

**2023 HOUSE EDUCATION**

**HB 1464**

# 2023 HOUSE STANDING COMMITTEE MINUTES

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

HB 1464  
2/1/2023

Relating to high-cost students
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Chairman Heinert opened the hearing at 9:51 AM.

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

**Discussion Topics:**

- Current contract system
- Medically sensitive students

Representative Don Longmuir, introduced HB 1464, verbally testified in support (#21117).

Dr. Aimee Copas, executive director, NDCEL, oral testimony

Mike Bitz, Superintendent of Mandan Public Schools, Testimony (#18279)

**Additional written testimony:**

- Kevin Hoherz, NDCEL, Testimony (#18424)

10:02 AM Chairman Heinert closed the hearing.

*Kathleen Davis, Committee Clerk By: Leah Kuball*

# 2023 HOUSE STANDING COMMITTEE MINUTES

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

HB 1464  
2/6/2023

Relating to high-cost students
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9:42 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:**

- Funding
- Tax dollars following students
- Property tax
- Tuition
- Deduction
- Continuing appropriation

Adam Tescher, School Finance Officer, DPI answered questions

9:46 AM Chairman Heinert closed the meeting.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

HB 1464  
2/6/2023

Relating to high-cost students

Chairman Heinert opened the meeting at 3:42 PM

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 action

Representative Longmuir moved a Do Pass and Rerefer to Appropriations

Seconded by Representative Jonas.

Roll call vote:

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	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	Y
Representative Eric James Murphy	Y
Representative Anna S. Novak	Y
Representative Kelby Timmons	Y

Motion carried 14-0-0.

Bill Carrier: Representative Longmuir.

Chairman Heinert closed the meeting at 3:45 PM

*Kathleen Davis, Committee Clerk By: Leah Kuball*

**REPORT OF STANDING COMMITTEE**

**HB 1464: Education Committee (Rep. Heinert, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1464 was rereferred to the **Appropriations Committee**.

**2023 HOUSE APPROPRIATIONS**

**HB 1464**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Brynhild Haugland Room, State Capitol

HB 1464  
2/15/2023

Relating to high-cost students.
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**10:13 AM Chairman Vigesaa-** Called the meeting to order and roll call was taken-

**Members present;** Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

**Members not Present** Representative Bellew

## **Discussion Topics:**

- Removing Property Tax In lieu of Tuition
- Students with Medical Conditions

**Representative Heinrt, District 32-** Introduces the bill.

**Adam Tescher- Assistant Director- School Finance ND Public Instruction-** Answers questions for the committee.

**10:25 AM Chairman Vigesaa-** Closes the meeting for HB 1464

*Risa Berube, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Brynhild Haugland Room, State Capitol

HB 1464  
2/16/2023

Relating to high-cost students.
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**5:01 PM Chairman Vigesaa-** Called the meeting to order and roll was taken-

**Members present;** Chairman Vigesaa, Representative B. Anderson, Representative Bellew, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative J. Nelson, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

**Members not Present -** Representative Kempenich, Representative O'Brien, Representative Nathe and Representative Brandenburg

**Discussion Topics:**

- Special Needs not Special Ed
- Significant Medical Conditions

Committee discussion- No action taken

**5:10 PM Chairman Vigesaa-** Closed the meeting to HB 1464

*Risa Berube, Committee Clerk*



# 2023 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee Brynhild Haugland Room, State Capitol

HB 1464  
2/20/23

Relating to high-cost students.

### 8:17 AM Chairman Vigesaa

**Members present;** Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

**Members not Present-** Representative Bellew

#### Discussion Topics:

- Medically Fragile Students

**Representative Nathe-** Explains the bill and committees' intentions to add to education budget.

**Representative Nathe** Move for a Do Not Pass

**Representative J. Stemen-** Seconds the motion.

Committee discussion Roll call vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	A
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y

Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

**Motion Carries 22-0-1 Representative Richter will carry the bill.**

**8:21 AM Chairman Vigesaa-** Closes the meeting for HB 1464

*Risa Berube, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1464: Appropriations Committee (Rep. Vigesaa, Chairman)** recommends **DO NOT PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1464 was placed on the Eleventh order on the calendar.

**TESTIMONY**

**HB 1464**

1 HB1464– Relating to High-Cost Students

2 Mandan Public Schools – Mike Bitz, Superintendent

3 Good afternoon Chairman Heinert and members of the House  
4 Education Committee. For the record, my name is Mike Bitz. I  
5 am fortunate to serve as the superintendent for Mandan Public  
6 Schools. I am here today in support of HB1464. I will be brief.

7 Currently the state of ND has an “insurance policy” in law for ND  
8 school districts. Local school districts are responsible for all costs  
9 associated with educating a student up to 4X the state average cost  
10 of education per pupil, (in 2021-2022 this amount was roughly  
11 \$56,000). Once a district reaches the threshold of 4X the average  
12 cost of education the state will reimburse districts for excess costs  
13 beyond that amount for all “special education” students. I believe  
14 that when this legislation was adopted the thought was that it  
15 would not be possible to have a high-cost student that was not a  
16 special education student.

17 It is very rare for a non-special education student to reach the  
18 high-cost threshold, in fact, to the best of my knowledge, there  
19 currently is only 1 high-cost student in the state that is not a

1 special education student. This student is medically fragile and  
2 requires a full-time nurse to participate in school. This student is  
3 extremely intelligent and one of the top students in the school,  
4 while the student has intense medical needs, the student does not  
5 qualify for special education services.

6 This legislation will afford school districts protection for all high-  
7 cost students whether they qualify for special education services  
8 or they qualify because of medical condition.

9 I urge you to support HB 1464, and I would be happy to answer  
10 any questions you may have.

11



1 HB 1464 – High-Cost Student

2 Testimony in support

3 The functionality of the current contract system of students no longer meets the good  
4 logic test. Let me provide an example. Currently if you have a student would be a special  
5 education student and the team determined that attendance at a public school outside of  
6 their district of residence was in the best interest of that child, there will then ensue a  
7 contract between those districts. In functionality what happens is that the district of  
8 residence would receive the per-pupil payment and then enter into a tuition agreement  
9 contract with the district the child would attend. They would send to that district the per  
10 pupil payment but because it is a tuition fee, that amount sent to the district doing the  
11 education is then subject to the in-lieu limitation. Hence the educating district only has  
12 25% of the per pupil payment to conduct the education. Elimination of this contract  
13 system would mean that when you take the student, they just become your student just  
14 like any other open enrollment. Then the educating district would receive that per pupil  
15 payment, it would not be subject to in-lieu, and they would have the full payment to  
16 educate the student.

17 The second piece of this is the high-cost student who is NOT a special education student.  
18 Currently if you have a special education student and the cost to educate is more than the  
19 traditional per pupil, there is funding support for that student once the cost reaches 4x  
20 the cost. This benefit is NOT in place when that student is not a special education student  
21 but is a high-cost student due to medical needs. While rare, this does happen occasionally  
22 and can be incredibly detrimental to a school budget. In a smaller school a student that  
23 costs nearly \$100k to educate (if, for example, they need a full-time nurse) would be  
24 debilitating for a district. The amendment to this section enables the inclusion of a  
25 medical high-cost student to be fiscally supported after 4x the cost as well.

26 We ask that you consider supporting this bill.



# North Dakota House of Representatives

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## **Representative Donald W. Longmuir**

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## **COMMITTEES:**

Education  
Political Subdivisions, Chairman

Chairman Heinert, Vice Chairman Schreiber-Beck and distinguished members of the House Education Committee. My name is Don Longmuir and I represent District 2 which consists of Burke County, Divide County, and parts of Mountrail County and Williams County. It is my privilege to have the opportunity to introduce HB1464. HB1464 is addressing two very important issues that school districts in our great state are facing.

The first issue deals with the functionality of our current contract system or lack thereof and the second deals with the high-cost student who is not a special education student.

I will stand for questions but recommend you save your questions for those who are following me to testify about how this bill came about and how they propose to resolve the issues.

Thank you, Chairman Heinert and Committee, for your time