

**2025 SENATE EDUCATION**

**SB 2353**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Education Committee Room JW216, State Capitol

SB 2353  
2/12/2025

Relating to regional education associations.
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2:40 p.m. Chairman Beard called the hearing to order.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt, and Wobbema.

### Discussion Topics:

- Align technical practices
- Streamline services

2:40 p.m. Senator Davison, District 41, introduced the bill.

2:41 p.m. Matt Menge, General Counsel Department of Public Instruction, testified in favor and submitted testimony #37439.

2:46 p.m. Chad Keech, Procurement Officer of the Shared Services Division Office Management and Budget, testified in favor and submitted testimony #37188.

2:50 p.m. Luke Schaefer, President ND Regional Education Associations, testified in favor and submitted testimony #37197.

2:54 p.m. Senator Axtman moved a Do Pass.

2:54 p.m. Senator Gerhardt seconded the motion.

Senators	Vote
Senator Todd Beard	Y
Senator Randy D. Lemm	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Justin Gerhardt	Y
Senator Mike Wobbema	Y

Motion Passed 6-0-0

Senator Lemm will carry the bill.

### Additional written testimony:

John Porter, Executive Director South East Education Cooperative, submitted testimony in favor #36843.

Senate Education Committee

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2:56 p.m. Chairman Beard closed the hearing.

*Susan Helbling, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**SB 2353 ([25.1338.02000](#))**

**Education Committee (Sen. Beard, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2353 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.



February 12, 2025  
SB2353 Testimony to Senate Education Committee

John Porter, SEEC, Executive Director

[John.porter@k12.nd.us](mailto:John.porter@k12.nd.us)

3170 43<sup>rd</sup> St S, Suite 103

Fargo, ND 58104

701-640-1421

Chairman Beard and members of the Senate Education Committee, for the record, my name is John Porter, and I am the Executive Director of the South East Education Cooperative (SEEC). SEEC is one of six Regional Education Associations (REAs) which provides a wide range of services in the areas of professional development and school improvement to our 32 public school district members.

I'm writing to urge your support of SB 2353, which streamlines the contracting process between the Department of Public Instruction (DPI) and REAs for programs and services that support K-12 school districts across North Dakota. Since their inception in 2005, REAs have partnered with DPI to implement statewide initiatives that benefit our schools. Because of their regional presence, strong relationships with districts, and ability to leverage funding efficiently, REAs are uniquely positioned to manage and deliver these essential services.

Through this partnership, REAs have led statewide efforts such as the Comprehensive State Literacy Development (CLSD) grant, Targeted and Comprehensive Support and Improvement (TSI/CSI), the Science of Reading initiative, and Math in North Dakota professional development. By collaborating on these initiatives, we have built in-state expertise, reduced reliance on out-of-state vendors, and ensured professional development and school improvement efforts are regionally accessible and sustainable.

I respectfully urge your support for SB 2353 to ensure continued efficiency, cost-effectiveness, and sustainability in supporting North Dakota schools.

John Porter  
Executive Director



Management  
and Budget

Testimony in Support  
**Senate Bill No. 2353**  
**Senate Education**  
February 12, 2025

#### TESTIMONY OF

**Chad Keech, State Procurement Officer, Office of Management and Budget**

Good afternoon, Chairman Beard and members of the committee. My name is Chad Keech, State Procurement Officer with the Office of Management and Budget (OMB). OMB supports SB 2353.

This bill will create the authority for DPI to directly contract with a regional education association (REA).

OMB has a state procurement procedure for approving noncompetitive purchases, called an Alternate Procurement. DPI has submitted several Alternative Procurement Requests to contract for services from REAs. This bill is intended to streamline the procurement process by creating authority in law for DPI to directly contract with an REA without the prior approval of OMB. Essentially, an REA would be treated as a state source of supply for to provide services for DPI.

Section 1 of this bill amends North Dakota Century Code (N.D.C.C.) 15.1-09.1-02.1 related to REAs. OMB and DPI collaborated with our respective legal counsel regarding the changes to this section of law.

Previous legislation amended this section to allow an REA to provide services to a district that is not a member of the REA. Subsection 2 on lines 18-19 is amended to add language to clarify that legislative intent. Lines 20-21 add a new section, "A regional education association may enter into a contract with the superintendent of public instruction to offer services."

Section 2 of the bill amends that state procurement law in N.D.C.C. section 54-44.4-02. This is the section of law that lists exceptions from competitive procurement requirements. This bill creates a new subsection cross-referencing the new law giving DPI authority to contracts with REAs under N.D.C.C. 15.1-09.1-02.1.

These changes will create clear authority for DPI to obtain services from an REA without justification and approval from OMB. OMB would like to point out that there are other bills that amend this section of law (HB 1122 and HB 1269), so the Legislative Council will need to reconcile how the three bills interact.

Mr. Chairman and committee members, this concludes my testimony. I ask your support for SB 2353. I would be happy to answer any questions.



Testimony SB 2353

Chair Beard  
Senate Education Committee

Chair Beard and members of the Senate Education Committee, my name is Luke Schaefer and I am the President of the ND Regional Education Associations (NDREA). I will keep this short as you have many items to address. I am writing to provide support for SB 2353. The ND Legislature created the structure for REAs and allowed for them to regularly provide support and assistance to ND schools on a regional basis. Legislation further requires them to work closely with the NDDPI in some critical areas and we thank you for this foresight. NDDPI must utilize procurement each time we collaborate even though legislation and testimony regarding advancing the framework of education regularly refers to REAs as being a support. This includes areas like working with low-performing schools for continuous improvement, reading instruction, support for data analysis, and many other areas. This bill scales back red tape for the NDDPI to work more efficiently and hastens its ability to work with ND REAs.

Submitted by,

Luke Schaefer,

President NDREA

**SB 2353 – SENATE EDUCATION COMMITTEE**

Good afternoon, Chairman Beard and members of the Committee. My name is Matt Menge. I am an Assistant Attorney General and serve as general counsel for the North Dakota Department of Public Instruction.

I am here to provide testimony regarding SB 2353. To understand this bill, it's important to understand a bit of history related to N.D.C.C. § 15.1-09.1-02.1. During the 67<sup>th</sup> legislative assembly in 2021, HB 1388 was passed.

HB 1388 included an amendment within section 6 of that bill to remove the words "to its member districts" from subsection 2 of N.D.C.C. § 15.1-09.1-02.1.

The amendment within HB 1388 was to effectively codify current practice to permit Regional Education Associations to contract with schools outside of their respective association member districts for the provision of certain services which were not available at the local level.

Since HB 1388 was passed in 2021, there has been some question as to whether the language as codified creates an ambiguity. SB 2353 makes clear any perceived ambiguity about the authority of an REA to contract with non-member districts.

The primary objective Section 1 of SB 2353 is to clarify language contained within subsection 2 of section 15.1-09.1-02.1 and to clarify that services may be provided to local districts that are not members of the specific REA. In addition, language is added to permit REAs to contract with the Superintendent of Public Instruction to provide services outside the REAs.

Section 2 of SB 2353 amends section 54-44.4-02 to provide an exemption for these types of contracts from procurement. This language is added to section 54-44.4-02 for the sole purpose of providing a cross-reference to the contracting authority of an REA under section 15.1-09.1-02.1.

Thank you for your time and I would stand for any questions.



**SECTION 4. AMENDMENT.** Section 15.1-06-13 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-06-13. Schools - Compliance with health, safety, and sanitation requirements.**

The superintendent of each school district shall ensure that the ~~schools~~physical school plants in the district comply with all health, safety, and sanitation requirements.

**SECTION 5.** A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

**School districts - Policy - Virtual learning - Report to legislative management.**

The board of a school district or governing board of a nonpublic school that operates a physical school plant may adopt a policy to allow students to engage in virtual instruction and in the case of a school district, qualify for average daily membership in the district. The superintendent of public instruction shall adopt rules governing policies under this section. A policy adopted by a school district under this section must comply with the rules adopted by the superintendent of public instruction. The superintendent of public instruction shall provide biennial reports to the legislative management regarding the academic performance metrics of students participating in virtual instruction under this section.

**SECTION 6. AMENDMENT.** Subsection 2 of section 15.1-09.1-02.1 of the North Dakota Century Code is amended and reenacted as follows:

2. Subsection 1 does not preclude a regional education association from offering additional services ~~to its member districts.~~

**SECTION 7.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:
  - a. Phonemic awareness;
  - b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;
  - f. How to assess student reading ability; and
  - g. How to identify and correct reading difficulties.
2. A prekindergarten, kindergarten, elementary, and special education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
3. A prekindergarten through grade twelve and a secondary education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.

**2025 HOUSE EDUCATION**

**SB 2353**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

SB 2353  
3/12/2025

Relating to regional education associations.
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3:49 p.m. Chairman Heinert called the hearing to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

### Discussion Topics:

- Non- Compleitive Purchases
- REA's

3:49 p.m. Senator Davidson introduced the bill.

3:50 p.m. Matt Menge, Assistant Attorney General, General Council, ND Department of Public Instruction, ND DPI, testified in favor and submitted testimony. #41111

3:54 p.m. Sherry Neas, Shared Services Director, Office of Management and Budget, testified in favor and submitted testimony. #40678

### Additional written testimony:

John Porter, Executive Director, Southeast Education Cooperative, SEEC, submitted testimony in favor. #40680

3:57 p.m. Chairman Heinert adjourned the meeting.

*Leah Kuball, Committee Clerk*



Management  
and Budget

Testimony in Support  
**Senate Bill No. 2353**  
**House Education**  
March 12, 2025

#### TESTIMONY OF

#### **Sherry Neas, Shared Services Director, Office of Management and Budget**

Good afternoon, Chairman Heinert and members of the committee. My name is Sherry Neas, Shared Services Director with the Office of Management and Budget (OMB). OMB supports SB 2353.

This bill will create the authority for DPI to directly contract with a regional education association (REA). OMB has a state procurement procedure for approving noncompetitive purchases, called an Alternate Procurement. DPI has submitted several Alternative Procurement Requests to contract for services from REAs. This bill is intended to streamline the procurement process by creating authority in law for DPI to directly contract with an REA without the prior approval of OMB. Essentially, an REA would be treated as a state source of supply to provide services for DPI.

Section 1 of this bill amends North Dakota Century Code (NDCC) 15.1-09.1-02.1 related to REAs. OMB and DPI collaborated with our respective legal counsel regarding the changes to this section of law.

Previous legislation amended this section to allow an REA to provide services to a district that is not a member of the REA. Subsection 2 on lines 18-19 is amended to add language to clarify that legislative intent. Lines 20-21 add a new section, "A regional education association may enter into a contract with the superintendent of public instruction to offer services."

Section 2 of the bill amends that state procurement law in NDCC section 54-44.4-02. This is the section of law that lists exceptions from competitive procurement requirements. This bill creates a new subsection cross-referencing the new law giving DPI authority to contract with REAs under NDCC 15.1-09.1-02.1.

These changes will create clear authority for DPI to obtain services from an REA without justification and approval from OMB. I would like to point out that there are other bills that amend this section of law (HB 1122 and HB 1269), so the Legislative Council will need to reconcile how the three bills interact.

Mr. Chairman and committee members, this concludes my testimony. I ask your support for SB 2353. I would be happy to answer any questions.



March 12, 2025

SB2303 Testimony to House Education Committee

John Porter, SEEC, Executive Director

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Fargo, ND 58104

701-640-1421

Chairman Heinert and members of the House Education Committee, for the record, my name is John Porter, and I am the Executive Director of the South East Education Cooperative (SEEC). SEEC is one of six Regional Education Associations (REAs) which provides a wide range of services in the areas of professional development and school improvement to our 32 public school district members.

I'm writing to urge your support of SB 2353, which streamlines the contracting process between the Department of Public Instruction (DPI) and REAs for programs and services that support K-12 school districts across North Dakota. Since their inception in 2005, REAs have partnered with DPI to implement statewide initiatives that benefit our schools. Because of their regional presence, strong relationships with districts, and ability to leverage funding efficiently, REAs are uniquely positioned to manage and deliver these essential services.

Through this partnership, REAs have led statewide efforts such as the Comprehensive State Literacy Development (CLSD) grant, Targeted and Comprehensive Support and Improvement (TSI/CSI), the Science of Reading initiative, and Math in North Dakota professional development. By collaborating on these initiatives, we have built in-state expertise, reduced reliance on out-of-state vendors, and ensured professional development and school improvement efforts are regionally accessible and sustainable.

I respectfully urge your support for SB 2353 to ensure continued efficiency, cost-effectiveness, and sustainability in supporting North Dakota schools.

John Porter

Executive Director

**SB 2353 – HOUSE EDUCATION COMMITTEE**

Good Afternoon, Chairman Heinert, Vice-Chair Schreiber-Beck and members of the House Education Committee. My name is Matt Menge. I am an Assistant Attorney General and serve as general counsel for the North Dakota Department of Public Instruction.

I am here to provide testimony regarding SB 2353. During the 67<sup>th</sup> legislative assembly in 2021, HB 1388 was passed.

HB 1388 included an amendment within section 6 of the bill to remove the words “to its member districts” from subsection 2 of N.D.C.C. § 15.1-09.1-02.1.

The effect of the amendment within HB 1388 was to effectively codify current practice to permit Regional Education Associations to contract with schools outside of their respective associations for the provision of certain services which were not available at the local level.

The primary objective Section 1 of SB 2353 is to clarify language contained within subsection 2 of section 15.1-09.1-02.1 and to clarify that the services may be provided to local districts that were not members of the specific REA. In addition, it permits REAs to contract with the Superintendent of Public Instruction to enter contracts with REAs to provide services outside the REAs.

Section 2 of SB 2353 amends section 54-44.4-02 to provide an exemption for these types of contracts from procurement.

Thank you for your time and I would stand for any questions.



**SECTION 4. AMENDMENT.** Section 15.1-06-13 of the North Dakota Century Code is amended and reenacted as follows:

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3. A prekindergarten through grade twelve and a secondary education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

SB 2353  
3/18/2025

Relating to regional education associations.
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3:03 p.m. Chairman Heinert called the hearing to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

### Discussion Topics:

- Committee action

3:05 p.m. Representative Novak moved a Do Pass.

3:05 p.m. Representative Jonas seconded the motion

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	Y
Representative Matthew Heilman	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	Y
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	Y
Representative Doug Osowski	Y

Motion Carried: 14-0-0

3:06 p.m. Representative Novak moved to place SB 2353 on the Consent Calendar.

3:06 p.m. Vice Chairman Schreiber- Beck seconded the motion.



<b>Representatives</b>	<b>Vote</b>
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	Y
Representative Matthew Heilman	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	Y
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	Y
Representative Doug Osowski	Y

Motion Carried: 14-0-0

Bill Carrier: Representative Novak

3:08 p.m. Chairman Heinert adjourned the meeting.

*Leah Kuball, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**SB 2353 ([25.1338.02000](#))**

**Education Committee (Rep. Heinert, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2353 was placed on the Tenth order on the calendar.