

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

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ROLL NUMBER

DESCRIPTION

1488

2005 HOUSE EDUCATION

HB 1488

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1488**

House Education Committee

☐ Conference Committee

Hearing Date **2 February 05**

Tape Number	Side A	Side B	Meter #
1	X		0 - 2100
Committee Clerk Signature <i>Jan Prindle</i>			

Minutes:

Chairman Kelsch opened the hearing on HB 1488.

House Majority Leader Rick Berg introduced the bill. There is one thing that people care about and that's the kids and education. My concern as a legislator it seems that our focus and time is consumed with how we create a more equitable funding formula, how do we balance urban/rural interests, how do we deal with declining enrollment. We have all these issues that deal with the finances. Then we deal with the curriculum. We deal with whole a host of things.

It was Monday when Senator Dorgan came in and made a comment that struck me. He said, "if North Dakota were a separate country, we'd have the fourth best educated kids in the world." I'd never heard that before, but I'd really be interested in seeing that in a little more detail. The reason is that we do not focus on learning as much as should. Our future in ND depends on well educated kids coming out of K-12 and coming out at the university level. A huge portion of our debate in our legislature should be on kids learning. All of these other issues are important,

there is no issue that is not important. What are we doing to have the best educated kids. My challenge to the Committee and my challenge to the State would be: Why are we only fourth in the world? We should challenge ourselves to have the best educated kids in the world. The information technology and the economy that's ahead are extremely well suited for ND people. We've all seen statistics where the learning environment is the best in the country here in ND. Over the years we've had big problems to solve and we've formed study committees. We select those committees we're going to serve and you tend to select those committees where you're trying to protect someone or you have an ax to grind. Many time our interim education committees have so much of a focus on funding formula and issues that are important. Truly if we spent 50% of our time saying what does it take to have the best educated kids and what does it take as a Legislature to move that forward. Money is certainly an important component but I believe not. Where are the highest paid teachers in the country? Washington DC. Where are the lowest paid performing students in the country? Washington DC. There's something else that causes kids to learn and become well educated and we ought to find out what that is and promote that and encourage that as a legislature. We've had the same problem in economic development. As politicians we like to have a 'silver bullet' to solve problems. We created a business congress, a committee that's different from just legislators and different from just economic developers. We created a committee that had business owners and met with them and had a professional facilitator come in. We went around the state and had six different meetings with grass roots people. Some of the perceptions I had as a legislator were completely different that the private sector business people had. The feedback I got that agencies and departments were very responsive to businesses.

We finished the meetings in 9 - 10 months and then the legislators came back together. At that point we brought in economic developers and state government and came up with 18 things.

The governor endorsed those findings and gave his support for that agenda.

What a great way to address better educating for kids as we look long term in the future. That's where this concept came from. It's going out to the people who are closest to the problems, asking them what are the barriers, what are the opportunities, how can we accomplish this, coming back together with agencies, interpreting that in our state legalese lingo, packaging it up and passing that legislation. Quite simply that's all I want to do is figure out how our focus can be on learning and education and how can we advance that.

A couple of things were important to us. One was having a good facilitator and there is \$25,000 in here for that. The other thing is to have the right legislators serving on that committee.

Rep. Meier: How many individuals are you thinking of in that committee?

Berg: We had a committee of 10 -14, your normal interim committee. Then we had the public come together at the six meetings we held. We had 10 or 15 tables and the facilitator led the discussion with the objective of what statutory changes do we need to advance this.

Rep. Hunskor: What would plan as far as involving rural with urban and to attract the people from the smaller communities.

Berg: It was interesting in that the rural had a different prospective than the urban. The urban was more dependent on government and more concerned about those things. The rural were like "bring it on." I would leave that totally up to the committee, but there's severe problems that are different between rural and urban as far as establishing a higher level of learning. There might

even be two separate initiatives addressing both of those. I'm not saying who has to come to this. You can use your judgment.

Nancy Sand, NDEA, testified in support of the bill. This bill will pass. It has the potential to bring in a lot of ideas from stakeholders in state. It is an excellent idea to talk about education in general and not just piece meal it one bill at a time. Hopefully we'll get all the education issues on the table and come to some consensus about education in this state and what it might be years from now so ND can continue its excellent education and improve it. I hope you will do this at a time of year when it will be convenient for teachers to participate. I am particularly pleased that students are included here.

Doug Johnson, ND Council of Educational Leaders, testified in support of the bill. It is appropriate to have students involved. They have a tremendous impact on the discussion.

Rep. Mueller: I like the list but legislators are conspicuously absent. Is that a good thing in your opinion.

Johnson: I think they will get the report from the people. I think it would be valuable to have them there.

Bev Nielson, ND School Board Association, testified in favor of the bill. I encourage you to have participation by school boards.

Chairman Kelsch: Community leaders includes schools boards. It is a legislative committee. The committee goes out to the community and takes input from these community leaders and then brings it back, formulates the legislation and moves it forward.

Tom Decker, on behalf of the Department of Public Instruction, testified in favor of the bill.

Across ND, particularly in the rural areas, a smaller percentage of the population than ever are

involved directly with schools. Many people do not have kids in schools. They have a tendency to remember schools as when they were in school. There is an opportunity for school people, parents, and others to have a discussion of school really means. The rural segments of ND are losing enrollment dramatically and we need to work on ways to support education in ND from the largest cities to the smallest places. We need to look at K-16 aspect of this. The transition of students from K-12 to college. How can we accomplish that smoothly and seamlessly. Finally, I agree with Rep. Berg that \$25,000 is probably not enough of an appropriation to run this operation so please give that some consideration.

There being no further testimony, Chairman Kelsch closed the hearing on HB 1488.

Rep. Norland: I move **Do Pass** and refer to Appropriations

Rep. Johnson: I Second.

Rep. Haas: Do we want to deal with the funding now or later.

Chairman Kelsch: Rep. Berg didn't give a figure. It will be referred to appropriations and they will probably see if they can find extra money for it. The \$25,000 is a starting point.

Rep. Mueller: The list is kind of nebulous.

Chairman Kelsch: The way it was done was to try to cover the whole state. Legislative Council put flyers up, made direct contact with individuals, legislators identified key people, community leaders were invited. Anyone can come.

A roll call vote was called on HB 1488.

Yes: 14 No: 0 Absent: 0 The motion passed and the bill will be referred to appropriations.

Chairman Kelsch will carry the bill.

Date: 2 Feb 05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1488

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do Pass + refer to appropriation

Motion Made By Norland Seconded By Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep. Hanson	✓	
Vice Chairman Johnson	✓		Rep. Hunsakor	✓	
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 Kelsch

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

REPORT OF STANDING COMMITTEE (410)
February 2, 2005 11:39 a.m.

Module No: HR-22-1665
Carrier: R. Kelsch
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1488: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1488 was rereferred to the Appropriations Committee.

2005 HOUSE APPROPRIATIONS

HB 1488

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1488

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date February 2, 2004

Tape Number	Side A	Side B	Meter #
1	X		8 -9.1
Committee Clerk Signature <i>Robin Pursley</i>			

Minutes: Chairman Martinson opened discussion on HB1488.

Rep. Kelsch HB1488 is based on the education congress that was held during the last interim.

The \$25,000 is to defray the costs of having a mediator or facilitator to come in and facilitate the meetings so there is a third party to help formulate the answers and to help put together some issues as they come up. That is what the \$25,000 is for,

Chairman Martinson Any questions?

Chairman Martinson Closed discussion on HB1488

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1488

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date February 7, 2005

Tape Number	Side A	Side B	Meter #
1	X		4.3-6.6
Committee Clerk Signature			

Minutes: **Chairman Martinson** opened hearing on HB1488. That's the education congress.

Rep. Aarsvold How does this differ from the usual education interim committee activities we've been caring on forever?

Chairman Martinson I think that they are looking at a much more comprehensive study on education issues.

Vice Chairman Brusegaard I liken it to a Blue Ribbon Commission from the mid 80's. This may be an attempt to bring in business and community leaders, parents and teachers and try to develop a fiscal and sound education policy. I move a Do Pass.

Rep. Gulleason Second.

Chairman Martinson Any discussion? Call the roll please.

VOTE 5 YES and 1 NO with 0 absent. DO PASS. Rep. Brusegaard will carry to full committee.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1488
Create an Education Congress

House Appropriations Full Committee

☐ Conference Committee

Hearing Date February 8, 2005

Tape Number	Side A	Side B	Meter #
2	X		#21.5 - #46.0
Committee Clerk Signature <i>Chris Alexander</i>			

Minutes:

Rep. Ken Svedjan, Chairman opened the discussion on HB1488.

Rep. Tom Brusegaard explained that this bill establishes an education congress to study elementary and secondary education services in our state. It intends to draw a little bit broader input than a usual study in that it includes representatives from local businesses and community leaders and representatives from the Executive Branch and Technology people, and outside consultants as well as educators and administrators. A study this size is not cheap so there is an appropriation of \$25,000.

Rep. Tom Brusegaard moved a Do Pass motion on HB1488.

Rep. Bob Martinson seconded.

Rep. Ken Svedjan, Chairman asked what the \$25,000 would be used for.

Rep. Tom Brusegaard answered that it would be used for consulting fees and member travel.

Rep. Keith Kempenich asked how many people would be involved in this congress.

Rep. Tom Brusegaard answered that would be at the discretion of the Legislative Council.

Rep. Ken Svedjan, Chairman answered that the membership would come from those groups identified in the bill.

Rep. Jeff Delzer stated that he would oppose this bill based on the feeling that Legislators should make these decision, not consultants. Another reason is there is no need to set up a roundtable for elementary and secondary education like the one we have for higher education. And Thirdly, \$25,000 could be used in better places such as corrections or human services.
(meter Tape #2, side A, #25.1)

Rep. David Monson asked that if this was a mandated study for the Legislative Council, why isn't it in the budget for Legislative Council. Since we are in the middle of a lawsuit with education this should be studied in light of these political barriers regarding the lawsuit, but it is unclear that they would need the \$25,000 do accomplish it.

Rep. Ken Svedjan, Chairman commented that this is a Legislative Council Study so it is an interim group that would take up the issue. The difference with other studies is that there is an appropriation for this one and an identified group of people involved in this study but it is unclear how they will be involved.

Rep. Mike Timm, Vice Chairman asked if this wasn't setting a precedent for giving Legislative Council to do a study.

Ms Roxanne Woeste from Legislative Council answered that funding was also given to the Department for Corrections and Information Technology Department for studies done in interim.

Rep. Mike Timm, Vice Chairman commented that he had never seen an appropriation in a study bill. (meter Tape #2, side A, #29.4)

Rep. David Monson asked if the \$25,000 appropriation is because this is not like most studies which have legislators on the committees who get paid anyway?

Rep. Ken Svedjan, Chairman answered that this is the issue since it is unclear what this money is going to fund.

Rep. Bob Martinson clarified that this was viewed more as a roundtable and thus not a part of the budget process. It is a larger group so there are extra costs. It was the leaders who put this program together and Legislative Council doesn't have the money to accomplish it.

Rep. Jeff Delzer mentioned that the Department of Corrections money was appropriated for the hiring of a consultant.

Ms Roxanne Woeste stated that she believed the \$25,000 mentioned in section 2 of the bill is for hiring a consultant for this study as well. The economic development congress worked this same way.

Rep. Ken Svedjan, Chairman mentioned that it was still unclear in the bill who will be involved in this program and in what capacity.

Ms Roxanne Woeste commented that the bill says that the congress will receive input but I am not sure how they will gather this input. The Higher Education Roundtable had similar language to this and this was a study assigned to the interim education committee who then formed a roundtable. The council did not pay for the other members such as local business people or other consultants to participate in this study, they were just asked to be part of it.

Rep. Tom Brusegaard stated that the assumption was that the folks listed in the bill actually comprised the congress and we would at least pay for their expenses for participating. (meter Tape #2, side A, #35.1)

Rep. David Monson mentioned that this is clear that this bill establishes the congress but it does not say that these folks who will give input will actually be a part of the congress.

Rep. Ken Svedjan, Chairman commented that this appears that the \$25,000 is to hire a consultant to do the study and would probably occur in front of the interim education committee.

Rep. Ken Svedjan, Chairman called for a roll call vote on the Do Pass motion on HB1488.

Motion fails with a vote of 10 yeas, 12 neas, and 1 absence.

Rep. David Monson moves to amend HB1488 to remove the appropriation.

Rep. Mike Timm, Vice Chairman seconded.

Rep. Ken Svedjan, Chairman called for a voice vote to amend HB1488 by removing section 2.

Motion carried. (meter Tape #2, side A, #38.7)

Rep. David Monson moved a Do Pass As Amended motion for HB1488.

Rep. Blair Thoreson seconded.

Rep. Eliot Glassheim commented in support of the motion but said that this bill will need some clarification of the member participation when it reaches the senate.

Rep. Jeff Delzer commented in opposition to the motion by saying that we as legislators need to be responsible for these duties and that this is seen as passing off some of those duties. We receive input from all of these people all year long and during assembly so there seems to be no need to set up a roundtable to study this.

Rep. Ken Svedjan, Chairman called for a roll call vote on the Do Pass As Amended motion on HB1488. Motion failed with a vote of 11 yeas, 11 neas, and 1 absence.

Rep. Francis J. Wald moved a Do Not Pass As Amended motion on HB1488.

Rep. Jeff Delzer seconded.

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House Appropriations Committee

Bill/Resolution Number HB1488

Hearing Date February 8, 2005

Rep. Ken Svedjan, Chairman called for a roll call vote on the Do Not Pass As Amended

motion on HB1488. Motion carried with a vote of 12 yeas, 10 neas, and 1 absence. Rep Delzer

will carry this bill to the house floor. (meter Tape #2, side A, #45.0)

Rep. Ken Svedjan, Chairman closed discussion on HB1488.

Date: 2.7.05
Roll Call Vote #: _____

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1488

House Appropriations Education and Environment

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Rep. Brusegaard Seconded By Rep. Gulleason

Representatives	Yes	No	Representatives	Yes	No
Chairman Martinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep. Aarsvold	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chairman Brusegaard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep. Gulleason	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rennerfeldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Rep. Wald	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

Total 6 (Yes) 5 No 1

Absent _____

Floor Assignment Rep. Brusegaard

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

Date: February 8, 2005
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB1488

House Appropriations - Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 50701.0101

Action Taken **DO NOT PASS AS AMENDED**

Motion Made By Rep Wald Seconded By Rep Delzer

Representatives	Yes	No	Representatives	Yes	No
Rep. Ken Svedjan, Chairman	X		Rep. Bob Skarphol	X	
Rep. Mike Timm, Vice Chairman	X		Rep. David Monson		X
Rep. Bob Martinson		X	Rep. Eliot Glassheim		X
Rep. Tom Brusegaard		X	Rep. Jeff Delzer	X	
Rep. Earl Rennerfeldt	X		Rep. Chet Pollert	X	
Rep. Francis J. Wald	X		Rep. Larry Bellew	X	
Rep. Ole Aarsvold		X	Rep. Alon C. Wieland		X
Rep. Pam Gulleeson	X		Rep. James Kerzman	X	
Rep. Ron Carlisle		X	Rep. Ralph Metcalf		X
Rep. Keith Kempenich	X				
Rep. Blair Thoreson		X			
Rep. Joe Kroeber		X			
Rep. Clark Williams	X				
Rep. Al Carlson	AB				

Total Yes 12 No 10

Absent 1

Floor Assignment Rep Delzer

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

REPORT OF STANDING COMMITTEE

HB 1488, as amended, Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 10 NAYS, 1 ABSENT AND NOT VOTING). HB 1488, as amended, was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to provide an appropriation"

Page 1, remove lines 21 through 23

Page 2, remove lines 1 and 2

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes the appropriation provided in Section 2 of the bill.

2005 SENATE EDUCATION

HB 1488

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1488

Senate Education Committee

☐ Conference Committee

Hearing Date 03/01/05

Tape Number	Side A	Side B	Meter #
1		x	880-end
Committee Clerk Signature <i>Patty Wilkins</i>			

Minutes: To create an education congress and to provide for a legislative council study of the state's elementary and secondary education system.

Senator Freborg : Call the meeting to order on **HB 1488**

Representative Berg : Education progress, this is the crux of this bill Two yrs. ago, there is a story to this, we, every session talk about what we do for economic development and how can we create more jobs and do this type of thing. Two yrs. ago we set up a business conference, the thrust of this was to really talk to the economic development people not to talk to professionals, but to take a legislative group out throughout the state and actually talk to the business owners, the men and women who are creating the jobs and making things happen. Lets ask them what is the state doing that is good. What is the state doing that's a barrier to your business growth, and what are things that the state should be doing that they are not doing. We had six meetings throughout the state of ND urban and rural, east, west, north, south. We had more of a round table type of debate, a professional facilitator that came in and asked this groups questions and

asked for input. After that effort we met with all the professional economic developers of the state and took input from them and then reorganized just as legislators. We tried to take everything that we had gotten from other sources to see what we could put in statute. This came to the interim EDC committee and we had 18 proposals that you've seen in the Senate you passed over to the House now. The thing that struck me in January is that when the Governor gave his State of the State address, he said he fully supported that interim committees work as related to growing our states economy. In the House there were not a great deal of bills that came in like they seem to every other session I have been here to try and fix something or create a job or do things. This was a nonpartisan by-partisan interim committee, that brought this information forward. This struck me as this is really how our system is really suppose to work, that we as representatives of people have an opportunity with those people ask some of the right questions and then take their responses and put forward legislation that moves the state in that direction. So obviously in the House and true of the Senate the #1 funding thing we have is K-12 there is no question that that is extremely important. In fact funding of K-12 has been on everyone's mind 80 % or 90 % of all the talk about education is funding, funding formula, fairness, equity, the lawsuit etc. If we set back and say what is our core purpose in K-12 that it would be teaching children, and having the best educated kids in our state. It seems to me that that question always gets lost. The question I would love to have before me, as a legislator, is that when the session starts someone comes and said, if you want the best educated kids in the country here are the things you need to do. Bing, bing, bing, bing. Funding will always be a challenge, and how it has always been presented to me is well, we just need more money and then all these things would work out. If that were true we all know, Washington DC would have some of the smartest kids in

the country and their performance would be double, what anyplace else in the other states is, and we know that is not true. So what I am asking this legislature to endorse is an effort to repeat something that is very successful to have an interim committee that focuses on learning and to provide the best education system, having an outside facilitator come in and facilitate that so that we don't get trapped in our old arguments and old biases and that kind of thing. We should be focus on the learning part of it and not so much of the funding, then this bipartisan group of the interim could bring forth ideas that we then in the next legislative session evaluate and act on. Direct input would be very helpful to many of us, we are asking from teachers and administrator, parents and students as well as businesses. Getting core people that are closest to the problem or the challenge of educating our children and telling us what would help state wide. During the study there was not really a silver bullet out of the 18 things, we found that we just needed to do some tweaking with what we know. I think the same is true with education, I think there are barriers at what we are doing, maybe there are things that would come out of this that would related to forms and reports that really are not needed and what are the purpose of these things. How can we maximize or hearing from teachers of how they can best educate kids. We did spend 20,000.00 dollars during the last interim for a facilitator, but I think that it is very key for a third party to come in.

Senator Flakoll : On the House side the fiscal note was discarded, without that, will this work?

Rep. Berg : I think there was some miscommunications in the House. This was first in front of the House Education Committee and then the Appropriations, and the appropriations took the money out, this was the day before crossover. In light of reconsideration, they would support putting the 25,000.00 back in, but from my perspective we should put the funding back in. If

your committee would support this we would like the funding back in, and I can't express enough the importance of having a third party that has nothing to gain of the outcome coming in and facilitating the discussion.

Doug Johnson : NDCEL, It is important to me that we look at outside resources as we look at different issues that are facing education. I don't have any difficulty with bringing other people in. The only question that I may have on this is that we have several other bills that have been introduced that are studies that are related to this, specifically HB 1038 deals with NCLB Act. advisory commission and there may be some redundancies within those systems. I encourage that you take a look at all those bills that are out there and require a commission or some kind of study that is being done over the interim and maybe aggregate those or perhaps find a way to get that into a workable solution. We do support having outside individuals coming in and helping us and our decision making as administrators, I know that when I was in a middle school, one of the big things that I did was include all people, business community leaders parents and students in the decision making process. We do support the concept of this, but we wonder if there is any redundancies of some of the other bills that were introduced that accomplish the same thing.

Senator G. Lee : Some of the things that school districts are obligated to do or one of the things is to do strategic planning, like invite community leaders or who ever, do you see this as duplicative in terms of that?

Doug Johnson : I have been involved with several of those and they are very effective, one subgroup that I chaired I dealt directly with was job development and training kids for position in the community and we thought that was very instructive to us as a school district and worked very well. I think the intent of this is to do it more on a state wide perspective and that might be one

more area to look at within this session. I don't know if this happens on a statewide level, but at the district level they are required to have their strategic plans and involve the community intensively in that.

Senator Taylor : Would NCLB be a big enough topic of discussion in this bill as it is proposed that we would be able to, this may be more of an advisory commission so to speak, do you think it is going to be a big enough part of this agenda that we could do without that?

Doug Johnson : I think that HB 1038 is very important bill at this point and time, and I think that the two go hand in hand, I think the issues that really drive a lot of the difficulties that we are facing in education are resulting from some of the NCLB Act laws. I think that having people that are listening on HB 1488 as part of that advisory commission out of HB 1038 coming in and working with them and then coming out to give them input would be a valuable resource full of that, looking at both sides of that. I would like to make comment on the DC schools they do dump a lot of money into those schools, it is a low social economic group of people who live in that area. One of the things that you find in all of the research that has been done on students that perform at a low level it's the most direct correlation that you have on low performs of students is economic status. That's why this bill has good intent b/c we need to have our business and community leaders realize that too, that is the area we need to focus on our kids in our schools.

Nancy Sand : NDEA is in support of the concept of the study included in this bill in education congress. I believe that when you were discussing HB 1038 you already talked about the different bills before you in both houses regarding studies of NCLB is a direct focus of HB 1038 and SB 2404 which you have already seen and is now in the House, this is a funding study. Both of these have to do with student progress and achievement and the way we fund education, which also

seems to be part of the intent of this bill. I believe as well that there might be some combining.

When we work with school districts that are seeking to improve, we sometimes refer them to an NEA program called Keys to excellence in education. One of the first steps is to invite all of the stakeholders to participate in a survey and in a way that is what this bill does.

Chuck DeRemer : Fargo Public Schools, Superintendent assistant, speaking in support of the bill. I want to make sure something gets done, I don't really care what the mechanism is, but I always worry about study resolutions, b/c I know what happens to them in two yrs. We need a vision in this state as to what we are trying to do with Public Education, and I don't think we have one. I have been in a couple different times on full day kindergarten, the reason that I believe that it really went down, was not so much b/c it cost money, but b/c nobody can really see how full day kindergarten has any part of a vision as to what we want to do in public education. Dealing with mandating at least the opportunity for kids to have a half day kindergarten program, we really don't have vision for anything, the part that bothers me is that we are not seeing even the need for preschool or even pre-kindergarten programs for high needs kids, being addressed here. I think they need to be, and I think it is very difficult to expect our legislators to come in and all of a sudden get blinded and overwhelmed by all these different bills all meaning well, and for the kids. How much nicer it would be if something was already set up and people come in and address the priorities, set up by someone who has some sense of vision, we just don't have that. If you look at line 17 this gets to the crux of what I am talking about, if I asked the committee what the primary goals were for the state, I am not sure that anyone could tell me, and we need that desperately. Senator G. Lee asked a question about strategic plan, our district has

one, and unfortunately I am not aware of any strategic plan the state has. We don't have anything to fit together, and I really want to see some things get done.

Senator Taylor : Do you think after hearing HB1512 yesterday, do you think an education congress could get the right kind of input that would let folks know in terms of equity and adequacy what would be palatable, from the state tax payers to remedy that?

Chuck DeRemer : I think it is an opportunity to do that, and also to look at all of the funding mechanisms for example full day kindergarten could fit in nicely if funded with the alternative programs funds, as opposed to paying for heating systems and lighting systems in schools it would have little impact on student learning, where full day kindergarten has a huge impact. Yet those similar bills that come through that funding comes through very easily.

Tom Decker : DPI, agrees with previous testimony. That there is a void in the sense of the state the legislature in the state of ND having a strategic plan or vision for education. We deal with literally hundreds of bills that are related to education that over the yrs. that I have been here. I think sometimes that we don't have some kind of a clear background or yardstick to measure those things against, and the net result is that the decision making is not as linear as it should be in terms of focusing on reaching a vision for the best education that we can get. I think the opportunity is particularly good, when I was a class room teacher I talked a lot about a teachable moment. Sometimes there is an opportunity when it is really prime to make a point. Maybe to some degree that is a perpetual thing with education, but right now in ND when we have heavy impact on NCLB when we face continuing declining enrollment, when we face heavy teacher retirements and the problem we are dealing with that and a number of other related issue. There is definitely a teachable moment here and we could bring together a lot of the issues that are

being separately reviewed out there into a comprehensive process. In aspect to this bill, I would encourage to make it a two way process, to make it an opportunity to lay out that agenda of issues that we need to find some solution for funding, and then have a dialog around those issues with the public on a regional basis that provides significant input so that we can eventually roll up to some kind of consensus, about what the priorities are. I would strongly support the idea of a third party neutral to facilitate the process, our experience with developing JPA, demonstrates over and over again, the importance of having that neutral party out there to work through the difficult issues. We know how emotional these issues can be, going back to this morning, we need to sort through them to find that solution where we can make the best use of our resources or find the best organizational structure for delivery, provide the best education for our kids. With renewed interest in this b/c I am about to become a new grandfather.

Senator Seymour : Would this third party facilitator have to be from out of state?

Tom Decker : I think the answer to that would be no. Third party neutral has to have demonstrated capabilities as a neutral facilitator of the process where they are not driving the process where they are not driving the process in terms of not being involved in the context. Simply facilitating and documenting and keep it moving forward. We need to be careful not to combine the third party facilitator, and an educational consultant, those are two different rolls. The third party neutral who facilitates a process like this needs to be truly neutral, having no dog in this fight at all.

Opposition of the bill :

Sophia Preszler : I have heard so much about the NCLB, and in my opinion, we have a run away horse and a run away train. I feel that we the people, the citizens are being encroached

upon, it is almost like some of us are being tarred and feathered. I just see one and one adding together, I mean education is suppose to be simple and we have given up the course of study, which is the obligation of you the legislature to provide us with. It has been abandoned, I think we should revise it and then we could have efficient education, and we could have safe education, where the parents would feel secure in what their children are being taught. I for one feel very badly about the fact that we have abandoned the course of study, so I am in opposition to this b/c one and one isn't adding up.

Bev Neilson : To add a little spice to the morning I thought I would be the one who stands up with my concerns on the opposition side as opposed to the ones who stand up in favor with their concerns so that is where I am standing this morning. I have several issues that I want to bring up, some has to do with discussion from last week about the various study bills and how they might fit together. I did have some discussion with Senator Flakoll and Senator Taylor about how I thought those things might fit together. I think what they are asking to do with this congress, in my opinion, can be done in inter legislative committee, I am not sure why LC has to appoint another group of legislator to get other testimony. Years ago we had two education committees, one that took up just finance issues and one that took up policy issues, and I think those kinds of things can be combined. I am not convinced that having people travel around the state and take input from farm and business community and so forth and forming a statewide educational plan in my opinion would be particularly useful. I do agree that in local communities that those people are asked for their input and I think with those long range plans that you put into effect last session, that we are seeing more of that. In reading through the bill it kind of made it sound like nobody is studying the student achievement when we are doing that all the time, this is ongoing,

programs that adjust the states competitiveness with other states. That is right what we are in the middle of doing right now, with NCLB, an effective means of using taxpayers dollars at state and local levels you talk about that every session. I am not convince this is necessarily necessary, however I do think that having the legislature have and idea, overall of what their goals and objectives are for K-12 education is worthy. I think the legislature needs to embark on that, this could be done through the interim process. One other thing that concerns me about it b/c I heard Rep. Berg in House committee, and also on the floor say that we have to have a group to get together to develop our goals where funding isn't the first thing that we talk about. I wouldn't disagree with that if I didn't have a fear the funding would never be what we talk about. One of the fears I have in this type of thing is where you get people together all about what could be the ideal on here, we should do this differently and this and this, then we come back next session with mandates and no funding. The Higher Ed Round Table had a little of those issues not that it was wasted time but I do have a concern, when we think we can ask schools differently or to do things in addition to what they are doing and not think that is going to cost some money. If you are so inclined to pass this, you might notice that the list of people they will get input from the school board members are not on there.

Senator Freborg closed the hearing on **HB 1488**

No further discussion

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1488

Senate Education Committee

☐ Conference Committee

Hearing Date 03/07/05

Tape Number	Side A	Side B	Meter #
3	x		0-.350
Committee Clerk Signature <i>Ruth Wilkins</i>			

Minutes: To create an education congress and to provide for a legislative council study of the state's elementary and secondary education system.

Senator Freborg : Call the meeting to order on **HB 1488**

Senator Flakoll : With the realization that your hard working delay bills committee just kicked out another study resolution, so this is old data now, so now we have 11 to look at in the interim, we need to pick and chose and decide and combine and contrast and kill some of these. I would move a Do Not Pass on engrossed HB 1488.

Senator Freborg : Did you vote for that through delayed bills Senator Flakoll?

Senator Flakoll : Yes.

Senator Freborg : Very good.

Senator Flakoll : I think the genesis of that is the income side of 1512 will probably be sent to finance and tax. Not my call but.....

Page 2
Senate Education Committee
Bill/Resolution Number HB 1488
Hearing Date 03/07/05

Senator Freborg : Did we get a second?

Senator G. Lee second the motion

Discussion :

Senator Seymour : Didn't he say he had like 20 or 30 thousand dollars you could put into this bill?

Senator Freborg : I think you are right. I am sure that is why Senator Flakoll made the motion.

No further discussion

Hearing None, Clerk took roll: Vote 4 Yea 1 Nay 1 Absent

Senator G. Lee will carry this bill.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1488

Senate Education Committee

☐ Conference Committee

Hearing Date 03/08/05

Tape Number	Side A	Side B	Meter #
1		x	4650-end
Committee Clerk Signature <i>Patty Wilkins</i>			

Minutes: To create an education congress and to provide for a legislative council study of the state's elementary and secondary education system.

Senator Freborg asked **Senator Erbele** and **Senator Seymour** for the report on **HB 1488**

The two Senators basically went through the report with the other members on the committee.

Senator Freborg : Which of you is going to speak first?

Senator Seymour said he will and indicated that we pretty much took care of HB 1038 and then HB 1488 we had taken care of the other day, bringing us down to SB 2404.

Senator Erbele indicated this one was not with us but having seen the delayed bill, the other one was out of our control that one is the JPA, however if you would look at the second page, where you look at HCR 3052 some of the issues that they are trying to do there are taken care of with the JPA bill. On the surface after reading the bill and hear SB 2168 the issue there in 3052 would be easily addressed by JPA, **Senator Seymour** spoke up and said the HCR 3046 talking about

early childhood programs and then hearing HCR 3051 talking about health care and getting everyone involved. Where would that fit? Then getting to the last resolution on the second page HCR 3053 post secondary skill development program, we do have a board of career ed and maybe they are taking care of that now. We didn't know if we would have to have a hearing on that or get a comment from the sponsor or the resolution of where they are coming from, we weren't quite sure on that. Then Senator Flakoll mentioned the delayed bill and talked about it but I haven't taken initiative to get a hold of it. So that is really where we are at.

Senator Flakoll : All the bills you have listed here are the ones that would come to our committee or have come to us, correct? With the exception of the delayed ones? Really the only ones, we don't have any of these in our hands now and we couldn't act on these if we wanted to.

Senator Erbele : No, we have acted on all of them.

Senator Seymour : Well, we do have a heads up, right Senator Flakoll?

Senator Freborg : We only have four resolutions left.

Senator Flakoll : Have we heard any word on SB 2404 yet? I don't know the answer.

Mary Wahl from the audience indicated that it got a do pass 13-1 in the House.

Senator G. Lee : The only resolution that we have is 3034 I am not sure where anything else is.

Senator Freborg : They are not coming to our committee? This isn't a statement,

Senator G. Lee : Well, we only have one resolution so far.

Senator Seymour : I don't have that one on my list. HCR 3034?

Senator G. Lee : I don't know what this one is, maybe recess.

Senator Freborg : We will have you check on 3052.

Senator Seymour : Dirk helped me with this list.

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Senate Education Committee

Bill/Resolution Number HB 1488

Hearing Date 03/08/05

Senator Flakoll : What hearing numbers do we have tomorrow.

Senator G. Lee : 1232 --1364---1489 are the bills we will hear tomorrow.

Senator Freborg : Next week will be the last week to hear them.

Senator Seymour : I heard these are all over at the House. They are coming.

Senator Flakoll : Would it be helpful for subcommittee to go over and visit?

Senator Freborg : I think we will let the process take its course.

Senator Seymour : That is all we have.

Senator Freborg : We should probably hold the bills we just acted on, so we don't prompt a reaction. That was a good report Senator Erbele and Senator Seymour.

No further discussion

Date: 3/7/05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1468

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Sen. Flakoll Seconded By Sen. Glee

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR		✓
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR		
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 4 No 1

Absent 1

Floor Assignment Sen. Lee

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

REPORT OF STANDING COMMITTEE (410)
March 7, 2005 4:14 p.m.

Module No: SR-41-4326
Carrier: G. Lee
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1488, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends
DO NOT PASS (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed
HB 1488 was placed on the Fourteenth order on the calendar.

2005 TESTIMONY

HB 1488

Legislative Review of Possible Educational Studies
By Senators Erbele and Seymour

HB 1038 FN	To establish an advisory commission on the No Child Left Behind Act; relating to the interim no child left Behind committee; and to declare an emergency	Leg Council NCLB Committee
HB 1488 Appr.	To provide for a legislative council study of the state's K-12 education system using Ed Congress	Rep. Berg, R. Kelsch, Sens. Freborg, Stenehjem
SB 2404	To direct a study of enhanced funding by the Legislative Council	O'Connell, Robinson, Haas Metcalf, Sitte, Wieland
SB 2168 Appr.	Relating to educational associations governed by the joint powers agreements; to provide for an appropriation.	G. Lee, Heitkamp Wardner, Delmore D Johnson N Johnson
HB 1434	Requires all DPI proposed amendments to the NCLB Plan be presented to and reviewed by the Legislative Council	R Kelsch, Berg, Wall, Cook, Freborg Stenehjem
HCR 3046	A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing early childhood education programs.	Metcalf, Haas Hawken, Brown Hacker, Robinson
HCR 3051	A concurrent resolution directing the Legislative Council to study ways in which state agencies can join with health care professionals, school districts, schools, and parents to promote understanding regarding the interplay of health and educational success and to improve the health and well-being of elementary and high schools students in the state.	Mueller, Herbel Wall, Brown Flakoll

HCR 3052 A concurrent resolution directing the Legislative Council to study and compare the delivery of elementary and secondary education to students in contiguous school districts. Hawken, Maragos
Weiler, Grindberg
Holmberg

HCR 3053 A concurrent resolution directing the Legislative Council to study the role of the state in reviewing and approving various postsecondary skill development programs. Wrangham
Clark, Delzer
Keiser, Klein