

2021 HOUSE EDUCATION

HB 1436

2021 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1436
2/1/2021

Relating to summer school courses and to declare an emergency

Chairman Owens called the hearing to order at 3:00 PM. Roll call was taken with Reps. Owens, Schreiber-Beck, Heinert, Hoverson, D. Johnson, M. Johnson, Longmuir, Marschall, Pyle, Richter, Simons, Zubke, Guggisberg and Hager present.

Discussion Topics:

- Changes to Subsection 1 of 15.1-21-16
- Decrease in enrollment with the pandemic
- General addition of funding for PPP in each school district
- Class size change when there is a demand

Vice Chair Schreiber-Beck introduced HB 1436. #4303

Joe Kolosky, Office of School Approval, DPI, #4548

Adam Tescher, School Finance Officer DPI oral testimony in favor

Kirsten Baesler, Superintendent of DPI oral testimony in favor

Motion for Do Pass made by **Rep Hoverson** Seconded by **Rep Marschall**

Roll call vote:

Representatives	Vote
Representative Mark S. Owens	Y
Representative Cynthia Schreiber-Beck	Y
Representative Ron Guggisberg	Y
Representative LaurieBeth Hager	Y
Representative Pat D. Heinert	Y
Representative Jeff A. Hoverson	Y
Representative Dennis Johnson	Y
Representative Mary Johnson	Y
Representative Donald Longmuir	Y
Representative Andrew Marschall	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Luke Simons	Y
Representative Denton Zubke	Y

Motion carried 14-0-0

Carrier is **Rep Hoverson**

Chairman Owens closed the hearing on HB 1436 at 3:19 PM

Bev Monroe, Committee Clerk by Marge Conley

REPORT OF STANDING COMMITTEE

HB 1436: Education Committee (Rep. Owens, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1436 was placed on the Eleventh order on the calendar.

HOUSE BILL 1436 House Education Committee Hearing Monday February 1, 2021 3PM

Introduction/ Support of HB1436 provided by Cindy Schreiber-Beck, District 25 Representative

Chairman Mark Owens and Committee Members:

This legislation would change subsection 1 of 15.1-21-16. *Summer school courses and programs – Eligibility for payment. The summer school courses and programs for which a school district may receive payments as provided in section 15.1-27-19.*

The change removes the criteria of remedial instruction in mathematics and reading for K-4 (lines 10 through 13 already allowed students in 5-8 to receive nonremedial instruction). Due to the pandemic, many students need a catch-up program, and the changes will allow those students to attend summer school to receive instruction and the districts to receive payment for those students.

In the bill:

- Line 6: remedial mathematics is removed and replaced with mathematics (for K – 8)
- Line 8: remedial reading is removed and replaced with reading (for K – 8)
- Lines 10-13 are removed since the changes in lines 6 through 9 provide for the instruction
- Lines 14: & 16: unnecessary language is removed
- Line 17: due to the above changes

Section 2 is the emergency clause which would allow for this legislation, if passed by both chambers and signed by the governor, to go into effect prior to the start of 2021 summer school.

Thank you for your attention and favorable consideration of this proposed legislation.

15.1-21-16. Summer school courses and programs - Eligibility for payment. The summer school courses and programs for which a school district may receive payment as provided in section 15.1-27-19 are:

1.
 - a. Remedial mathematics provided to students enrolled in any grade from kindergarten through eight;
 - b. Remedial reading provided to students enrolled in any grade from kindergarten through eight;
 - c. Beginning after the conclusion of the 2009-10 school calendar, mathematics provided to students enrolled in any grade from five through eight;
 - d. Beginning after the conclusion of the 2009-10 school calendar, reading provided to students enrolled in any grade from five through eight;
 - e. Beginning after the conclusion of the 2009-10 school calendar, science provided to students enrolled in any grade from five through eight; and
 - f. Beginning after the conclusion of the 2009-10 school calendar, social studies provided to students enrolled in any grade from five through eight;
- and,
2. Any other high school summer courses that satisfy requirements for graduation, comprise at least as many clock-hours as courses offered during the regular school term, and comply with rules adopted by the superintendent of public instruction.

(Remedial instruction at the elementary level would be developmentally appropriate instruction in remedial reading and remedial mathematics which enables students to achieve challenging academic standards. i.e.: Remedial Reading is a highly effective short-term intervention of tutoring struggling readers in both an individualized and small group setting.)

Administrative rules for elementary summer school programs can be found in Article 67-24.

**TESTIMONY ON HB 1436
HOUSE EDUCATION COMMITTEE**

February 1, 2021

By: Joe Kolosky, Director of School Approval and Opportunity

701-328-2755

North Dakota Department of Public Instruction

Mr. Chairman and Members of the Committee:

My name is Joe Kolosky and I am the Director of School Approval & Opportunity with the Department of Public Instruction (DPI). I am here on behalf of the department, to speak in favor of House Bill 1436 regarding to flexibility to enroll into summer school courses.

Currently, students in kindergarten through 4th grade can only enroll in public summer school courses in mathematics and reading if they fall into the “remedial” category. Remedial refers to students that are below the sixtieth percentile on a standardized test; below the sixtieth percentile on a teacher-developed test; or have a grade of C or below in the school year that just ended.

Pinning students into these areas poses the risk of missing or overlooking struggling students who may need the extra foundational instruction in mathematics and reading to enable their success. In addition, providing all students (including those who are average or above average) the extra support in the summer can prevent the “summer slide.” The summer slide is a decline in reading ability and other academics during the summer months. Extensive research has

been conducted on this phenomenon, and it has been concluded that up to 20% of school-year gains in reading and up to 27% of school-year gains in mathematics can be lost during the summer. These are learning losses we cannot afford.

Lastly, with the devastation the COVID-19 pandemic has caused, it is imperative now, more than ever, that we provide our students every opportunity to participate in quality education services with the fewest number of obstacles in their way. It is especially important to provide these opportunities to our youngest learners as our public schools build the foundation of their learning.

Your colleagues in the Environment & Education House Appropriations subcommittee are considering ways to accelerate the learning recovery of our students this biennium, especially of our youngest learners. One of the options they are considering is opening up the summer school opportunities for more students. This policy in NDCC 15.1-21-16 would need to be adjusted to align with that work.

Chairman Owens and members of the committee, this concludes my prepared testimony and I will happily stand for any questions you may have.

2021 SENATE EDUCATION

HB 1436

2021 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1436
3/9/2021

A BILL relating to summer school courses; and to declare an emergency.

Chair Schaible opened the hearing at 9:30 AM.

Discussion Topics:

- Summer school cost
- Reading and Math remedial instruction
- Summer learning loss
- Number of schools participating annually
- Summer school funding

Senator	Attendance
Chairman Schaible	P
Senator Elkin	P
Senator Conley	P
Senator Lemm	P
Senator Oban	P
Senator Wobbema	P

Rep Schreiber-Beck Dist 25 – introduced the bill #7759

Joe Kolosky – Dept Public Instruction – testified in support #8047

Additional written testimony: none

Adjourned at 9:39 AM

Lynn Wolf, Committee Clerk

This legislation would change subsection 1 of 15.1-21-16. *Summer school courses and programs – Eligibility for payment. The summer school courses and program for which a school district may receive payments as provide in section 15.1-27-19.*

The change removes the criteria of remedial instruction in mathematics and reading for K-4 (lines 10-13 currently allow students in 5-8 to receive nonremedial instruction). Due to the pandemic, many students need a catch-up program, and the change will allow those students to attend summer school to receive instruction and the districts to receive payment for those students.

The fiscal note estimates the cost for the 21-23 biennium at \$1.3 million for both the state and the district if there is a 5% increase in summer school participation. The state cost would need to be included in the Integrated formula payments line in HB1013.

Section 2 is the emergency clause which would allow for this legislation to go into effect prior to the start of the 2021 summer school program if passed.

Thank you for your attention and favorable consideration of this proposed legislation.

**TESTIMONY ON HB 1436
SENATE EDUCATION COMMITTEE**

March 9, 2021

By: Joe Kolosky, Director of School Approval & Opportunity

701-328-2755

North Dakota Department of Public Instruction

Mr. Chairman and Members of the Committee:

My name is Joe Kolosky and I am the Director of School Approval & Opportunity with the Department of Public Instruction (DPI). I am here on behalf of the department, to speak in favor of House Bill 1436 regarding flexibility to enroll into summer school courses, especially at the elementary level.

Currently, students in kindergarten through 4th grade can only enroll in public summer school courses in mathematics and reading if they fall into the “remedial” category. Remedial refers to students that are below the sixtieth percentile on a standardized test; below the sixtieth percentile on a teacher-developed test; or have a grade of C or below in the school year that just ended.

With the devastation the COVID-19 pandemic has caused, it is imperative now, more than ever, that we provide our students every opportunity to participate in quality education services with the fewest number of obstacles in their way. It is especially important to provide these opportunities to our youngest learners as our public schools build the foundation of their learning.

Selecting students only in the need of remediation poses the risk of missing or overlooking struggling students who may need the extra foundational instruction in mathematics and reading to enable their success. In addition, providing all students (including those who are average or above average) the extra support in the summer can prevent the “summer slide.” The summer slide is a decline in reading ability and other academics during the summer months. Extensive research has been conducted on this phenomenon, and it has been concluded that up to 20% of school-year gains in reading and up to 27% of school-year gains in mathematics can be lost during the summer. These are learning losses we cannot afford.

Before crossover, your colleagues in the Environment & Education House Appropriations subcommittee were presented several options to accelerate the learning recovery of our students this biennium; offering a summer school option to all students, especially of our youngest learners, was one of these options. For this to happen NDCC 15.1-21-16 needs to be adjusted to align with that learning recovery work.

Chairman Schaible and members of the committee, this concludes my prepared testimony and I will happily stand for any questions you may have.

2021 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1436
3/16/2021

A BILL relating to summer school courses; and to declare an emergency.

10:03 AM

Discussion Topics:

- Committee Work

Motion by Sen Oban Do Pass and Rerefer to Appropriations

Second by Sen Conley

Motion Carries 6-Yeas; 0-Nays; 0-AB

Sen Elkin will carry the bill

Additional written testimony: None

10:07 AM

Lynn Wolf, Committee Clerk

Senator	Attendance
Chairman Schaible	Y
Senator Elkin	Y
Senator Conley	Y
Senator Lemm	Y
Senator Oban	Y
Senator Wobbema	Y

HB 1436	Vote
Chairman Schaible	Y
Senator Elkin	Y
Senator Conley	Y
Senator Lemm	Y
Senator Oban	Y
Senator Wobbema	Y

REPORT OF STANDING COMMITTEE

HB 1436: Education Committee (Sen. Schaible, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1436 was rereferred to the **Appropriations Committee**.

2021 SENATE APPROPRIATIONS

HB 1436

2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1436
3/29/2021
Senate Appropriations Committee

Relating to summer school courses.

Senator Holmberg opened the hearing at 10:04 AM.

Senators present: **Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Mathern, and Heckaman.**

Discussion Topics:

- Per Pupil costs
- Availability of summer school to ND students
- ESSER funding
- NDCC Summer School

Kirsten Baesler, Superintendent, ND Department of Public Instruction – testified in favor.

Adam Tescher, School Finance Office, ND Dept. of Public Instruction – testified in favor.

Senator Holmberg closed the hearing at 10:35 AM.

Rose Laning, Committee Clerk

2021 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

HB 1436
3/30/2021

Senate Appropriations Committee

A BILL for an Act to amend and reenact subsection 1 of section 15.1-21-16 of the North Dakota Century Code, relating to summer school courses; and to declare an emergency.

Chairman Holmberg opened the hearing at 9:56 a.m.

Senators present: Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Mathern, and Heckaman.

Discussion Topics

- DPI Regulations

Senator Poolman moved DO PASS

Senator Heckaman seconded the motion.

Senators		Senators	
<i>Senator Holmberg</i>	Y	<i>Senator Hogue</i>	Y
<i>Senator Krebsbach</i>	Y	<i>Senator Oehlke</i>	Y
<i>Senator Wanzek</i>	Y	<i>Senator Poolman</i>	Y
<i>Senator Bekkedahl</i>	Y	<i>Senator Rust</i>	N
<i>Senator Davison</i>	Y	<i>Senator Sorvaag</i>	Y
<i>Senator Dever</i>	Y	<i>Senator Heckaman</i>	Y
<i>Senator Erbele</i>	N	<i>Senator Mathern</i>	Y

Roll Call Vote – 12-2-0

Chairman Holmberg closed the hearing at 10:01 a.m.

Rose Laning, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1436: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1436 was placed on the Fourteenth order on the calendar.