

# EDUCATION COMMITTEE

The Education Committee was assigned four studies. Senate Concurrent Resolution No. 4032 (2007) directed a study of ways in which schools and school districts can train teachers, counselors, and other school staff to better identify high-risk students and to provide programs designed to reduce the incidences of high-risk behaviors that can lead to suicide attempts. House Concurrent Resolution No. 3046 (2007) directed a study of ways in which various public and private entities can cooperate with families to promote healthy lifestyles for children and create awareness about the interplay of healthy lifestyle choices and educational success. Section 16 of Senate Bill No. 2030 (2007) directed a study of the short-term and long-term involvement of regional education associations, including the feasibility and desirability of regional education associations becoming political subdivisions; whether teachers should be employed directly by regional education associations, and whether that employment should include bargaining rights, contract renewal and nonrenewal provisions, participation in the Teachers' Fund for Retirement, and participation in the state's uniform group insurance program; the impact that allowing regional education associations to hire teachers directly would have on the recruitment and retention of teachers currently employed by school districts and on teacher salary levels; whether teacher employment contracts, if offered by regional education associations, would have to parallel those of participating school districts with respect to common school calendars, annual or personal leave provisions, and other contractual benefits; the conduct of evaluations if teachers are employed directly by regional education associations, including who will conduct the evaluations, their frequency, and the criteria upon which the evaluations are to be based; the organizational structure of regional education associations, including the qualifications of administrative or supervisory personnel; the governance structure of regional education associations; and state level oversight. Section 11 of Senate Bill No. 2030 directed a study of the appropriateness and adequacy of high school curricula, with respect to preparing students for higher education and for the workplace, and an examination of curricular changes implemented in other states and expectations placed on students in other countries.

The Legislative Council also assigned to the committee the responsibility to receive periodic reports from the North Dakota Commission on Education Improvement and to receive reports regarding the financial condition of schools, school district employee compensation, student scores on recent statewide tests of reading and mathematics, requests for and waivers of accreditation rules, requests for and waivers of statutory requirements governing instructional time for high school courses, the failure of any school board to meet the statutory threshold for increasing teacher compensation, the status of the statewide longitudinal data system plan, the planning and development of an electronic course

delivery approval process, the operations of regional education associations, and the status of payments to individuals who hold national board certification.

Committee members were Representatives RaeAnn G. Kelsch (Chairman), C. B. Haas, Lyle Hanson, Gil Herbel, Bob Hunsakor, Karen Karls, Lisa Meier, David Monson, Phillip Mueller, Gary Sukut, Francis J. Wald, and John D. Wall and Senators John M. Andrist, Tim Flakoll, Layton W. Freborg, Gary A. Lee, and Carolyn Nelson.

The committee submitted this report to the Legislative Council at the biennial meeting of the Council in November 2008. The Council accepted the report for submission to the 61<sup>st</sup> Legislative Assembly.

## IDENTIFICATION OF HIGH-RISK BEHAVIORS STUDY

Nationally, more than 30,000 individuals commit suicide each year. Suicide is the 11<sup>th</sup> leading cause of death among individuals of all ages and the 2<sup>nd</sup> leading cause of death among individuals between the ages of 10 and 24. In North Dakota, from 1994 through 2003, 797 individuals took their own lives. This averages out to almost 80 suicides per year and almost 7 suicides each month. Attempted suicides during that same period averaged 382 per year, or more than 1 per day. Most of those individuals required serious medical attention at an average cost of \$7,515. The highest rates of suicide during that period were found in the 15 to 24 age group and the 45 to 54 age group.

### Risk Factors

Risk factors vary with age, gender, and group, and may even change over time. Among the younger group, risk factors include suicidal thoughts; psychiatric disorders such as depression, impulsive aggressive behavior, and bipolar disorder; certain anxiety disorders; drug and alcohol abuse; and previous suicide attempts. Often, risk factors occur in combination. Situational stress and access to firearms appear to increase the risk of suicide. In North Dakota many of the risk factors become even more challenging when coupled with geographic isolation and limited availability of or limited accessibility to mental health services.

### Youth Risk Behavior Survey

In 1990 the United States Centers for Disease Control and Prevention developed a youth risk behavior survey. The survey was designed to monitor risk behaviors that contribute to the leading causes of death, disability, and social problems and, in turn, to serve as a springboard for the initiation of effective responses. The survey focuses on six risk factors--tobacco use, dietary behaviors, physical activity, alcohol and drug use, sexual behavior, and violence.

North Dakota began participating in the survey in 1995. During the spring of 2007, more than 16,000 North Dakota students between grades 7 and

12 participated in the survey. Due to the random, research-based selection process, the results allow the making of inferences about all North Dakota students in the stated grades. Among the conclusions of the report are the following:

- Nearly 17,000 North Dakota high school students have tried cigarettes and almost 6,200 of those students smoked their first cigarette before the age of 13.
- In 2007 there were 10 traffic fatalities involving children between the ages of 10 and 19. Nine of those traffic fatalities involved alcohol.
- Thirty-four percent of seventh grade and eighth grade students and 26 percent of high school students were bullied on school property, by other students, at least once during the past year.
- Twenty-eight percent of North Dakota high school students drank alcohol or used drugs before their last sexual encounter.
- Seven percent of North Dakota high school students had been forced to have sexual intercourse against their will.
- Nine percent of North Dakota high school students indicated that they had been hit, slapped, or physically hurt by a boyfriend or girlfriend during the last year.

The committee was told that school personnel often see alcohol use, drug use, sexual activity, bullying, and depression among students. School personnel understand that such high-risk behaviors are evidence that students are hurting in some way and that such behaviors can lead to suicide. Unfortunately, school personnel are seeing such behavior not just among older students but among younger students as well.

### **North Dakota Adolescent Suicide Prevention Project**

In 1999, faced with data showing that the suicide rate for North Dakotans in the 10 to 24 age group was almost twice the national average, adolescents and young adults became the primary focus for North Dakota's suicide prevention efforts. The initial state plan focused on three strategies--awareness and education, increased treatment access, and resiliency and asset building. By 2001 the focus shifted to the development of strategies in five core areas--infrastructure, youth development, professional education, public education, and evaluation. Several part-time suicide prevention coordinators were hired in 2002 and by 2003 eight rural and tribal mentoring coordinators had been hired. Mentoring programs, support groups, screening efforts, crisis response, and teen-led efforts were put in place.

Since the inception of the North Dakota Adolescent Suicide Prevention Project, more than 40,000 North Dakotans have received training in suicide prevention strategies. This number includes 700 teen leaders, 8,000 professionals, and 1,500 faith-based partners. Thirty-five percent of the project's activities take place in tribal settings. During the project's first five years, there was a 47 percent reduction in the number of suicides attributable to the 10 to 19 age group and a 32 percent

reduction attributable to the 10 to 24 age group. The American Public Health Association awarded the 2005 Public Health Practice Award to the North Dakota Adolescent Suicide Prevention Project in recognition of its innovative and creative approaches as well as its role in reducing the number of suicides among young North Dakotans.

### **National Masonic Foundation for Children - Masonic Model Student Assistance Program**

The National Masonic Foundation for Children is a nonprofit charitable organization that seeks to help adolescents lead productive, useful, and healthy lives by preventing the use and abuse of alcohol and drugs. The flagship program of the Masonic Foundation is the Masonic Model Student Assistance Program. Established in 1986, this program consists of an intensive three-day training workshop for teachers. Generally, the workshop is limited to between five and eight teachers. The focus is on learning how to identify, intervene with, and create appropriate referrals for students who may be at risk for substance abuse, depression, violence, or suicide. The program involves practice sessions that are designed to simulate real-life events, along with presentations on subjects such as chemical dependency, depression, suicide, conflict, anger, violence, communication skills, intervention, family dynamics, enabling, life skills development, treatment and aftercare, and group processes. Participants leave the training with a specific plan for behavioral interventions and a system for implementing the program in their schools.

In North Dakota the cost of this training, including room and board for the duration of the program, is approximately \$4,000 per teacher and is covered by the sponsoring Masonic Lodge. The cost of transportation to Bismarck and the cost of substitute teachers is the responsibility of the school district. The committee was told that several of the cancellations this year came about as a result of school districts claiming that they did not have money to spend for transportation and substitutes.

### **Conclusion**

Suicide is a complex phenomenon and childhood suicide is a tragedy of unfathomable proportions. The psychological and social impact of a suicide both on the individual's family and on those who shared a school or place of work is immeasurable. Although far from being understood, suicide is recognized as resulting from a complex interaction of biological, genetic, sociological, and environmental factors. It is also recognized as being potentially preventable. The committee concluded that tools and programs for the prevention of suicide are available and are being used in North Dakota with significant success. The committee also recognized that not all of the tools and programs are equally available and equally accessible across the state. North Dakota's geographic vastness, coupled with its sparsity of population, creates service delivery challenges in many venues, including this one.

## **PROMOTION OF HEALTHY LIFESTYLES FOR CHILDREN STUDY**

### **Background**

It is well-documented that numerous medical conditions and chronic diseases stem from lifestyle decisions. Overeating and inactivity, for example, can lead to heart disease, diabetes, some cancers, stroke, high cholesterol, and arthritis. Nationwide, increasing trends in obesity alone account for more than 38 percent of the growth in spending for diabetes, 22 percent of increased spending for high cholesterol, and 41 percent of increased spending for heart disease. These avoidable conditions and chronic diseases create financial burdens for families, communities, employers, and governments with respect to direct health care expenses, decreased productivity, and increased absenteeism from both work and school.

Many states have launched wellness campaigns and undertaken a variety of promotional efforts designed to encourage healthy lifestyle choices. Although it is recognized that individuals must make the commitment to modify their lifestyle choices and to be healthy, it is also recognized that such wellness efforts are more likely to be successful if they include strategies that reach out to people in their homes and communities and support the integration of healthy habits into everyday life.

The phrase "healthy lifestyle" is frequently referenced in everyday conversations and in the media. Precisely what is meant by a healthy lifestyle is, however, somewhat elusive. Because the committee was given the charge of determining ways in which healthy lifestyles can be promoted, its first order of business was to define that which is to be promoted.

The committee determined that healthy lifestyles appear to fall into one of two categories. The first category includes clinical issues, such as the use of tobacco, alcohol, and illegal substances; proper nutrition; daily exercise; etc. The second category is a more holistic approach and includes both physical and mental health. The second category recognizes that many things go into creating a healthy lifestyle. Therefore, in addition to the aforementioned components, this category includes positive relationships and livable environments. In this category, a healthy lifestyle is thought of as a purposeful and productive lifestyle and encompasses work, school, play, worship, and neighborhoods.

### **North Dakota Initiatives**

#### **Agency Efforts**

In North Dakota the promotion of healthy lifestyles falls principally within the purview of two agencies--the State Department of Health and the Parks and Recreation Department. The State Department of Health has a variety of divisions addressing a variety of health-related issues.

- The Division of Cancer Prevention and Control works to increase awareness by engaging in partnerships, collecting and reporting data, ensuring quality data, providing public and

professional education, and ensuring the availability of quality services for screening, treatment, rehabilitation, and palliative care. Its programs include the cancer registry, the comprehensive cancer control program, and the Women's Way program.

- The Division of Chronic Disease works to promote disease self-management and healthy behaviors, increase disease risk awareness, and support quality health care. Its efforts include the diabetes prevention and control program, the heart disease and stroke prevention program, and the North Dakota state asthma workgroup.
- The Division of Family Health provides funding, technical assistance, training, needs assessments, educational materials, and other resources to local public health units, schools, and other public and private health service providers. It provides abstinence-only education, breastfeeding programs, child and adolescent health services, coordinated school health programs, early childhood programs, family planning programs, programs dealing with fetal alcohol syndrome and fetal alcohol effects, genetics programs, head lice prevention and control programs, infant care programs, infant massage, maternal and child health block grants, newborn home visiting programs, newborn screening programs, optimal pregnancy outcome programs, oral health programs, pregnancy programs, pregnancy-related surveys, sudden infant death syndrome programs, and various women's health services.
- The Division of Injury Prevention and Control provides policy development, data surveillance, public awareness, professional training, funding, advocacy, and partnerships to reduce the frequency and severity of intentional and unintentional injuries. Its programs include the injury and violence prevention program, the child passenger safety program, the domestic violence and rape crisis program, the leadership in educational administration development program, and the suicide prevention program. It also disseminates information on topics such as bicycle safety, child fatalities, home safety, poison prevention, playground safety, product safety, seasonal safety, and the prevention of shaken baby syndrome.
- The Division of Nutrition and Physical Activity promotes healthy eating and physical activity to reduce weight and to prevent obesity and related chronic diseases. Its responsibilities include maternal and child nutrition programs and the special supplemental nutrition program for women, infants, and children.
- The Division of Tobacco Prevention and Control provides support for local, state, and tribal programs to reduce and ultimately prevent tobacco use.

The Parks and Recreation Department is responsible for the operation of the state parks and is directly or

indirectly involved in making available a variety of outdoor activities, including cross-country skiing, hiking and horse trails, bicycling, snowmobiling, off-roading, birding, and nature preserves. As a result of its efforts, paved trails exist in most of this state's major cities and unpaved trails exist at Turtle River State Park, Lake Metigoshe State Park, and the Sheyenne National Grassland. In addition, this state boasts the renowned multiuse Maah Daah Hey Trail in western North Dakota.

The Parks and Recreation Department serves as the host agency for the CANDISC Bicycle Tour and the Prairie Rose State Games and is the administering agency for the land and water conservation fund, which is a federal program that provides 50/50 matching grants to states and their political subdivisions for the acquisition and development of public land for open space and outdoor recreation purposes. In the past it provided funding for playgrounds and ballfields, trails, parks, and access to lakes and rivers.

A third entity that is involved in the promotion of healthy lifestyles in this state, although to a lesser extent than the State Department of Health and the Parks and Recreation Department, is the Department of Public Instruction. Working under a Centers for Disease Control and Prevention grant, the Department of Public Instruction maintains a focus on health and physical education curricula and provides various school health services that are designed to ensure access or referral to primary health care providers. Its efforts also include school nutrition services, healthy school environments, education and fitness activities for school staff, and integrated school, parent, and community approaches that are designed to enhance the health and well-being of students.

### **Healthy North Dakota**

Healthy North Dakota is a statewide coalition of partners and stakeholders seeking the identification of common strategies to address health issues and promote wellness. The interests of the parties and stakeholders include cancer, diabetes, immunizations, oral health, nutrition, physical activity, healthy weight, health disparities, injury prevention, worksite wellness, school health programs, and third-party payers, as well as reducing and preventing tobacco use.

Healthy North Dakota operates under the direction of a coordinating committee consisting of the liaisons or chairmen from each of the participating committees, coalitions, and focus groups, and it relies on an advisory group consisting of individuals representing the University of North Dakota (UND), the UND Center for Rural Health, the UND School of Medicine and Health Sciences, North Dakota State University (NDSU), the NDSU Extension Service, the Indian Affairs Commission, the North Dakota Chamber of Commerce, Blue Cross Blue Shield of North Dakota, the Governor's office, and the State Department of Health, as well as various consumers.

### **North Dakota Schools**

Just as medical conditions and chronic diseases stemming from lifestyle choices plague adults, so too do they plague children. Although the literature indicates that the relationship between unhealthy lifestyles and lower academic achievement is not fully understood, issues of self-esteem, depression, and health problems that are associated with such lifestyles are known to be contributing factors to lower academic achievement. One of the things that can be stated with certainty is that the childhood impulse to imitate is very strong and, consequently, the best way to encourage healthy lifestyle choices in children is to be their example. Because students spend more time in school than in any other social institution, schools afford unparalleled venues for the promotion of wellness.

In school settings nutrition information and opportunities to discuss and participate in physical activities can be incorporated in science, mathematics, English language arts, and social studies classes. Guidelines for food and drinks sold in schools and at school-sponsored events can be established, and afterschool programs that include physical activity can be encouraged. Many school districts in the state recognize the value of healthy students and have not hesitated to allocate time and resources to this cause. Others have been less willing to make that commitment.

The committee was told that, as a state, we think of our students and our school settings as "wholesome." However, teachers, administrators, and a school resource officer who is also a police officer, shared stories of students using and abusing alcohol, both during and outside school hours; arrests for marijuana possession; the presence in our schools of methamphetamines, cocaine, mushrooms, ecstasy, and heroin; and the use of inhalants. They spoke of sexual activity among students, including such activity on school property and during the school day. They indicated that sexual activity was occurring not only at the high school level but at the middle school level as well. They also indicated that significant numbers of students were involved with multiple partners. The committee learned that the phrase "friends with benefits" references an "involvement" in which there is no dating relationship and no intention of having a dating relationship, and the committee was told of students labeling themselves in Internet exchanges as "A3s"--anytime, anyplace, anywhere.

Even those students who do not engage in illegal activities frequently skip meals, receive inadequate amounts of sleep and exercise, and consume excessive amounts of highly caffeinated energy drinks. Students from all walks of life have to cope with a variety of issues, including academic, familial, economic, and social challenges. Often their limited experiences, coupled with their adolescent perceptions, result in less than desirable outcomes. The committee was told that, in many cases, adolescents simply do not have the facts about options that they encounter and do not understand the consequences of their choices. An increase in

school-based health education was suggested as a way to address these situations.

### **Recommendation**

The committee recommends House Bill No. 1028 to require that every student complete, as a condition of high school graduation, at least one-half unit of health education. The North Dakota Century Code currently requires that a student successfully complete, among other courses, "[o]ne unit of physical education, which may include up to one-half unit of health." Less than half of the state's school districts require any health education as a condition of graduation. Of those that do, it is not known whether the health education component constitutes one-quarter unit or one-half unit of a student's four-year high school career. One-quarter unit of health education amounts to fewer than 20 hours of instruction out of the average student's 2,400 high school instructional hours.

Unlike the health classes of the past, which focused primarily on hygiene issues, today's health education classes address social interactions; the importance of sleep; work habits; study habits; bullying; tobacco, drug, and alcohol use; depression and suicide; anger; anxiety; the development of resistance skills; gangs; cliques; dating; abstinence; problem-solving; and being part of a family. The committee was told that, historically, health education was somewhat frowned upon out of concern that it might work against parental values or that it might interfere with local control and local curricular decisions.

Those not in favor of imposing a health education requirement suggested that, under current law, a student could graduate with, in essence, one-half unit of physical education and one-half unit of health, whereas the concept considered by the committee would require each student to take, and consequently each school to offer, one unit of physical education and one-half unit of health. The committee recognized, however, that under current law a school already is required to make available to each student one-half unit of health and one-half unit of physical education during each school year. The committee also recognized that school district concerns about having to incur added costs by hiring health education teachers was unfounded. The teaching of health education is within the purview of individuals licensed to teach science, physical education, and family and consumer science.

The committee determined that today's adolescents are the workers and leaders of tomorrow. Providing those adolescents with educational opportunities that will help them understand their world, the myriad of choices available to them, and the consequences of those choices, will impact their personal health, longevity, and productivity, and, ultimately, our society's well-being.

## **REGIONAL EDUCATION ASSOCIATIONS STUDY**

### **Background**

Article VIII, Section 1, of the Constitution of North Dakota directs the Legislative Assembly to provide for the "establishment and maintenance of a system of

public schools which shall be open to all children of the state of North Dakota and free from sectarian control." The constitutional rationale behind this directive was that a "high degree of intelligence, patriotism, integrity and morality on the part of every voter in a government by the people" is "necessary in order to insure the continuance of that government and the prosperity and happiness of the people . . . ." The constitution goes on to direct that the system be uniform throughout the state and requires that in "all schools instruction shall be given as far as practicable in those branches of knowledge that tend to impress upon the mind the vital importance of truthfulness, temperance, purity, public spirit, and respect for honest labor of every kind." The Legislative Assembly also is directed to take "such other steps as may be necessary to prevent illiteracy, secure a reasonable degree of uniformity in course of study, and to promote industrial, scientific, and agricultural improvements."

Over the years the constitutional directives spawned legislative directives, and the school districts have responded--sometimes singly and sometimes in concert. Challenges have been a part of this state's educational landscape since statehood and they show no sign of depletion. In fact, with each successive school year, the decline in the number of students, coupled with this state's vast geography, has made it more and more difficult for a single school district to provide educational services in an effective and efficient manner.

### **North Dakota Statutory Requirements**

Faced with the unpopularity of wholesale school district consolidation, the Legislative Assembly in 2003 enacted legislation that formally recognized education associations governed by joint powers agreements and directed that the first \$250,000 of any payments remaining in the state school aid line item after completion of all statutory obligations be set aside as reimbursement for those associations.

Further changes occurred during the 2005 legislative session and in 2007 the Legislative Assembly deemed the associations worthy of a new name and a separate chapter in the North Dakota Century Code. Joint powers associations became regional education associations.

Under North Dakota Century Code (NDCC) Chapter 15.1-09.1, a regional education association must:

1. Contain a land mass of at least 5,800 square miles;
2. Contain a land mass of at least 4,500 square miles and consist of at least 12 school districts;
3. Contain a land mass of at least 4,000 square miles and serve at least 3,000 students; or
4. Contain a land mass of at least 1,500 square miles and serve at least 7,500 students.

A regional education association must maintain a joint operating fund and offer various administrative functions and student services. Districts must agree to participate in at least five administrative functions. These may include business management, career and technical education services management, curriculum mapping or development, data analysis, federal program

support, federal title program management, grant writing, school improvement, school safety and environment management, special education services management, staff development, staff retention and recruitment, staff sharing, technology support, and any other functions approved by the Superintendent of Public Instruction.

Districts also must agree to participate in at least five student services. These may include advanced placement classes, alternative high schools or alternative high school programs, career and technical education classes, counseling services, common elementary curricula, distance-learning classes, dual-credit classes, foreign language classes, library and media services, summer programs, supplemental instruction programs, and any other services approved by the Superintendent of Public Instruction. Through its joint powers agreement, each regional education association has the ability to establish the number of members on its governing board and the manner in which those members are determined. Each governing board member must be serving on the board of a participating school district. The same criteria applies to a designee.

### **Existing Regional Education Associations**

With the 2008 consolidation of the South Central and South East Education Cooperatives, there are eight regional education associations in the state:

- Great North West Education Cooperative.
- Mid Dakota Education Cooperative.
- Missouri River Education Cooperative.
- North Central Education Cooperative.
- Northeast Education Services Cooperative.
- Roughrider Education Service Program.
- Red River Valley Education Cooperative.
- South East Education Cooperative.

Each regional education association is served by a lead administrator who is a superintendent or an assistant superintendent and by a coordinator. One hundred seventy-nine of the state's 192 school districts (93.2 percent) are members of a regional education association and, in that capacity, provide services to 98 percent of the state's public school students. The following districts are not participating in a regional education association:

- Bakker Public School District.
- Bowman-Scranton Public School District.
- Carrington Public School District.
- Earl Public School District.
- Gackle-Streeter Public School District.
- Horse Creek Public School District.
- Kensal Public School District.
- Kulm Public School District.
- Max Public School District.
- New Rockford-Sheyenne Public School District.
- Oberon Public School District.
- Robinson Public School District.
- Yellowstone Public School District.

### **Funding**

During the 2007 legislative session, funding for regional education associations was increased to \$3 million. Of that amount, \$1 million was to be distributed during the 2007-09 biennium on a per student basis at the same time and in the same manner as other state aid payments. The remaining \$2 million was to be provided as a contingent distribution, calculated on a per student basis, at the conclusion of the 2007-09 biennium. The Superintendent of Public Instruction estimates that the state aid formula adopted during the 2007 legislative session will in fact distribute all the money that had been appropriated to kindergarten through grade 12 education and that, therefore, contingency funds will not be available for distribution to regional education associations or any other recipients at the end of the biennium. This places regional education associations in the position of asking their member school districts to redirect some of the \$2 million that had been sent to the school districts as part of the formula.

### **Comparable Organizations in Other States**

Regional education associations have more than 500 counterparts in 44 other states. They are referred to elsewhere as area service agencies, cooperative education service agencies, educational service districts, intermediate service centers, regional service centers, and service cooperatives. Regardless of their appellation, they tend to evolve when school districts have familiar challenges--limited resources, declining student populations, and increasing demands for accountability. Some are involved in the direct provision of services to students, while others are involved only in providing administrative and operational support to districts. The activities of comparable entities include professional development, leadership training, personnel recruitment and screening, teacher training, early childhood programs, programs for gifted students, programs for students with special needs, services to incarcerated students, adult education, vocational education, student testing and evaluations, media and instructional library services, technology services, computer and audiovisual repair, telecommunications and distance-learning, cooperative purchasing, printing services, insurance services, safety and risk management services, and energy management services.

The entities' governance structures are as varied as their individual roles and missions. In five states the boards are elected by the general public. Sixteen states allow for the appointment or election of board members by those serving on local school boards. Twenty-two states require that school district superintendents constitute the boards. Arizona operates without a board, and Hawaii, which has a unified school district, provides for governance by the state's chief school officers.

Across the country these entities provide assistance to 87 percent of all public school districts and 43 million students. The committee was told that while some suggest these entities are nothing short of large

bureaucracies, it is preferable to view them as educational infrastructure. They allow for cost-efficient partnerships and the provision of high-quality services on behalf of districts that often lack the critical mass to deliver such services on their own.

### **Committee Consideration**

North Dakota's regional education associations frequently are mentioned as having a critical role in the future delivery of services that many believe should be made available to all students, as well as in the provision of support and assistance to schools and school districts. Although the committee was charged with determining whether regional education associations should become political subdivisions and whether they should function as school districts for purposes of employing teachers, the committee determined that those deliberations would evolve in time. Committee members believed it was much more important to undertake an examination of the way regional education associations are configured, governed, and operated and whether that configuration, governance structure, and modus operandi will allow them to fulfill some or all of the expectations being placed upon them. The committee considered a bill draft that suggested potential changes to eight different aspects of the configuration, governance, and operation of the state's regional education associations.

### **Number of Regional Education Associations**

The bill draft would have required all of the state's regional education associations to encompass at least 6,000 square miles. This would have eliminated the Mid Dakota Education Cooperative, which is located west of Minot. At 2,341 square miles, it is the smallest of the state's regional education associations. The committee was told that such a move would increase travel on the part of students and staff affiliated with that association. The committee was also told that, in determining how many associations are necessary, it would be equally appropriate to consider the number of students served by each.

### **Contiguity of School Districts Within a Regional Education Association**

The bill draft would have removed the requirement that all school districts in a regional education association be contiguous to each other. The law provides that if districts are not contiguous to each other, the Superintendent of Public Instruction must verify that "the participating districts can provide sound educational opportunities to their students in a fiscally responsible manner without injuring other school districts or regional education associations and without negatively impacting the ability of other school districts or regional education associations to provide sound educational opportunities to their students in a fiscally responsible manner."

The committee was told that while contiguity was not necessary, issues regarding contiguity had not been encountered.

### **Size of Governing Boards**

The bill draft would have limited the size of regional education association governing boards to five, seven, or nine members, thereby paralleling school boards. The committee was told that some regional education association boards include representation from all of their participating districts. However, while 20- or 30-member governing boards might seem unworkable to some, the committee was told that this allows for broad participation and does not place on any one individual the responsibility for determining what is appropriate for another school district.

### **Membership of Governing Boards**

Under current law, all members of a regional education association's governing board must be school board members. Designees are permitted, but they too must be school board members. The bill draft would have allowed for a governing board that consisted of both school district superintendents and school board members.

The committee was told that with turnover in the superintendent ranks, having a governing board made up solely of school board members allows for continuity. In addition, members of neighboring school boards had the opportunity to visit with each other at least four times each year and discuss the state of their individual districts. Superintendents on the other hand suggested that they discuss issues and forward them to the regional education association board members for action. The reconfiguration of the board, they said, would eliminate a step in the process and allow for their direct participation.

### **Inclusion of Ex Officio Members**

Under current law, the regional education associations are permitted to include ex officio members on their boards. The bill draft would have replaced this provision with the requirement that the boards include the president of a college situated within the boundaries of the association. The committee was told that the issue of ex officio members was not of particular concern.

### **Term Limits**

The bill draft would have established three-year terms for regional education association board members and would have provided that members may not serve more than two consecutive terms. The committee was told that if individuals are interested in serving as board members, they should not be precluded from doing so. Furthermore, the committee was told most people, of their own volition, elect not to serve significantly longer than the suggested term limit.

### **Compensation and Reimbursement of Board Members**

Under current law, a regional education association may not compensate its board members for attending meetings and may not reimburse board members for any expenses incurred in attending board meetings. An

exception is made for members who perform extraordinary service, i.e., traveling to and attending a national meeting or convention.

The bill draft would have allowed board members to be reimbursed for expenses incurred in attending meetings or performing duties as directed by the board. The committee was told by some that allowing regional education associations to pay their members a small stipend would be viewed as positive. Others indicated that many board members serve because they believe in the role and mission of the regional education association and that they have no expectation of compensation or reimbursement.

### **Employment of Executive Directors**

Current law authorizes regional education associations to employ "staff" and, within this authority, all of the associations utilize the services of a "coordinator." The committee was told that the position often requires far more than the limited hours for which the coordinators were compensated. To address this situation, the bill draft would have provided that each regional education association employ a full-time executive director. The bill draft suggested that the qualifications of such an individual include at least a graduate degree, coupled with demonstrated competence in an administrative or managerial capacity, and at least a minimum of five years' experience in education, business, accounting, law, or some other profession. The bill draft also suggested that the level of compensation be in the range of \$87,300 to \$119,300. This would equate to the average total compensation range for administrators (assistant directors, assistant principals, principals, assistant superintendents, and superintendents) in the state's eight largest school districts.

The committee was told that the requirement for a full-time executive director should not be pursued at this time. Some suggested that the position had not yet evolved to the point of requiring a full-time employee. Others were not supportive of a statutorily established salary range. Most feared that the cost associated with the employment of full-time executive directors would come from the state appropriation for regional education associations, rather than from a supplemental state level appropriation.

### **Conclusion**

The committee was told that the eight issues addressed in the bill draft were all legitimate points of discussion and that many of those issues reflect what regional education associations might look like in the future. However, given the grassroots initiatives that spawned regional education associations, coupled with the state's strong and continued belief in local control, legislators should give the regional education associations time and space to evolve. The regional education associations envision that by 2012, they will have an operational structure that will support each association and school district and be able to provide

world-class, comprehensive education services for all students.

The committee was also told that the regional education associations were supportive of the \$3 million appropriation being recommended by the North Dakota Commission on Education Improvement. The committee, therefore, makes no recommendation regarding the bill draft.

## **APPROPRIATENESS AND ADEQUACY OF HIGH SCHOOL CURRICULA STUDY**

### **Background**

In a 2005 survey released by the Educational Testing Service (ETS), only 9 percent of Americans said they believe that most high school students are being challenged by their schoolwork. After nearly two decades of reform efforts, most believe the key to success continues to reside in rigorous learning for all students and improved teacher quality. Americans believe in standards and accountability and they want reform efforts expanded to address pressing quality issues with our nation's high schools.

The ETS survey found that:

- Seventy-four percent of the public strongly favors measures to ensure teachers are experts in the subjects they teach;
- Eighty percent strongly or somewhat agree that teacher salaries should be increased to hire and retain more well-qualified teachers, even if doing so means increased taxes;
- Sixty-four percent strongly favor emphasizing real-world learning opportunities in high school through work study, community service, and vocational courses;
- Eighty percent favor requiring students to pass a statewide graduation test before they can receive a high school diploma; and
- All groups overwhelmingly favor a rigorous course of study that all students should have before graduation. This includes support for computer science (95 percent), four years of English (85 percent), three years of history and civics (81 percent), four years of mathematics (73 percent), at least three years of science (69 percent), and two years of a foreign language (63 percent).

### **Challenging North Dakota Students**

North Dakota Century Code Section 15.1-21-02 contains a list of courses very similar to that supported by the ETS survey respondents:

- Four units of English language arts;
- Four units of mathematics;
- Four units of science;
- Four units of social studies, including one of world history and one of United States history;
- One-half unit of health;
- One-half unit of physical education;
- Two units of fine arts, at least one of which must be music;



- Two units of the same foreign language;
- Two units of career and technical education; and
- One-half unit of North Dakota studies.

However, the courses listed in NDCC Section 15.1-21-02 are those that a high school must make available in order to be approved. They are not the courses that students must take to graduate.

In 2007 the Legislative Assembly enacted the first statute providing a list of courses required for high school graduation. Beginning with the 2008-09 school year, a student may not graduate from a high school unless the student demonstrates successful completion of:

- Four units of English language arts;
- Two units of mathematics;
- Two units of science;
- Three units of social studies, which may include one-half unit of North Dakota studies and one-half unit of multicultural studies;

- One unit of physical education, which may include up to one-half unit of health; and
- One unit of a foreign or American Indian language, fine arts, or career and technical education.

For purposes of comparison, the North Dakota State University and University of North Dakota websites suggest the following courses for admission:

- Four units of English;
- Three units of mathematics (at the level of algebra I and above);
- Three units of laboratory science; and
- Three units of social science.

### South Dakota's "Pathways to Graduation"

In 2004 the South Dakota Legislature enacted "Pathways to Graduation." Under this program, each student, beginning with the 2006 freshman class, must select either the distinguished path or the advanced path, unless the student's parent and a school counselor or administrator agree that the student should take only a basic high school program. The following table details the "Pathways to Graduation" program:

Distinguished	Advanced	Basic
Is designed to fulfill the minimum requirements for admission to most major colleges and universities	Is designed to fulfill the minimum requirements for admission to South Dakota's public universities and to most fields of study at technical institutes	Is designed to prepare students for entry-level jobs and some technical programs
4 units - English reading and communication arts <ul style="list-style-type: none"> <li>• Writing (1.5 units)</li> <li>• Literature (1.5 units)</li> </ul>	4 units - English reading and communication arts <ul style="list-style-type: none"> <li>• Writing (1.5 units)</li> <li>• Literature (1.5 units)</li> </ul>	4 units - English reading and communication arts <ul style="list-style-type: none"> <li>• Writing (1.5 units)</li> <li>• Literature (1.5 units)</li> </ul>
4 units - Mathematics <ul style="list-style-type: none"> <li>• Algebra I (1 unit)</li> <li>• Algebra II (1 unit)</li> <li>• Geometry (1 unit)</li> <li>• Advanced mathematics elective (1 unit)</li> </ul>	3 units - Mathematics <ul style="list-style-type: none"> <li>• Algebra I (1 unit)</li> <li>• Algebra II (1 unit)</li> <li>• Geometry (1 unit)</li> </ul>	3 units - Mathematics <ul style="list-style-type: none"> <li>• Algebra I (1 unit)</li> <li>• Mathematics elective (2 units)</li> </ul>
4 units - Science <ul style="list-style-type: none"> <li>• Science electives (2 units)</li> <li>• Biology (1 unit)</li> <li>• Chemistry or physics (1 unit)</li> </ul>	3 units - Science <ul style="list-style-type: none"> <li>• Science elective (1 unit)</li> <li>• Biology (1 unit)</li> <li>• Chemistry or physics (1 unit)</li> </ul>	2 units - Science <ul style="list-style-type: none"> <li>• Science electives (2 units)</li> </ul>
3 units - Social studies <ul style="list-style-type: none"> <li>• United States history (1 unit)</li> <li>• United States government (.5 unit)</li> <li>• Geography (.5 unit)</li> <li>• World history (.5 unit)</li> </ul>	3 units - Social studies <ul style="list-style-type: none"> <li>• United States history (1 unit)</li> <li>• United States government (.5 unit)</li> <li>• Geography (.5 unit)</li> <li>• World history (.5 unit)</li> </ul>	3 units - Social studies <ul style="list-style-type: none"> <li>• United States history (1 unit)</li> <li>• United States government (.5 unit)</li> <li>• Geography (.5 unit)</li> <li>• World history (.5 unit)</li> </ul>
1 unit - Fine arts	1 unit - Fine arts	1 unit - Fine arts
.5 unit - Health or physical education	.5 unit - Health or physical education	.5 unit - Health or physical education
.5 unit - Economics or personal finance	.5 unit - Economics or personal finance	.5 unit - Economics or personal finance
2 units - World language <ul style="list-style-type: none"> <li>• Same world language</li> </ul>	2 units <ul style="list-style-type: none"> <li>• World language</li> <li>• Computer studies</li> <li>• Career and technical education</li> </ul>	2 units <ul style="list-style-type: none"> <li>• World language</li> <li>• Computer studies</li> <li>• Career and technical education</li> </ul>

## Indiana's Core 40

In 2007 the Core 40 became Indiana's required high school curriculum. While the Indiana General Assembly considered the Core 40 to be the academic foundation necessary for students to succeed in college and in the workforce, an opt-out provision could be exercised with

parental consent after a meeting attended by the student, the student's parents, and school staff. Beginning in 2011, however, Indiana students must complete the Core 40 to enter a four-year public institution of higher education in the state. Private institutions in Indiana have expected this level of high school preparation for many years. The following table details the Indiana Core 40 tiered diploma system:

Core 40 With Academic Honors	Core 40 With Technical Honors	Core 40
4 units - English language arts	4 units - English language arts	4 units - English language arts, including a balance of literature, composition, and speech
3 units - Mathematics <ul style="list-style-type: none"> <li>Algebra I (1 unit)</li> <li>Algebra II (1 unit)</li> <li>Geometry (1 unit)</li> </ul> Or complete Integrated Math series I, II, and III for 3 units. All students are required to take a math or physics course during their junior year or senior year. Plus: Core 40 math (1 additional unit)	3 units - Mathematics <ul style="list-style-type: none"> <li>Algebra I (1 unit)</li> <li>Algebra II (1 unit)</li> <li>Geometry (1 unit)</li> </ul> Or complete Integrated Math series I, II, and III for 3 units. All students are required to take a math or physics course during their junior year or senior year.	3 units - Mathematics <ul style="list-style-type: none"> <li>Algebra I (1 unit)</li> <li>Algebra II (1 unit)</li> <li>Geometry (1 unit)</li> </ul> Or complete Integrated Math series I, II, and III for 3 units. All students are required to take a math or physics course during their junior year or senior year.
3 units - Science <ul style="list-style-type: none"> <li>Biology I (1 unit)</li> <li>Chemistry I or Physics I or Integrated Chemistry-Physics (1 unit)</li> </ul> Any Core 40 science course (1 unit)	3 units - Science <ul style="list-style-type: none"> <li>Biology I (1 unit)</li> <li>Chemistry I or Physics I or Integrated Chemistry-Physics (1 unit)</li> </ul> Any Core 40 science course (1 unit)	3 units - Science <ul style="list-style-type: none"> <li>Biology I (1 unit)</li> <li>Chemistry I or Physics I or Integrated Chemistry-Physics (1 unit)</li> </ul> Any Core 40 science course (1 unit)
3 units - Social studies <ul style="list-style-type: none"> <li>United States history (1 unit)</li> <li>United States government (.5 unit)</li> <li>Economics (.5 unit)</li> <li>World history and civilization or geography and history of the world (1 unit)</li> </ul>	3 units - Social studies <ul style="list-style-type: none"> <li>United States history (1 unit)</li> <li>United States government (.5 unit)</li> <li>Economics (.5 unit)</li> <li>World history and civilization or geography and history of the world (1 unit)</li> </ul>	3 units - Social studies <ul style="list-style-type: none"> <li>United States history (1 unit)</li> <li>United States government (.5 unit)</li> <li>Economics (.5 unit)</li> <li>World history and civilization or geography and history of the world (1 unit)</li> </ul>
2.5 units - Directed electives <ul style="list-style-type: none"> <li>World languages</li> <li>Fine arts</li> <li>Career/technical</li> </ul> Plus: Core 40 world languages (3 to 4 additional units) Plus: Core 40 fine arts (1 additional unit)	2.5 units - Directed electives <ul style="list-style-type: none"> <li>World languages</li> <li>Fine arts</li> <li>Career/technical</li> </ul>	2.5 units - Directed electives <ul style="list-style-type: none"> <li>World languages</li> <li>Fine arts</li> <li>Career/technical</li> </ul>
1 unit - Physical education	1 unit - Physical education	1 unit - Physical education
.5 unit - Health and wellness	.5 unit - Health and wellness	.5 unit - Health and wellness
3 units - Electives Career academic sequence recommended	3 units - Electives Career academic sequence recommended	3 units - Electives Career academic sequence recommended
Earn a grade of "C" or better in courses that will count toward the diploma	Earn a grade of "C" or better in courses that will count toward the diploma	
Have a grade point average of "B" or better	Have a grade point average of "B" or better	
Complete one of the following: <ul style="list-style-type: none"> <li>Advanced placement courses (2 units) and corresponding examinations</li> <li>International baccalaureate (higher level) courses (2 units) and corresponding examinations</li> <li>Score 1200 or higher on the Scholastic Aptitude Test (SAT) critical reading and mathematics</li> <li>Score 26 or higher composite on the American College Test (ACT)</li> <li>Complete dual high school/college credit courses from the Core Transfer Library (3 transferable college units)</li> <li>Complete a combination of advanced placement courses (1 unit) and corresponding examinations and dual high school/college credit courses from the Core Transfer Library (1.5 transferable college units)</li> </ul>	Complete a career/technical program (4 or more related units) Complete two of the following: <ul style="list-style-type: none"> <li>Score at or above the following levels on WorkKeys: Reading for Information - Level 6; Applied Mathematics - Level 6; Locating Information - Level 5; or complete dual high school/college credit courses in a technical area (3 transferable college units)</li> <li>A professional career internship course or cooperative education course (1 unit)</li> <li>An industry-based work experience as part of two-year technical education program (minimum 140 hours)</li> <li>A state-approved, industry-recognized certification</li> </ul>	
For comparison purposes, the credit requirements of the Indiana Core 40 have been converted to "units."		

## **Committee Consideration**

As the committee began to examine issues pertaining to the adequacy of high school curricular requirements, it became apparent that its pursuit would involve much more than determining an appropriate number of credits for high school graduation. It would involve reviewing grade level requirements for particular courses and examining the type, timing, and nature of assessments that would be appropriate in determining whether students have in fact acquired the anticipated skill levels. It would involve discussions about helping students who need assistance and helping teachers be prepared to provide the requisite instruction. It would involve discussions about schools, school districts, and accessibility, and it would involve discussions about money. The committee determined that a discussion about the adequacy of North Dakota high school curricular requirements, if done properly, at the very least would parallel and probably duplicate many of the efforts being undertaken by the North Dakota Commission on Education Improvement. Because several of the committee members served on the commission and because the commission was required to provide periodic reports to the Legislative Council, the committee determined that this issue should not be the subject of a duplicative focus.

## **North Dakota Commission on Education Improvement**

### ***Williston Public School District No. 1 v. State of North Dakota***

In October 2003 nine school districts brought suit against the state of North Dakota and alleged that the state's system of funding education was inadequate and that it unfairly and arbitrarily resulted in widely disparate funding, inequitable and inadequate educational opportunities, and unequal and inequitable tax burdens. Rather than endure a protracted trial on the merits, the plaintiffs and the defendants entered an agreement to stay the action and provide the Legislative Assembly with the opportunity to address the issues raised in the lawsuit.

The terms and conditions of the stay required that the Governor, by executive order, create the North Dakota Commission on Education Improvement and submit to the Legislative Assembly, in 2007, an executive budget that included at least \$60 million more in funding for elementary and secondary education than the amount appropriated by the Legislative Assembly in 2005. In return, the plaintiffs agreed to stay the litigation until the close of the 2007 legislative session and at that time to dismiss the action, without prejudice, if the Legislative Assembly appropriated at least the requested amount and approved a resolution adopting the North Dakota Commission on Education Improvement as a vehicle for proposing improvements to the system of delivering and financing public elementary and secondary education. The plaintiffs also agreed that if the conditions were met, they would not commence another action based upon the same or similar allegations before conclusion of the 2009 legislative session.

## **Commission Membership**

The North Dakota Commission on Education Improvement consists of the Governor or the Governor's designee, three school district superintendents, a school district business manager, the chairman of the Senate Education Committee or the chairman's designee, the chairman of the House Education Committee or the chairman's designee, the Senate minority leader or the minority leader's designee, one legislator appointed by the chairman of the Legislative Council, and the Superintendent of Public Instruction. The commission also has three nonvoting members--one representing the North Dakota Council of Educational Leaders, one representing the North Dakota Education Association, and one representing the North Dakota School Boards Association. The commission is chaired by the Lieutenant Governor in his capacity as the Governor's designee.

## **2007 Report of the Commission - 2007 Legislative Action**

On January 3, 2007, the North Dakota Commission on Education Improvement presented its first report to the Governor and the Legislative Assembly. The recommendations in the report became the basis for Senate Bill No. 2200 (2007). By the conclusion of the 2007 legislative session, the state of North Dakota had a revolutionary new education funding formula and had increased spending for elementary and secondary education by more than \$92 million over the amount appropriated in 2005.

The new formula consolidated education dollars that had been assigned to a variety of previously existing funding categories and established new weighting factors that reflected the added costs of providing education to certain categories of students and the added costs of providing various statutorily mandated services. In addition, the new formula factored in the variable cost of providing services and programs in small, medium, and large school districts.

To ensure a relatively consequence-free transition from the prior formula to the new formula, provisions were inserted to require a minimum percentage growth in the per student payment and to likewise cap a potential windfall in a district's per student payment.

The mill levy equalization factor, also known as the mill deduct, was repealed, as were supplemental payments. In their stead, the new formula required equity payments, which accounted for deficiencies in a district's imputed taxable valuation, and special provisions accommodating districts with abnormally low taxable valuations. The formula also included a reduction for districts that levied fewer than 150 mills during the first year of the biennium and fewer than 155 mills during the second year of the biennium.

Special education payments were increased from \$37 million to \$46 million and the state took on the full obligation of paying any amount over 4.5 percent of the average cost per student for the most costly 1 percent of special education students statewide.

Based on the commission's recommendations, the Legislative Assembly also increased the availability of

capital improvement loans for needy school districts, provided increased funding for new career and technical education centers and programs, and provided funding for full-day kindergarten programs.

Finally, the Legislative Assembly reauthorized the North Dakota Commission on Education Improvement and directed that it focus its attention on developing recommendations regarding educational adequacy.

### **Study of Educational Adequacy - Picus Report and Recommendations**

After the 2007 legislative session, the commission contracted with Lawrence O. Picus and Associates (Picus), to identify the resources needed to ensure an adequate education for all students. Picus began with the premise that adequacy requires all students to be taught the state's curriculum and that strategies be deployed to use resources in ways that will double student performance on state tests over the coming four to six years. Picus determined very early in its efforts that, while North Dakota students perform reasonably well on state tests, only 30 to 40 percent of North Dakota students perform at or above the proficiency standard measured by the national assessment of educational progress. It was Picus' determination that North Dakota students would need to achieve at much higher levels if they were to be deemed fully prepared, upon high school graduation, for either college or the workplace.

Picus concluded that existing state per student payments, coupled with the yield of 185 mills on 88.5 percent of the state average imputed valuation per student, amounted to approximately \$7,024 per student, whereas, in order to achieve adequacy, the cost per student would be \$7,293.

Picus also insisted that expending a specific dollar amount per student would not achieve the desired results unless the expenditures were linked to certain programmatic strategies that guaranteed the desired results. Without such linkages the final effect would be nothing other than the existing education system at a much higher cost to taxpayers. Picus' recommendations, therefore, included the following:

- Class sizes for core courses (English language arts, mathematics, science, social studies, and foreign languages) should not exceed 15 students in kindergarten through grade 3 and should not exceed 25 students in the remaining grades.
- Specialists and elective teachers (art, music, physical education, health, etc.) should constitute at least 20 percent of the core instructional staff in kindergarten through grade 8 and at least 33 percent in the remaining grades.
- Instructional coaches for professional development should number at least one full-time equivalent (FTE) for every 200 students.
- Tutors to assist students who are struggling academically should number at least 1 FTE per prototypical school (kindergarten through grade 5 - 432 students; grades 6 through 8 - 450 students; and grades 9 through 12 -

600 students) plus 1 FTE for every 125 at-risk students.

- The weight applied to new English language learners should be increased to 1.0.
- Extended day programs should be funded.
- Each district should include \$25 per student in average daily membership to cover the cost of increasing services to gifted and talented students.
- Substitute teachers should be funded by the state at the rate of 10 days per regular teacher.
- Guidance counselors should be provided at the rate of 1 for each prototypical elementary school and at the rate of 1 for every 250 students in prototypical middle schools and high schools. In addition, 1 FTE support position should be included for every 125 at-risk students. The support positions would be allocated according to a school's needs and could include social workers, nurses, psychologists, family outreach persons, and case workers, as well as additional guidance counselors.
- Two noninstructional aides should be included for each prototypical elementary school and middle school and three noninstructional aides should be included for each prototypical high school.
- One librarian should be included for each prototypical school.
- Administrative staff should include one principal for each elementary school, one principal and one half-time assistant principal for each prototypical middle school, and one principal and one assistant principal for each prototypical high school.
- Clerical staff should include two positions for each prototypical elementary school and middle school and four positions for each prototypical high school.
- Professional development days should be extended from the current 2 days to 10 days, and \$100 per student should be included for the cost of training and related expenses.
- Technology funding should be included at the rate of \$250 per student to cover the cost of computers, software, hardware, and supplies.
- Student activity funding should be included at the rate of \$200 per elementary student and \$250 per middle school and high school student.
- Central office personnel and service funding should be included at the rate of \$600 per student.
- School and school district maintenance and operations funding should be included at the rate of \$600 per student.

### **2009 Report of the Commission**

The latest available report given to the committee by the commission indicated that the commission's definition of what constitutes an adequate education is not identical to that used by Picus. The commission believes that an adequate education refers to the successful completion of a rigorous core curriculum

established by state policy, being able to demonstrate proficiency on a state assessment aligned with the required curriculum, and being able to demonstrate proficiency, by scoring above the national average, on a widely recognized assessment such as the ACT, the SAT, or WorkKeys.

The committee was told that the commission appears to be supportive of the funding levels recommended by Picus and supportive of many, but not all, of the recommendations. Three of the recommendations, in particular, were found by the commission to be inappropriate, untested, or ineffective, given the circumstances surrounding the provision of elementary and secondary education in this state. Extended day programs were not supported largely because transportation and scheduling present significant challenges, particularly in the more rural areas of the state. Increased funding for gifted and talented students was not supported because wide disparity exists with respect to such programming and accountability measures tend not to exist. Finally, state funding to employ substitute teachers for up to 10 days per classroom teacher was rejected. The commission determined that, given existing teacher shortages, the state should not do anything to encourage increased absences among classroom teachers.

The committee was told that the commission also discussed professional development requirements, mentoring, instructional coaches, the number of contractual days per school calendar, requirements for career counselors, tiered diplomas, graduation requirements, early childhood education, data systems, property tax reductions, and certain changes to the education funding formula.

## **Conclusion**

Because the commission had not officially recommended the report by the conclusion of the committee's study, the committee determined that it would be inappropriate to take any position on the report as a whole or on its component parts. The committee, therefore, makes no recommendation on the report.

## **OTHER REPORTS**

The committee received statutorily required reports from the Superintendent of Public Instruction regarding the financial condition of school districts, school district employee compensation, the use of new money for teacher compensation, requests for waivers of accreditation rules, requests for waivers of instructional unit time requirements, scores from tests aligned to the state content standards in reading and mathematics, and the operations of regional education associations. Because of recent personnel changes, the Superintendent of Public Instruction was unable to provide the committee with a completed report regarding the planning and development of the electronic course delivery approval process. The Superintendent of Public Instruction indicated that the required approval process does not, however, become effective until July 1, 2009, and that a process would be in place by that time.

The committee received statutorily required reports from the Statewide Longitudinal Data System Committee regarding the statewide longitudinal data system and from the Education Standards and Practices Board regarding payments made to individuals who hold national board certification.

The committee suggests that, given the increasing number of reports, it would be acceptable to provide legislators with website locations for the reports rather than providing paper copies.