

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2147

2001 SENATE EDUCATION

SB 2147

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2147

Senate Education Committee

☐ Conference Committee

Hearing Date 01-15-01

Tape Number	Side A	Side B	Meter #
1		x	3 - 11.8
Committee Clerk Signature <i>Andrew Johnson</i>			

Minutes: CHAIRMAN FREBORG called the hearing on SB 2147 which relates to school district tuition payment appeals to the State Board of Public School Education; and relates to appealing a board's decision to not pay tuition for a kindergarten student.

Testimony in support of SB 2147.

Tom Decker, Director of Finance and Organization, Dept. Of Public Instruction, testified in support of SB 2147. He asked the committee to please strike the words in his testimony, page 1, line 1 and 2, "of the State Board of Public School Education by our agency" and replace them with "of Department of Public Instruction". (see attached).

SENATOR O'CONNELL asked if this appeal will help those people living on military bases to open enroll. Mr. Decker stated that would be covered under a different section of law. He further stated this is the last place in law where students don't have appeal to the state. He feels this is in line with the legislative statement in 1993 to provide open enrollment.

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Senate Education Committee
Bill/Resolution Number SB 2147
Hearing Date 01-15-01

Lea Ann Schneider, AG's office, Dept. of Public School Education, clarified what the bill does.

Under the current law, when students attend school in bordering states, the law allows a denial of tuition payment by school districts and allows the student to appeal to the county committee and also to the State Board of Public School Education. It seemed odd that this same kind of appeal process is denied to kindergarten and elementary students. They can only appeal to the county level whether it be for in state or out of state attendance. This would create an equal status for all students.

There was no opposition to SB 2147.

CHAIRMAN FREBORG closed the hearing on SB 2147.

SENATOR KELSH moved a DO PASS. SENATOR O'CONNELL seconded.

7 YES. 0 NO. 0 Absent. Motion Carried.

Carrier: SENATOR WANZEK

Date: 1-15-01
Roll Call Vote #: ~~1-15-01~~ /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2147

Senate Education Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. Keesh Seconded By Sen. O'Connell

[illegible]

Total (Yes) 7 No 0

Absent

Floor Assignment Sen Wanzek

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

REPORT OF STANDING COMMITTEE (410)
January 15, 2001 2:56 p.m.

Module No: SR-05-1003
Carrier: Wanzek
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2147: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2147 was placed on the
Eleventh order on the calendar.

2001 HOUSE EDUCATION

SB 2147

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2147

House Education Committee

☐ Conference Committee

Hearing Date 2-28-01

Tape Number	Side A	Side B	Meter #
1	xx		900--1430
Committee Clerk Signature <i>Lisa Gilbert</i>			

Minutes: Chair Kelsch opened the hearing on SB2147 relating to school district tuition payment appeals to the state board of public school education; relating to appealing a school board's decision to not pay tuition for a kindergarten student. All committee members were present.

Tom Decker, DPI : (900) testified in support of SB2147. **(SEE ATTACHED TESTIMONY)**

Rep. Hawken : (1080) Is this just the tuition payment that follows the student or foundation, too?

Tom : Foundation aid is the only one that follows the student.

LeaAnn Schneider, Attorney General's Office, attorney for Public Schools : (1190) testified in support of SB2147. under current law, when you have an appeal by a parent to pay tuition for their student to attend across state borders, the law does allow an appeal, including elementary and kindergarten. The law doesn't allow the appeal to go from ND district to ND district. This bill would put them at the same level.

Chair Kelsch : Any more testimony for or against? Hearing none, SB2147 is closed. What does the committee wish?

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House Education Committee
Bill/Resolution Number SB2147
Hearing Date 2-28-01

Rep. Hawken : I move a DO PASS.

Rep. Haas : I second.

VOTE: 15 YES and 0 NO with 0 absent. BILL PASSED. Rep. Meier will carry.

Date: 2-28-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2147

House House Education Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Hawken Seconded By Rep. Haas

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 Hunsakor	/	
Rep. C.B. Haas	/		Rep. Phillip Mueller	/	
Rep. Kathy Hawken	/		Rep. Dorvan Solberg	/	
Rep. Dennis E. Johnson	/				
Rep. Lisa Meler	/				
Rep. Jon O. Nelson	/				
Rep. Darrell D. Nottestad	/				
Rep. Laurel Thoreson	/				

Total (Yes) 15 No 0

Absent 0

Floor Assignment Rep. Meier

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

REPORT OF STANDING COMMITTEE (410)
February 28, 2001 1:08 p.m.

Module No: HR-34-4444
Carrier: Meier
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2147: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS
(15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2147 was placed on the
Fourteenth order on the calendar.

2001 TESTIMONY

SB 2147

TESTIMONY ON SB 2147
SENATE EDUCATION COMMITTEE
January 15, 2001
by Tom Decker, Director Finance and Organization
328-2267
Department of Public Instruction

Mr. (Madam) Chairman and members of the committee:

I am here to speak in support of Senate Bill 2147.

v P O R I

The changes proposed in this bill were introduced at the request of the State Board of Public School Education by our agency. Since the implementation of open enrollment in North Dakota in 1993, there has been a declining number of hearings for payment of tuition under section 15.40.2.05. Most parents and their students have been able to move to the school of attendance of their choice through open enrollment or through the use of tuition waivers in the short run in order to access open enrollment for the following year. However, every year we have several incidents of emotional and divisive disagreements between parents and school districts over parents desire to change school attendance during the course of a school year. There are a variety of reasons why parents may want to do this -- including change of jobs or relationship problems with one or more of their students at the school they are currently attending. The district of residence could resolve these problems by agreeing to a tuition waiver in most cases. There are cases where the proposed receiving district, however, will not accept students on a tuition waiver and may not accept students on open enrollment although the number of districts in that category have declined significantly in the last year. At the present time, the parents alternative is to go to a tuition hearing. High school students decision at the county level can be appealed to the State Board of Public School Education. However, elementary and kindergarten students may take their appeal to only the county level where the decision is final. In a number of cases, this leaves a family with divided attendance. Their high school students are allowed to move to the district of the parents choice or win that

right on appeal to the State Board, but elementary students are effectively denied at the local level. These circumstances create a significant hardship for the families involved. We believe that extending the appeal to K-12 will resolve most of these problems. We ask your support in this legislation.

TESTIMONY ON SB 2147
HOUSE EDUCATION COMMITTEE
February 28, 2001
by Tom Decker, Director Finance and Organization
328-2267
Department of Public Instruction

Chairman Kelsch and members of the committee:

My name is Tom Decker and I am the Director of School Finance and Organization for the Department of Public Instruction. I am here to speak in support of Senate Bill 2147.

The changes proposed in this bill were introduced at the request of the State Board of Public School Education by our agency.

Since the implementation of open enrollment in North Dakota in 1993, there have been a declining number of hearings for payment of tuition under section 15.40.2.05. Most parents and their students have been able to move to the school of attendance of their choice through open enrollment or through the use of tuition waivers in the short run in order to access open enrollment for the following year.

However, every year we have several incidents of emotional and divisive disagreements between parents and school districts over the parents desire to change school attendance during the course of a school year. There are a variety of reasons why parents may want to do this -- including change of jobs or relationship problems with one or more of their students at the school they are currently attending.

The district of residence could resolve these problems by agreeing to a tuition waiver in most cases. There are cases where the proposed receiving district, however, will not accept students on a tuition waiver and may not accept students on open enrollment.

Although the number of districts in that category has declined significantly in the last year. At the present time, the parent's alternative is to go to a tuition hearing.

The county decision for high school students can be appealed to the State Board of Public School Education. However, elementary and kindergarten students may take their appeal to only the county level where the decision is final. In a number of cases, this leaves a family with divided attendance. Their high school students are allowed to move to the district of the parent's choice or win that right on appeal to the State Board, but elementary students are effectively denied at the local level. These circumstances create a significant hardship for the families involved. We believe that extending the appeal to K-12 will resolve most of these problems.

We ask for your support in this legislation.