

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1237

2005 HOUSE EDUCATION

HB 1237

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1237**

House Education Committee

☐ Conference Committee

Hearing Date **18 January 05**

Tape Number	Side A	Side B	Meter #
1	X		4,380 - 5860
2		X	300 - 400

Committee Clerk Signature



Minutes:

Chairman Kelsch opened the hearing on HB 1237.

Rep. Hawken introduced the bill. HB 1237 has the money follow the students. This is not a new issue but because of the method of reporting. There is an interim committee out of DPI that is working with local school districts on the reporting process. Special Ed students that go to another school districts, there are some glitches on how the money is reported and it doesn't always follow the students. The bottom line is if there is a special ed student that is sent to another district, the money will follow the student. In my opinion, it should. There are other technical reasons this bill came forward, but the underlying issue is that the money would follow the student.

Rep. Mueller: That seems to make so much sense that why would we not have been doing that in the past?

Rep. Hawken: It is my understanding that it has to do with the reporting.

Rep. Sitte: Are we saying then the when a child is placed in a school they will get the funds. Is the local district going to be sharing the cost of educating that child or will be dumping everything on the state?

Rep. Hawken: It will be proportional, but I am not a financial wizard. I will let those people who know testify to that.

Rep. Norland: I believe the practice now is that the money goes to the district and if that district has a special education student that has to go to another district, then they bill the other district. This happened this year in Williston, and it happens all the time, where a student is in your district and you have an IEP. In the IEP comes out that the student is moved to another facility where they have the means to educate that child because this district doesn't. DPI has already forwarded the money to District A because that's where the payments are made. So District A has the money, but that special education student has to go to District B because that's what the IEP says. Then District B bills back District A. That money is going to be caught in District A.

Rep. Hawken: I believe that is part of the reason for this bill. Those are part of the problems that come up and this is an effort to simplify that process.

Jerry Coleman, assistant director of School Finance and Organization for DPI, testified in support of the bill. **(Testimony attached.)**

Rep. Hawken: Thank you for the clarification.

Dan Huffman, assistant superintendent, Fargo School District, appeared in support of HB 1237. **(Testimony attached.)**

Mark Lemer, business manager from the West Fargo School District, appeared in support of HB 1237. He also serves on an advisory committee commissioned by DPI. That committee is striving to reduce the data reporting requirements of school district special education units and vocational centers. Out of that committee came this request to make payments directly to educating districts rather than go to the district of residence and then have that district forward the payments. It streamlines the process and school districts should be supportive of this measure.

Hearing closed.

Chairman Kelsch reopened the hearing on HB 1237 at 2:30 p.m.

Rep. Haas: I move a Do Pass.

Rep. Herbel: I Second.

Yes: 14 No: 0 Absent: 0 Passed.

Rep. Norland will carry the bill.

Date:
Roll Call Vote #:

16 Jan 05
1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1237

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass

Motion Made By

Haas

Seconded By

Herbel

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep. Hanson	✓	
Vice Chairman Johnson	✓		Rep. Hunskor	✓	
Rep. Haas	✓		Rep. Mueller	✓	
Rep. Hawken	✓		Rep. Solberg	✓	
Rep. Herbel	✓				
Rep. Horter	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte	✓				
Rep. Wall	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Norland

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

REPORT OF STANDING COMMITTEE (410)
January 18, 2005 5:32 p.m.

Module No: HR-10-0675
Carrier: Norland
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1237: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1237 was placed on the
Eleventh order on the calendar.

2005 SENATE EDUCATION

HB 1237

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1237

Senate Education Committee

☐ Conference Committee

Hearing Date February 23, 2005

Tape Number	Side A	Side B	Meter #
1	X		35-450

Committee Clerk Signature



Minutes: **Chairman Freborg opened the hearing on HB 1237. All Senators were present, with the exception Senator Seymour.**

Representative Hawken introduced the bill. The bill streamlines the process of the method on payment for where the student is going pertaining to special education.

Jerry Coleman, Assistant Director of School Finance and Organization for the Department of Public Instruction appeared in support of the bill. See written testimony.

Chairman Freborg closed the hearing on HB 1237.

Action taken:

Senator Flakoll moved a Do Pass recommendation for the bill. Seconded by Senator Erbele.

The vote was 5-0-1. Senator Erbele is the carrier of the bill.

Date: 2/23/05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1237

Senate SENATE EDUCATION

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *Moved a Do Pass*

Motion Made By *Flakoll* Seconded By *Erbele*

Senators
CH- SENATOR FREBORG
V-CH- SENATOR G. LEE
SENATOR ERBELE
SENATOR FLAKOLL

Yes **No**
✓
✓
✓
✓

Senators
SENATOR SEYMOUR
SENATOR TAYLOR

Yes **No**
✓

Total (Yes)

5

No

0

Absent

/

Floor Assignment

Erbele

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

REPORT OF STANDING COMMITTEE (410)
February 23, 2005 12:50 p.m.

Module No: SR-33-3477
Carrier: Erbele
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1237: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1237 was placed on the
Fourteenth order on the calendar.

2005 TESTIMONY

HB 1237

HB 1237
18 Jan 05

**TESTIMONY ON HB 1237
EDUCATION COMMITTEE**

1/18/2005

by Jerry Coleman

701-328-4051

Department of Public Instruction

Madam Chairman and members of the committee:

My name is Jerry Coleman and I am the Assistant Director of School Finance and Organization for the Department of Public Instruction. I am here to speak in favor of HB 1237.

Per student aid is paid as follows:

1. The educating district receives the payment for regular education students.
2. The resident district receives the payment for special education students.

This bill changes 15.1-32-14 so that per student aid is paid to the educating district in all cases.

The Department has moved to collecting information electronically through the ORS system (On-line Reporting System). The educating district, for obvious reasons, has the responsibility to report on the students they are educating.

This bill will eliminate the confusion surrounding the direction of state aid payments flow and who must report on whom. Resident districts still maintain responsibility for special education and related services. Subsection 4.c. requires the educating district to offset the per student payment received.

Thank you Madam Chairman. I will be happy to address any question you may have.

HB 1237
18 Jan 05

58th North Dakota Legislative Assembly
House of Representatives
House Education Committee
HB 1237

For years, school districts have had to deal with multiple reporting processes of students for foundation aid purposes. Some of these have been addressed over the years by administrative processes developed by DPI.

One, however, that creates reporting problems for school districts is the reporting of special education students. With The ORS (On-line Reporting System), school districts that educate students must report students to the state. However, the funds do not flow to the educating district. Resident districts have no way of knowing if an educating district has reported their special education students, and there is no financial incentive for the educating district to report these non-resident special education students.

An interim committee of DPI representatives and local school districts has been meeting regularly to address issues surrounding the ORS and has identified this as an issue that needs resolution.

Educating school districts should be reporting these students, and the cost of education billed to the resident school district should be the net cost after foundation aid has been subtracted. This would put a process in place for special education students that is consistent with all other out of district students.

The Fargo School Board supports this legislation and a do pass recommendation for the House Education Committee.

Testimony provided by

Dan Huffman, Asst. Supt.
Fargo Public School District #1

TESTIMONY ON HB 1237
SENATE EDUCATION COMMITTEE
February 23, 2005
by Jerry Coleman
701-328-4051
Department of Public Instruction

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