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2001 HOUSE EDUCATION

HB 1288

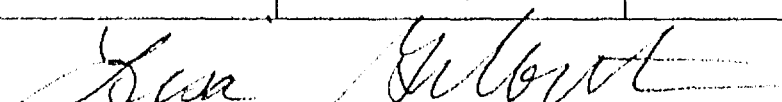
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1288

House Education Committee

☐ Conference Committee

Hearing Date 02/05/01

Tape Number	Side A	Side B	Meter #
#1	X		3045 to 6200
#2		X	1 to 2221
Committee Clerk Signature 			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunsakor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelsch: We will now open the hearing on HB1288.

Rep. Brandenburg: (District 26) I've done a lot of research into why teacher's salaries are the way they are. The sheet I handed out to you, you'll see a number of different schools, seeing what the cost of administration for their particular schools. You may ask yourself, why would the cost be that high. When the school in Edgely was looking at the superintendent possibly doing the duties of the elementary principal. The school board may, and nowhere in this bill does it say mandate, choose to go with another school district and share administration. If our schools were to have one superintendent between the two schools and two principals, there could be a savings of \$150,000 between those two schools. Therefore, saving anywhere from \$70,000

to \$75,000 in administrative fees. You're going to hear testimony that says it's going to hurt the teaching, it's going to hurt the kids, it could be very dangerous, but I'm speaking for people who are out there that work in the Cenex station or businesses on Main street that are looking at this and saying, 'we're paying these administrators in the neighborhood of \$40,000 to \$80,000 and some higher, and yet, we've got some classes in these small school that have less than 10 kids in them'. We have to have a teacher in the classroom, but there has to be ways that we can find to share administration. There needs to be flexibility in accreditation. The school boards will call up the accreditation and say, 'we would like to share administrators, can we look into pursuing that?' Last session there was a legislation that went through that allowed schools to share administrators but not lose accreditation points, but a few administrative rules came through that made that tougher for them to do. Even when the school board looks at trying to be able to try to find the flexibility to share, they call to accreditation and the flexibility is not there to do it. There is a provision in the Century Code that would allow waiver of accreditation, but as you can see, we tried to pursue the waiver clause, and a representative from NDEA would be one member, a member of the school board would be one member, and also a member of school administrators.

Rep. Grumbo: Are the principals in both elementary and high school, at the present time, teaching at some capacity and number of hours in a day?

Rep. Brandenburg: Why a lot of these schools that have tried to share administrators and it doesn't work. If a school shares a superintendent, then they have to require the principal to come out of the classroom and spend more administrative time, so when the principal is teaching less classes, in each school, so then at that point, you have to hire another teacher in that school to

pick up the teaching that the principals did not do. You save the superintendent's wage, but then, in turn, you have to hire one or two teachers.

Rep. Hanson: On Section 2, if you combine the superintendent and principal and you recommend that the board may use the savings give compensation to classroom teachers. Would you have a problem in changing that 'may' to 'must'?

Rep. Brandenburg: If you can get that through here, go for it.

Rep. Nelson: In the run that you had prepared, why is it that in some of the school districts that are under a cooperative agreement with superintendents presently, that there's no credit for one member of the cooperative agreement. Do you know why that is?

Rep. Brandenburg: I noticed that too. I haven't quite pinned that down.

Chairman Kelsch: Anyone who wishes to appear in opposition to HB1288?

Bev Nielson: (ND School Board's Association) I stand in more of a neutral position. The NDBA does not oppose discussions of the concept of this bill. There are some issues in the bill itself that I find sort of confusing, and have a problem with. As an overview, let you know that sharing superintendents, I'm not convinced that that will save dollars necessarily. We also believe that the principal is the instructional leader of the school, and that instructional leadership takes knowledge and skills and training and time. We also believe that there can be a couple of ways to determine a person's potential competencies in these areas, so for that reason, we're willing to engage in discussions. We don't believe that it necessarily, lower standards. Flexibility to manage their professional staff is something that school boards deal with constantly. By the time that you have the credentialing, and then you have the administrative rules, and then you have your negotiated contracts with your teachers and so forth, we really have

very little except to plug people into slots. There are two ways that you can judge a person's potential competency. One is their progressional training, their education and their credentials. Another way is the board's personal knowledge and observation of a member of their staff, and what they believe to be their professional competency. The portion that we don't object to is allowing boards that flexibility to manage their professional staff. Section 2: my understanding is that the budget is the discretion of the school board always, but if there were potential savings, I would assume that would be money that would be in their budget, and they would use that for teacher salaries or whatever. I don't know why this section is here, except for the last section.

Larry Klundt: (ND Council of Educational Leaders) We're standing in opposition. I would like to remind you of the statistics that I shared, regarding the sharing that's going on already. You'll recall that about 45 of them are currently serving as principal. The important this is this, of the 230 school districts, a number of them are elementary districts, so that reduces the number of high school districts to about 188. Of that number, 71 or more, were already sharing an administrator, or the superintendent was also a principal, or other combinations, so what's the potential for additional sharing? For years, we've heard the discussion about administrators salaries. In ND, the average salary is about \$54,000. The national salary is \$106,000. I have looked at school districts across the state for a number of years; I'm curious about how this works. We've got two school districts, and they each have a superintendent, they each have a principal in the high school and elementary and their small, and each superintendent is being paid an average of \$54,000. You get rid of one of them, and you share the other one. How do you save \$150,000? There are some other things that we're concerned about. We continually pass laws that add another thing on the plate and nothing's ever taken off. Every time that happens, it

increases the need and the time for administration. Superintendents and principals are much busier than they were 25 years ago. If a superintendent is secondary trained, he/she must have some elementary training to serve as an elementary principal, in my opinion. Basically, where the difference comes is in supervision, curriculum and the culture of the school. Today, if there's someone that's going to be an elementary leader, they must know about developmentally appropriate instruction and curriculum that defines the activities that are essential for the kids to learn and the skills they should master. And the vice versa is also true. When a person is elementary trained, they miss the important cultural aspects and the organization of the secondary school. Someone could be trained as a generalist, until it comes to specializing in elementary and secondary. Sometimes it's important to put regulations into place that protect children and their learning experiences and the environment, because sometimes the good intentions for efficiency that we have, causes harm. We believe that the time and training needed for this type of position should be addressed through a much lengthier study rather than through a legislative process.

Rep. Haas: You indicated that there are 71 districts that are already sharing. Have any of those sacrificed accreditation standards as a result of their sharing?

Klundt: 71 are not sharing superintendents. 71 are sharing superintendents or superintendents are serving as principal or the secondary is also serving elementary, but no, there are no schools in ND that are not accredited.

Rep. Haas: So, it's possible to get into a sharing arrangement without sacrificing accreditation standards?

Klundt: Yes.

Rep. Mueller: It is currently in the law in regard to waivers and it isn't working. Can you respond to that?

Klundt: The waiver committee was established for the purpose of addressing barriers that might get in the way of school districts doing experimental, innovative kinds of programs that will result in better education for children. The waiver request regarding this particular situation has not come to the waiver committee. The waiver committee has no power. The state superintendent has the power to waive, only with the concurrence of the committee.

Rep. Nelson: Looking through this run that was done, in Minot, there's two superintendent positions for 7,000 students and in Adams with 113 k-12 students and there's one person. That obviously makes the disparity in numbers for administrative units look less efficient in the smaller school's case, but I agree with you on your take on the generalist versus the specialty. Is there a place for an administrative unit to be established in the state?

Klundt: We were in support of the pilot program to establish larger administrative units to see how it works. I think they're feasible and can work. I can think of many ways that that can happen, but I also think that we need one governing board. I suspect that Adam's superintendent isn't full time, and his FTE is less than Minot, and then, wouldn't it be interesting to know, how many administrative positions go into supporting that one superintendent in that large administrative area. I did some research and I wanted to know the number of supervisors there are per employee in the occupations that we think about in ND. In social services, there was like, one supervisor for every 20-23 employees, in health services, there was one for every 24, in transportation, it was one to 10, in mining it was about one to 12, in business it was one to 14, in elementary and secondary schools across ND, it was like one to 30, and when you put all

educational services together. It was one to 24, so when you think about that, it's clear that we're not overstuffed.

Rep. Brusegaard: In your opinion, there really are no benefits to Edgely for sharing?

Klundt: I wouldn't say that, but I don't think the qualifications required get in the way of Edgely being able to do what they want to.

Rep. Brusegaard: What does get in the way?

Klundt: I don't really know.

Chairman Kelsch: Maybe what the situation is is in the waiver process, that being it's difficult to ever get a concurrence of the majority of the members of the committee, maybe we should change the makeup of the committee.

Klundt: You do have a bill in to do that, we're not particularly in favor of that, either.

Chairman Kelsch: I heard that administrators in the state of ND rank 18th in the nation when it comes to administrative salary. Is that a correct statement?

Klundt: You can't prove it by me. To my knowledge, there's never been a ranking done. They'll say what the averages are, but it's never been ranked.

Chairman Kelsch: How does Wyoming work? What we've been hearing from you, superintendents have too much on their plate. They're down to 49 super districts.

Klundt: Wyoming is not organized in super districts, they are consolidated into 48 high school districts and 1 elementary district. They have one board, one set of policies, one set of operations.

Gary Gronberg: (DPI) I'm going to answer some of the question posed, rather than saying I'm for or against. I'm responsible for accreditation of schools and administrative credentials. In

terms of Section 1, Number 2 indicates a superintendent employed under this section may perform all administrative duties of an elementary or secondary school principals. In order to qualify for a superintendent, they must first meet the qualifications for either a secondary principal or an elementary school principal. I would indicate that they are already qualified to do that. I don't think we need a change in order to make that happen. Now we're looking at time. But then, by leaving subsection 3 as it is, so the time is addressed for the small school, so I'm not sure what the amendment for this section does. Unless the intent of this bill were to say if they were trained as a secondary principal, they could do the elementary principal duty, so it would be a waiver of qualifications at that point, rather than a waiver of time, but I don't know that this says that.

Chairman Kelsch: We will now close the hearing on HB1288.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1288a

House Education Committee

☐ Conference Committee

Hearing Date 02-13-01

Tape Number	Side A	Side B	Meter #
TAPE I		x	1258 to 1574
Committee Clerk Signature <i>Joan Davis</i>			

Minutes: Chairman Kelsch: What are the wishes of the committee.

Rep Haas: Moved a DO NOT PASS.

Rep Bellew: Second.

Chairman Kelsch: It has been moved and seconded for a DO NOT PASS on HB 1288. Any committee discussion. Hearing none, the clerk will call the roll on a DO NOT PASS motion on HB 1288. The motion passes with a vote of 14 YES, 1 NO and 0 ABSENT. Carrier Rep Mueller.

FISCAL NOTE
Requested by Legislative Council
01/17/2001

Bill/Resolution No.: HB 1288

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

There is no way to identify the fiscal effect of HB 1288. House Bill 1288 does not impose any expense or fiscal obligations but rather provides options for school districts to use school administrators in a variety of ways. The bill also indicates the savings from multiple use of administrators may be used to provide additional compensation for classroom teachers employed by the district.

-There is no way to identify who will take advantage of the bill i.e., number of school districts.

-There is no way to identify savings in dollars that would be realized do to the language of the bill that only sets forth options.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the*

executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Dr. Gary Gronberg	Agency:	Public Instruction
Phone Number:	328-1240	Date Prepared:	01/24/2001

Date: 2/13/01

Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 12-88

House House Education

Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken

Do Not Pass

Motion Made By

Rep. Haas

Seconded By

Rep. Bellew

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo		✓
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson	✓	
Rep. Larry Bellew	✓		Rep. Bob Hunsaker	✓	
Rep. C.B. Haas	✓		Rep. Phillip Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg	✓	
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meier	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				

Total

(Yes)

14

No

1

Absent

0

Floor Assignment

Rep. Mueller

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

REPORT OF STANDING COMMITTEE (410)
February 13, 2001 4:17 p.m.

Module No: HR-26-3260
Carrier: Mueller
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1288: Education Committee (Rep. R. Kelsch, Chairman) recommends DO NOT PASS
(14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1288 was placed on the
Eleventh order on the calendar.

2001 TESTIMONY

HB 1288

Testimony on HB 1288 for the House Education Committee on Behalf of the North Dakota Council of Educational Leaders

Madam Chairman and members of the Committee, I am Larry Klundt and I represent the North Dakota Council of Educational Leaders. We are in opposition to the bill as it currently is written, but we have some suggestions about what can be done to make it more appropriate. We believe that the superintendent's credential does go a long way in making the superintendents qualified for serving as district wide educational leaders, however, it stops short of making them fully trained to be elementary and secondary principals as well. We believe that there are two serious problems with this bill—time and the need for additional training.

First, if a superintendent is going to adequately do his job as a superintendent and a principal, he/she needs to have enough time to accomplish the tasks. A great deal has changed for school leaders in the past 20-30 years. I will list just a few of the duties that are now expected in addition to all of the things that existed when you and I were in school—IEP meetings for special education students, 504 regulations, ADHD, Title IX and some of the other Title programs, girls athletics and activities, state school improvement processes, breakfast programs, asbestos plans and reviews, drug and alcohol testing for bus drivers, school safety issues—weapons, limited and specific due process for students and adults in discipline matters, content and performance standards, assessment programs, aligned curriculums, technological skills and literacy, staff development programs, open enrollment, teacher evaluations,

evaluations of ancillary staff, etc. Superintendents and principals are much busier than they were 25 years ago.

Second, if a superintendent is secondary trained, he/she must have some elementary training to serve as an elementary principal. This is essential in the area of elementary curriculum and supervision. Today more than ever, the elementary leader must know about developmentally appropriate instruction and curriculum that defines what elementary students should learn, the skills they should master, the routines and activities that are essential, the grouping practices that are appropriate, and the physical and social learning environment in which elementary students work. If the superintendent is elementary trained, the same is true about the training needs for secondary school understanding. We believe that this could be achieved with additional training. A course in elementary or secondary curriculum and instruction, a course in the foundations of the elementary or secondary schools, and a short mentorship/internship with a qualified, experienced principal should allow the individual appropriate training to serve as a principal at the level for which they were not previously trained. However, while this additional training is good, it does not address the serious time problem that this bill presents.

Sometimes it is important to put regulations into place that protect children and their learning experiences and environment because sometimes, good intentions in the name of efficiency, causes harm. I believe that this is one of those times—people need time and training to lead a school in today's society or the potential for harm exists.

If you seriously believe that the job of a principal and superintendent can be done adequately and that they can meet all of the expectations we have for educational and instructional leaders in all of our schools, then they must be given the time and training to do them. We believe this bill reduces the time requirements to accomplish the tasks we expect of superintendents and principals and could result in harm to children. We believe that the time and training needs for this type of position should be addressed through a much lengthier study or the administrative rules process rather than through the legislative process. Thank you for listening and the NDCEL believes this bill should receive a Do Not Pass recommendation. I will be happy to answer any questions that you might have.