homeschool-life.com/nd/ndhsa/documents/Area%20Support%20Groups.pdf> is a partial list of the local support groups that exist to assist home school families.

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3p.1
Yes - HB 1428

Chairman Schaible and Committee Members,

My name is Theresa Deckert from Devils Lake and I am a veteran. No, I never went and fought on foreign soil, but none-the-less I have spent much of my adult life in battle – a battle for homeschool freedom and the right to teach my children without government interference.

We began our homeschool journey in 1986, before it was even legal. With the establishment of the homeschool law in 1989, I took the National Teacher's Exam so I would not have to be monitored by a state certified teacher. I have graduated three children and my youngest is a sophomore.

When homeschooling was first legalized my children had to take a standardized achievement test every year beginning with the second grade. As an illustration, here is a folder containing all those years of testing for four children. Honestly, once I looked at the results, the tests went into a file not to be looked at again. You see those tests never told me anything about my student I did not already know.

I have a **religious objection** to testing because I believe the Scriptures teach that God instituted the family before civil government and thus the family is society's most basic element. I believe God put children into those families and that the parents know those children and their needs more than government or schools ever could.

I have a **philosophical objection** to testing because standardized testing does not fit with the model of tutorial mastery learning which typifies homeschooling. Each family uses a different curriculum and molds it to the individual needs of each child. A standardized test is designed to measure curriculum prescribed for a public school setting which is not tutorial.

I am **morally opposed** to testing because of the trauma it inflicts on a child with extreme test anxiety. One of my children consistently scored in the lower 40th percentile. I probably did not help his anxiety as those high stakes test scores are very important if you do not want to be subject to extra intrusion from the school system. His siblings always tested in the upper 80th to 90th percentiles, but testing caused such panic for him that he did poorly. According to his ACT scores he should not have succeeded in college and yet this student had almost straight A's. You see a standardized test never shows how hard a student works.

There is the concern that children will be "failed by the system" if they are homeschooled in a setting that does not include standardized testing. Is there an assumption here that only a child enrolled in a homeschool will be failed by the system and not those in a traditional educational setting?

I am the oldest of four children. I had a wonderful public school experience. That is not true for my siblings and this is one of the main reasons I chose to homeschool my own children. One of my siblings failed a grade and her self esteem suffered. One of my brothers dropped out at sixteen only later to get a Master's degree with the GI bill. The youngest barely graduated. I would add that both of my brothers had an IQ over 140.

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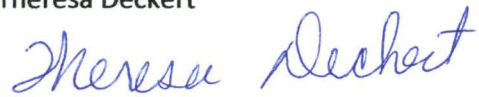
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I feel that fear of "being failed by the system" is a poor argument. I have been home educating for over 30 years and have observed many families. I do not see this kind of failure in home school settings. Please let's not imply that the system cares more about the child than the parent.

Parents of public school children can opt their children out of testing without consequence. It is time to give this right to homeschoolers. Please give HB 1428 a "do pass" recommendation.

Theresa Deckert



District 15

Devils Lake, ND

701-662-4790

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Kenneth D. Knight
10740 44th St. SW
Dickinson, ND 58601
District 36
HB 1428 Do Pass

I am President Ken Knight of the board of directors of the North Dakota Home School Association, and on behalf of the many homeschool families in North Dakota I urge you to give this bill a do pass recommendation.

Two sessions ago, when the bill that provided the option for homeschoolers to opt out of standardized achievement testing for philosophical, moral or religious objections, there were parental qualifications that included a bachelors degree, licensed to teach by the standards and practices board, or met or exceed the cut-off scores on a national teachers' exam. The Chairman of the House Education Committee asked me during my testimony why this bill discriminated against parents who didn't meet these educational requirements. My answer to him was that in the past the Education Committee members had required these same restrictions before granting homeschool families the freedom to opt out of monitoring. After four years, I believe it is time to remove this discrimination from these families. This bill will do just that and also allow them the same freedoms that public school parents now enjoy.

Standardized testing is proving to be a poor gauge of academic achievement especially in the realm of homeschooling. The curricula used by almost all homeschool families are eminently effective in providing outstanding educational results but differ in scope, foundation and philosophy from the curricula from which the standardized tests draw their questions. In order to achieve satisfactory results on these tests most public school teachers must sacrifice valuable teaching time to prepare the students. This burden is not one any educator should have to bear, especially in the homeschool environment.

I ask you to carefully consider the material presented to you today and make a do pass recommendation on HB 1428. Thank you.

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House Bill No. 1428

Testimony in Opposition

North Dakota Council of Educational Leaders, Russ Ziegler

Good Morning Chairman Schaible, Vice-Chairman Rust, and members of the Senate Education Committee. For the record, I am Russ Ziegler, Assistant Director for North Dakota Council of Educational Leaders. Thank you for the opportunity to testify in opposition to HB 1428.

House Bill 1428 looks like a minor change but in actuality, it is a pretty major change. The simple wording change from an “and” to an “or” is significant. There has been a lot of discussion between the differences of homeschool and public school. I am not here to debate which one is better, I am here to ask for a more equal playing field. Currently a home school parent would be allowed to opt out of the use of a standardized achievement test, does not have to be the North Dakota State test, for their child if the parent has a philosophical, moral, or religions objection AND is a licensed teacher, holds a baccalaureate degree, or has met the cutoff score of a national teacher examination. The bill changes that AND to an OR which means that a parent could opt out of a standardized achievement test for any of the reasons listed.

Back to my comment about an even playing field. The state has been asking for and has required more and more accountability and transparency from the public schools in the state. We believe that is a good thing, entities need to be held accountable. However, for years now the homeschool parents have asked for less and less accountability and transparency and has been successful in their requests. Currently there would be no statistical way to compare the public school students with their homeschool counterparts. Public school students have to follow state

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standards and take state assessments to see how they are achieving, and homeschool students do not. We know that there are excellent homeschool parents out there. However, from my time as a principal and teacher, I do know that there are also some homeschool parents that need support in the state of North Dakota. Just as we know that there are some teachers in schools that need support, the difference being that those teachers are being held accountable by their principals, superintendents, and ultimately the school boards. This bill removes that accountability and the only person who will suffer for it is the student.

We do understand the right of parents to homeschool their children, however we also believe that they should be subject to the same accountability and transparency rules as a public school! Because of this we request a Do Not Pass Recommendation on House Bill 1428.