

**2023 HOUSE EDUCATION**

**HB 1163**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1163  
1/24/2023

relating to optional career and technical education high school curriculum; and to amend and relating to minimum requirements for high school graduation
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9:00 AM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons. Absent: Representative Dyk.

**Discussion Topics:**

- CTE path
- Innovation pathway
- Worker shortage
- Alternative diploma
- Study
- WorkKeys test
- ACT test

Rep. David Monson, District 19, presented the bill with oral Testimony #16406  
Kevin Hoherz, NDCEL, Testimony #15772  
Wayde Sick, State Director, ND Dept. of Career and Technical Education, Testimony #16122

**Additional written testimony:**

Eric Ripley, Testimony #15842  
Lyle Krueger, Testimony #15915  
Denise Jonas, Testimony #15918

9:37 AM Chairman Heinert closed the hearing.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1163  
1/24/2023

relating to optional career and technical education high school curriculum; and to amend and relating to minimum requirements for high school graduation
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4:21 PM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

**Discussion Topics:**

- Bill parameters
- Further clarification of bill

Rep Hager moved to form a subcommittee, seconded by Rep Schreiber-Beck. Voice vote. Motion carried.

Chairman Heinert appointed the following to the subcommittee:  
Chairman Schreiber-Beck, members Rep Hager, Jonas and Heilman.

Chairman Heinert closed the hearing 4:34 PM

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1163  
1/31/2023  
**Subcommittee**

relating to optional career and technical education high school curriculum; and to amend and relating to minimum requirements for high school graduation
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8:30 AM

Chairman Schreiber-Beck opening the meeting. Present were Chairman Schreiber-Beck, Representatives Hager, Jonas, and Heilman. Also present: Rep Hauck.

### Discussion Topics:

- CTE units
- Waivers
- DPI
- Empower program
- Virtual courses
- Alternative school
- Parent or guardian signature
- ND scholarship requirements

Wayde Sick, State Director for Career Tech Ed, was asked to come forward to answer questions

Make recommendation for do not pass by Rep Jonas, seconded by Hager.

<b>Representatives</b>	<b>Vote</b>
Representative Cynthia Schreiber-Beck	Y
Representative LaurieBeth Hager	Y
Representative Matt Heilman	N
Representative Jim Jonas	Y

3-1-0 to recommend a Do Not Pass to the full committee.

8:48 AM Chairman Schreiber-Beck closed the meeting.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

HB 1163  
2/7/2023

relating to optional career and technical education high school curriculum; and to amend and relating to minimum requirements for high school graduation

11:18 AM

Chairman Heinert opened the meeting. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

### Discussion Topics:

- Committee work

Rep Schreiber Beck moved a Do Not Pass, seconded by Rep Hager.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	Y
Representative Matt Heilman	N
Representative Jeff A. Hoverson	N
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	N
Representative Eric James Murphy	Y
Representative Anna S. Novak	Y
Representative Kelby Timmons	N

**10-4-0 Motion carried. Rep Jonas is carrier.**

11:22 AM Chairman Heinert closed the meeting.

*Kathleen Davis, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1163: Education Committee (Rep. Heinert, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1163 was placed on the Eleventh order on the calendar.

**TESTIMONY**

**HB 1163**



1 Testimony in Opposition

2 HB 1163

3 Chairman Heinert and members of the House Education Committee. For the record my  
4 name is Kevin Hoherz, I am representing the North Dakota Council of Educational  
5 Leaders representing school leaders across North Dakota. I come to you in opposition to  
6 SB 2260 with a proposal to refer the optional Career and Technical Education high school  
7 diploma for a study to determine its viability.

8 Currently, North Dakota have approved two graduation pathways. HB 1163 would add a  
9 third diploma option. We support career exploration options for students, but we feel the  
10 way the bill is written, another alternative diploma should warrant a closer look.

11 HB 1163 has good components. Some members in schools have brought forward a few  
12 questions or comments about the bill, as written. Some parts of HB 1163 are similar to  
13 the Learn Everywhere bill passed last session. The two current graduation requirement  
14 options do not have a minimum test score requirement. More and more colleges are not  
15 requiring ACT test scores for acceptance, so why would we want to make the ACT test  
16 score or a WorkKeys test score a graduation requirement. A score of 22 on the ACT is  
17 above the state average and five on the three Workkeys test is the current score needed  
18 for the CTE Scholarship. It could be difficult for student pursuing this CTE diploma  
19 pathway to obtain the required ACT or WorkKeys test scores to graduate especially with  
20 one less English credit unit and one less science credit unit than the requirement for a  
21 regular diploma.

22 The two current graduation requirements do not have a minimum grade point average  
23 requirement. HB 1163 has a minimum GPA of 1.666 to qualify for graduation. The GPA  
24 and test scores could have a scenario that a student has met the credit unit requirements  
25 to graduate but could not graduate because they could not meet a minimum test score or  
26 GPA.



1 Another concern is a student will have to commit to the CTE graduation pathway during  
2 their sophomore year or the beginning of their junior year at the latest. It could be  
3 difficult for students to change their minds and qualify for the traditional graduation  
4 requirements.

5 There are many good ideas in this bill that support students in their pathway to be career  
6 and workforce ready. A study could amend any issues there may be in this bill and help  
7 the students be successful. With that reasoning, we are in opposition to HB 1163 and  
8 propose you consider a study to make amendments to assure the best options for student  
9 success.

10 Thank you and I am open to any questions.

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2400 47<sup>th</sup> Avenue South, Grand Forks, ND 58201 [Phone 701-787-4872](tel:701-787-4872) [Fax 701-787-4351](tel:701-787-4351) [Email gfactc@mygfschools.org](mailto:gfactc@mygfschools.org) [Website www.gfareactc.org](http://www.gfareactc.org)

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January 23, 2023

Chairman Heinert and Members of the House Education Committee:

My name is Eric Ripley, Executive Director of Career & Technical Education (CTE) for the Grand Forks Public Schools and Director of the virtual Grand Forks Area Career & Technology Center. I am communicating my opposition to HB1163 as it is currently written, relating to the optional career and technical education diploma pathway.

In May 2018, I had the privilege to serve as the Team Lead for the Graduation Requirements/Carnegie Unit work group that was part of Governor Burgum's Innovative Education focus. Our work group's collective efforts laid the foundation for future recommendations and legislative bills related to the development of a personalized, proficiency-based graduation pathway, which exists in the format of the DPI Innovation Waiver and subsequent legislation last session to allow a local board approved learning continuum.

In concept, HB1163 has my support. With all of the attention towards helping students become Choice Ready after high school, development of another pathway to a high school diploma can be helpful in this regard. I also believe there is a sizable engagement gap, relevance, and effort provided by students between what courses they "have" to complete vs. what courses they "want" to complete.

My concerns and opposition to HB1163 would be related to the need for a minimum GPA (and at a 1.66, which feeds into the misperception that CTE is only for students that struggle in school). GPA is not a component of the existing high school diploma requirements. Additionally, the requirement of an ACT / WorkKeys score seems misplaced in that while the North Dakota Scholarship utilizes a minimum score for scholarship eligibility, I do not believe a student's ability to graduate high school be contingent upon a single exam. I would question whether a student under this diploma pathway would still meet the entrance requirements for all of the North Dakota higher education institutions. Finally, there may be access limitations for students to the required work-based learning component as that can be dependent upon program area, partnering industries, and geographical location.

Alternate CTE Diplomas are utilized within numerous other states, and I have been a proponent for this discussion for a long time. However, at this point and upon my review of the bill's language, I remain opposed to HB1163 as written. I would respectfully ask the committee's consideration for the bill to be turned into a study which would allow adequate time to fully vet out the various components of the bill and potential impact for students.

Sincerely,

Eric Ripley  
Executive Director of CTE & Technology  
Grand Forks Public Schools  
Grand Forks Area Career & Technology Center



1929 N Washington St  
Suite A  
Bismarck, ND 58501  
[www.cractc.org](http://www.cractc.org)  
701-415-0453

January 23, 2023

Members of the North Dakota House Education Committee

RE: Opposition for HB1163 – Relating to optional career and technical education high school curriculum

Dear Chairman Heinert and members of the House Education Committee:

My name is Lyle Krueger, Assistant Director of the Central Regional Area Career and Technical Center (CRACTC) and I am reaching out to you in opposition of HB1163 as it is currently written.

Today's Career and Technical Education's (CTE) is more extensive and more applicable than ever before. Education and industry are seeing the need and understanding the impact earlier career awareness, exploration, and career or workforce learning opportunities can have within their companies and communities. CTE is not the old vocational education pathway in which students who only struggle with core academic classes should be placed because they're doomed to fail otherwise. Statistics show that students who currently participate in two or more course within a particular CTE pathway such as Aviation, Health Sciences, Information Technology, and more, have a much higher success rate for high school graduation, than those students who do not participate in CTE course opportunities. Why do I start my testimony with that information? I do because I believe that alone proves that a CTE pathway, as currently written, is not needed. Moreover, it is vital to understand and realize the ability for North Dakota schools to implement a new or different graduation pathway within their local district, already exists in two manners: 1) with a board approved learning continuum this can be done with board approval; 2) school districts have the ability to apply for an innovation waiver to be approved by DPI as another alternative to implement a new or innovative graduation pathway. In addition, I have concerns related to the need for a minimum GPA (and at a 1.66, which feeds into the misperception that CTE is only for students that struggle in school). GPA is not a component of the existing of any North Dakota high school diploma requirements. As well, during the last legislative session, members of the legislative body made a concerted effort to remove any specific vendor name within legislative law. However, within HB1163 it lists ACT and WorkKeys score as a factor within this diploma pathway. Lastly, due to the perceived desire to make this pathway available to all students, there may be access limitations for students to the required work-base within several rural communities when relating to specific CTE pathways (i.e. Healthcare, Information Technology, Aviation, etc.).

As a state leader in our legislative process, you read, review, listen to testimony and are involved in a vast amount of different legislation brought forward to you. In knowing and visiting with several legislators over the years, I respect the work you all do. I know you do your best for your local constituents and strive hard to do your best to look for and understand unintended consequences of various legislation before they are voted on to become law. I am fearful that the pathway and requirements indicated in HB1163 would result in just that. I strongly encourage you to look at a possible study regarding this legislation and the impacts this bill may have.

Thank you for your time and consideration of this testimony while reviewing this bill.

Sincerely,

*Lyle P. Krueger*

Lyle P. Krueger  
Assistant Director

Dale Hoerauf, Director  
[Dale\\_Hoerauf@bismarckschools.org](mailto:Dale_Hoerauf@bismarckschools.org)

Lyle Krueger, Assistant Director  
[Lyle.krueger@k12.nd.us](mailto:Lyle.krueger@k12.nd.us)

Amy Johnson, Registrar  
[Cractc.online@k12.nd.us](mailto:Cractc.online@k12.nd.us)



January 23, 2023

Members of the North Dakota House Education Committee

RE: **Opposition for HB1163** - Relating to the administration of the ND Center for Distance Education.

Chairman Heinert and Members of the House Education Committee:

My name is Denise Jonas, Director of Career and Technical Education for the Cass County Career and Technical Education Center (C3TEC). I am reaching out in opposition to HB1163, relating to optional career and technical education high school curriculum and amendments to NDCC relating to minimum high school graduation.

During the 2021 session, legislative bills were developed for a personalized, proficiency-based graduation pathways, which exists in the format under the Department of Public Instruction Innovation Waiver. This and subsequent legislation allow a local board to create an approved learning continuum that would provide flexibility in meeting graduation requirements through innovative curriculums and experiences, in and outside of the classroom. I believe HB1163 bill is unwarranted, as opportunities currently exist in NDCC for local leaders and school boards to define optional graduation criteria.

Most importantly, I am concerned with the perception the identified optional curriculum indicators convey about career and technical education (CTE) as a pathway for rigorous learning. For decades, CTE has been viewed as learning space for those who can't versus an experiential learning environment for innovation and advanced learning. My concerns and opposition to HB1163 relate to the minimum GPA (at 1.66, which feeds into the misperception that CTE is only for students that struggle in school). GPA is not a component of the existing high school diploma requirements, so I would not find merit in this metric required for an optional diploma.

Additionally, post-secondary institutions are trending toward optional ACT requirements, so question why this metric would be added to an optional diploma. It also concerns me as to whether a student under this diploma could meet the entrance requirements for all North Dakota higher education institutions. If a high school aviation graduate cannot transition to a post-secondary program, such as UND Aerospace, we have not set our learner up for success. CTE is grounded in skill-demonstration and competency-based learning, thus I do not believe a student's ability to graduate high school should be contingent upon a single exam.

Finally, I do appreciate the emphasis on work-based experiences, yet there will be access limitations for students to complete the required work-based learning component due to geographical location, CTE programing, and industry partners. I remain opposed to HB1163 as written, but would find merit in further study to explore other state models and optional components that would positively impact learners.

Sincerely,

Dr. Denise Jonas, CTE Director



**House Education  
HB1163**

**January 24, 2023**

Chairman Heinert and members of the House Education, for the record, my name is Wayde Sick, State Director for the Department of Career and Technical Education. I am here testifying in a neutral stance to HB1163. The reason for the neutral stance, although much of my testimony appears I am in opposition, is because I agree the conversation on creating a Career and Technical Education graduation pathway is a discussion we need to have, but we need to ensure we do not create negative unintended consequences. As we continue to see more emphasis on Career and Technical Education, it is natural to consider providing a CTE graduation pathway. Many of the concerns I bring up today are the Department's concerns as well as those concerns collected from local CTE Directors.

First, due to the current opportunities for a school district to apply for the Innovation Waiver from the Department of Public Instruction or to adopt the Learning Continuum, passed in the 2021 Legislative Session, schools can create this pathway locally. With these options, school districts can award high school credit in general education courses, through alternative ways, such as CTE coursework or community experiences. A student can still have a high school diploma with a focus on Career and Technical Education, but be awarded general education credit, through alignment of common standards across the different coursework. My

partners at the Department of Public Instruction can define that process much better than I can.

A number of proposed requirements may be a concern. Once a student goes down this path, it may be difficult if it is decided to pursue the traditional route. Also, many high schools do not provide the required five units of Career and Technical Education in a single pathway. Students may need to enroll in multiple CTE pathways, which may be unrelated, to meet the requirement. The work-based learning graduation requirement, although is exciting, is still growing and may be difficult to provide to every student pursuing this pathway. Also, would we inadvertently make it difficult for students to enroll at a four-year institution as the current graduation requirements model university admission requirements. Many of the CTE pathways, that start in high school, require post-secondary education. To continue, it is concerning to include a required score, either for the ACT or WorkKeys to graduate. A student may complete all the requirements, but not score the appropriate score.

As I mentioned earlier, I am supportive of this conversation, but have concerns with the bill as written. If this bill is to pass, I feel it would be best to amend it to an interim study to review alternate graduation opportunities that may have an emphasis on Career and Technical Education or consider encouraging school districts to utilize existing mechanisms, such as the Innovation Waiver or Learning Continuum.

This concludes my testimony, and I am happy to stand for questions.

## Testimony for HB1163

Rep. David Monson

District 19

Good morning Chairman Heinert and members of the House Education Committee. For the record I am Rep. David Monson from District 19 in far northeastern ND. I apologize to your clerk for missing the deadline of 8:00 to submit written testimony. I had it complete and was ready to push the button when someone came by my desk to talk to me. I pushed the button at 8:00 but it was too late, so you get a paper copy now.

I put this bill in for one of my constituents, a guidance counselor from Park River High School. He suggested this idea to me two years ago, but it was too late to get it in the stream at that time. When I was talking to him earlier this fall he suggested we try it again, so this is the first version. Since that time, he has suggested a cleaner version that you may consider. We are open to amending this bill if you deem it wise or necessary. I have attached his email and ideas on a revision. In any case it is time to have a good discussion on this idea. With the shortage of workers in ND, especially in areas of CTE concentration, it would be wise to keep our students following a CTE path through high school and into our colleges, universities, and the workforce. I'm not sure if Kevin is online or not. If he is it would be good to hear directly from him. I really respect Kevin as a veteran guidance counselor who worked for me in one of my schools many years ago.

I would be happy to answer any questions you may have. Thank you for your time and consideration of this idea.

**Monson, David C.**

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**From:** , KLS <kevin.skavhaug@parkriverk12.com>  
**Sent:** Monday, January 23, 2023 4:14 PM  
**To:** Monson, David C.  
**Subject:** Re: Your bill is up tomorrow - CTE pathway

just one last thing... the curriculum for English 12 is British Lit. Shakespeare, Beowulf etc. plus writing a research paper. not many of the kids who are seeking a CTE diploma are really going to be using that information in their lifetimes... we're talking plumbers, welders, xray techs, dental hygienists, automotive technicians... makes way more sense to me to have them taking CTE courses than reading A Midsummers Night Dream. :)

On Mon, Jan 23, 2023 at 4:00 PM , KLS <kevin.skavhaug@parkriverk12.com> wrote:

Hi Dave, well my goal was just to create a new pathway to get a high school diploma with CTE credits versus College Prep Classes..So yes, this may be easier but in reality, all this diploma path does is replace Senior English (thesis paper focused) and World History as requirements for graduation. Those two classes would be replaced by CTE courses.

My revised version would make it more clear and do away with a lot of the verbage that was in the original. Ill attach the updated version which is much cleaner and easier to understand...Again, thanks so much for taking the time to look and work with this. (Also, when reading through the finalized bill that was on the legis site, I did notice one issue under section g, part h (page 4)...it looks like it would require one unit of fine arts, or one unit of foreign language or one unit of nat. am language... that was not my intent to make those "requires" but i may be reading it wrong. I would strike out requirement "h".

Again, my sole intent is to get to the kids that are dropping out of high school who struggle in the college prep courses or are not interested in the traditional college prep path and give them an option to gain a diploma with classes they are interested in and skilled in...i.e. CTE classes. If others in the legis have another idea on how to get there (CTE pathway to a diploma), that is great... I just wanted to get the ball rolling.

see my simplified version attached which I like much better thanks again, Kevin

On Mon, Jan 23, 2023 at 2:18 PM Monson, David C. <dmonson@ndlegis.gov> wrote:

You indicated you may want to have an amendment I think. I'm so far behind on my emails I may have missed it. Some people think this path is too easy. Any ideas?

Rep. David Monson

PO Box 8

## CTE Pathway Option for a Standard High School Diploma

Beginning in the year \_\_\_\_\_, a student may earn a standard high school diploma through the Career and Technical Education pathway option.

To earn a standard high school diploma through this pathway option, a student must:

- Successfully complete a minimum of 21 credits
- Have a minimum, cumulative GPA of at least 1.666 (C-) on a 4.0 Scale
- Meet the requirements of
  - 3 credits of English (9-10-11)
  - 3 credits of Math (Business/Consumer or Applied Math, General Math, Alg 1, Geometry or other math listed in ND High school course codes)
  - 2 credits of Social Science (US History and POD/American Gov't)
  - 2 credits of Science
  - 2 credits within a CTE Coordinated Plan of Study
  - 1 credit in CTE Work Based Learning (School to Work/Cooperative Work Experience)
  - 3 other credits within CTE
    - 1 credit of Fine Arts, Foreign Language, Native American Language may substitute
  - 1 credit of Phy-Ed or .5 credits of Phy-Ed and .5 credits of Health
  - 4 credits of any other elective.
    - Note: 1 credit can be earned for gaining an industry certification from one a CTE program/course
  - \*Earn at least a 5 on all three components of the Work Keys Test or a 22 composite on the ACT test.

If the student fails to meet any of the above qualifications, he/she may still gain either the Standard or Alternate North Dakota High School diploma in accordance to those guidelines.