

**TESTIMONY ON SB 2013**  
**OVERVIEW OF DEPARTMENT OF PUBLIC INSTRUCTION**  
**HOUSE APPROPRIATIONS COMMITTEE**  
**Thursday, Jan. 12, 2023**  
**By: Kirsten Baesler, State Superintendent**  
**701-328-4570**  
**Department of Public Instruction**

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Chairman Bekkedahl and members of the Senate Appropriations Committee:

For the record, my name is Kirsten Baesler. I am the superintendent of the North Dakota Department of Public Instruction. I am here to provide an overview of our agency and information about the Department's budget bill, Senate Bill 2013, and the department's optional budget requests.

The office of Superintendent of Public Instruction goes back to North Dakota's territorial days. We are proud to be one of the longest existing state agencies. Our pioneer ancestors placed great importance on education, just as we do today. Once we became a state, the North Dakota Constitution says North Dakota must have a uniform system of free public schools throughout the state that are open to all children.

The North Dakota Constitution also specifies that the "powers and duties" of the superintendent of public instruction "must be prescribed by law."

The responsibilities and authority of the superintendent of public instruction are outlined by the Legislature. The office has only the authority that is granted by

the legislature. There is a complete list of the superintendent's duties in Chapter 15.1-02 of the North Dakota Century Code.

Our Vision states, "All students will graduate Choice Ready with the knowledge, skills and disposition to be successful." We serve 128,502 students attending public, non-public and home schools. We have a high graduation rate and high GED pass rate. We are focused on preparing our young people for their future through partnerships, personalized learning, interventions and supports.

We have partnered with our fellow educational stakeholders and legislative leaders to establish six student outcome goals.

The Department is divided into two divisions, Student Support & Innovation and Information & Administration. The Superintendent of Public Instruction is also responsible for the supervision of the North Dakota State Library, North Dakota Vision Services/School for the Blind in Grand Forks, and the North Dakota School for the Deaf and Resource Center for the Deaf and Hard of Hearing in Devils Lake.

The Department of Public Instruction is the only constitutionally created K-12 education agency. But it is just one of many entities that impact the success of our students. Other entities are governor-controlled, legislatively created, or non-government associations.

One of the Appropriation Committee's primary focuses is the program of state aid to education. The Department of Public Instruction uses a formula written by the Legislature to distribute funding to local public school districts. Almost all the budget is allocated to local schools to fulfill our Constitution's mandate to provide "a uniform system of free public schools throughout the state."

North Dakota uses a per-pupil funded formula. Some states choose to use a resource-based allocation funding formula, meaning they pay a base amount for everything needed to operate a classroom, not per student.

You will now hear from Mr. Jamie Mertz, who is the director of our Office of Fiscal Management, and Mr. Adam Tescher, who is the school finance officer within that office. They have important information about the department's budget proposal and our most recent school enrollment numbers.

Since the last session of our Legislature adjourned, our North Dakota schools have continued to face some unprecedented challenges in assisting our students with their learning recovery because of the disruption caused by COVID.

The state and federal government have been strong partners in helping our schools manage the pandemic.

- ESSER I - In March 2020 Congress approved \$33.3 million in ESSER I funds in the CARES act to assist North Dakota schools. ESSER stands for Elementary and Secondary School Emergency Relief Fund. CARES stands for Coronavirus Aid, Relief and Economic Security Act.
- ESSER II - In December 2020 Congress provided \$135.9 million to ND Schools in ESSER II funds in the CRRSA Act. CRRSA stands for Coronavirus Response and Relief Supplemental Appropriations Act.
- ESSER III – In March 2021 Congress provided \$305.3 million to ND Schools in ESSER funds in ARPA. That stands for American Rescue Plan Act.
- Schools have a great deal of leeway in using this money. It can be used for:
  - Cleaning supplies;
  - Transportation;
  - Food Services;

- Distance learning technology;
- Hiring additional staff;
- Professional development for teachers and paraprofessionals; and
- Supplemental learning tools.

The 2021 Regular Legislative Assembly passed HB 1013 and Section 24 of that bill required that “School districts receiving funds from the elementary and secondary school emergency relief fund shall provide two narrative summary reports to the superintendent of public instruction, including information regarding learning losses of students identified within the district, including subgroup gaps; school district plans to accelerate learning recovery for all students, including closing subgroup gaps; uses of elementary and secondary school emergency relief funds, including the percentage of those funds expended in categories determined by the superintendent of public instruction; and the impact elementary and secondary school emergency relief fund expenditures had on accelerating learning recovery for the districts' students. The first school district report must be submitted to the superintendent of public instruction by December 1, 2021.” The bill goes on to require that “an aggregated report must be presented by the superintendent of public instruction to the legislative management by June 1, 2022. The second school district report must be submitted to the superintendent of public instruction by December 1,

2022. An aggregated report must be presented by the superintendent of public instruction to the sixty-eighth legislative assembly.”

The current report has been generated to fulfill the obligations of the ND Department of Public Instruction (DPI) as detailed in Section 24 of the bill. We describe our findings regarding ESSER funding impacts on student achievement. We report on the information gathered from school districts regarding learning loss, plans for accelerating students' learning recovery, and district usage of ESSER funds. We also describe the impacts of ESSER funds reported by districts, and we offer conclusions regarding the importance of ESSER funding in keeping North Dakota's students on track in the COVID-19 era.

***Impacts on Student Achievement.*** Initial pandemic-related setbacks in student proficiency were apparent. Student proficiency levels are generally gradually recovering, but the learning recovery looks different across subject and student grade. We see more recovery in English Language Arts (ELA) than we see in math.

***Disrupted Learning Identified by Districts.*** District reports showed learning loss among students, particularly among special education/IEP students, low-income students, and English learners.

***Districts' Accelerated Learning Plans.*** Districts reported on their strategies to accelerate learning recovery. According to their reporting, districts are using a variety of strategies. The most common strategies were hiring additional personnel, new/additional technology, professional development for school staff, new curricula, and health-related supports. Among districts describing efforts to close subgroup gaps, approaches varied and were tailored to local needs.

***Use of ESSER Funds.*** Districts were allocated \$428,104,654. As of December 21, 2022, North Dakota school districts have claimed reimbursement for \$230,489,960 of their total ESSER fund allocations.

***District-Reported Impact of ESSER Funds.*** Districts reported a range of positive outcomes that have resulted from their strategies for accelerating learning recovery. Increased access to technology and an increasingly effective curriculum are two of the most common impacts reported by districts.

***Conclusions.*** ESSER funds have provided North Dakota's schools with a necessary lifeline. Districts have had a considerable amount of autonomy over how their ESSER funds were spent. Districts have self-reported positive benefits of their uses of ESSER funding, including learning recovery. Statewide analyses of student achievement also reveal some learning recovery, but learning recovery is more evident in ELA than in math. DPI will continue to monitor student achievement, answer questions from you and your constituents to the best of our ability, and support districts as learning recovery continues to be prioritized.

The full report is included in your binder. Mr. Chairman and members of the committee, that concludes our report.

Thank you for your time. I look forward to working with you during the session. Please do not hesitate to call upon me and the hard-working and amazing team in the Department of Public Instruction as a resource to help your work.

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