

SCHOOL DISTRICT DATA COLLECTION AND REPORTING REQUIREMENTS - BACKGROUND MEMORANDUM

House Concurrent Resolution No. 3052 (attached as Appendix A) directs the Legislative Council to study school district data collection and reporting requirements.

BACKGROUND

North Dakota Statutory Requirements

Superintendent of Public Instruction

North Dakota Century Code (NDCC) Section 15.1-02-08 directs the Superintendent of Public Instruction to implement a uniform system for the accounting, budgeting, and reporting of data for all school districts in the state. The section also directs the Superintendent of Public Instruction to designate the software standards that school districts are to use in their accounting, budgeting, and reporting functions.

Biennium Report

Data submitted by school districts is put to a variety of uses, including compilation of the Superintendent of Public Instruction's biennial report. In accordance with NDCC Section 15.1-02-09, the biennial report is to include:

1. The number of school districts in the state;
2. The financial condition of each school district, including its receipts and expenditures;
3. The value of all property owned or controlled by each school district;
4. The cost of education in each school district;
5. The number of teachers employed by each school district and their salaries;
6. The number of students in average daily membership and average daily attendance in each school district, the grades in which they are enrolled, and where applicable the courses in which they are enrolled; and
7. Information regarding the state's approved nonpublic schools.

The Superintendent of Public Instruction is directed to provide a copy of the report to each state officer and to the Legislative Council. Eight copies are to be provided to the State Library. Members of the Legislative Assembly receive copies of the report upon their request.

Employee Compensation Report

While the biennial report provides an overview of the state of education, other statutorily mandated reports are designed to elicit greater detail, thereby enhancing the accuracy of any attempted comparisons. An example of one such report pertains to

school district employee compensation. In accordance with NDCC Section 15.1-02-13(1), the report requires each school district to provide to the Superintendent of Public Instruction, with respect to each teacher and class of teachers and with respect to each administrator and class of administrators:

- a. The number of days each was employed during the preceding school year.
- b. The base salaries.
- c. The amount of compensation provided for extended contracts.
- d. The amount of compensation provided for cocurricular activities.
- e. The amount expended for contract buyouts.
- f. The amount of compensation provided in lieu of salaries.
- g. The amount paid for signing bonuses.
- h. The amount of compensation provided for substitute teaching and workload adjustment.
- i. The amount of compensation provided for any other purposes.
- j. The amount expended for health insurance benefits.
- k. The amount expended for dental, vision, and cancer insurance benefits.
- l. The amount expended for life and long-term disability insurance benefits.
- m. The amount of retirement contributions and assessments, including individual shares if paid by the district.
- n. The district's share of Federal Insurance Contributions Act taxes.
- o. The amount of dues or membership fees paid by the district.
- p. Any other benefits provided by the district.

Each school district is also required to indicate whether each teacher and administrator is employed on a full-time or a part-time basis and the number of days used to determine the base salary of each teacher and administrator.

North Dakota Century Code Section 15.1-02-13 specifically precludes the Superintendent of Public Instruction from expanding the listed reporting requirements. On the other hand, the section also sets forth the expectation that the school districts comply with the stated requirements and prohibits the Superintendent of Public Instruction from forwarding any state aid until the information is received.

Membership, Financial, Enrollment, and Personnel Reports and Mill Levy Certifications

The Superintendent of Public Instruction is also prohibited from forwarding to a school district any state aid payments beyond the October payment unless the district has submitted the annual average daily membership report, the annual school district financial report, the September 10 fall enrollment report, and the personnel report forms for licensed and nonlicensed employees. These requirements are set forth in NDCC Section 15.1-27-02. That section provides no further description as to the content of the named reports. The section does, however, indicate that on or before December 15, each school district is to file with the Superintendent of Public Instruction the taxable valuation and mill levy certifications. If a district fails to file the certifications by the required date, the Superintendent of Public Instruction is again precluded from forwarding state aid payments to the district until such time as the filings are completed.

School Reports

Another section that requires a report but gives no indication of the contents is NDCC Section 15.1-06-18. This section directs each public school principal to complete a school report on forms provided by the Superintendent of Public Instruction and to submit the report to the school district superintendent. The school district superintendent is in turn charged with collecting the completed reports and forwarding them to the Superintendent of Public Instruction. From that point, the reports are submitted to the Governor.

Upon receiving the completed reports, the Governor must convene an ad hoc committee to review the information and make any necessary changes in the information-gathering format. The ad hoc committee consists of the Governor or a designee of the Governor, two individuals selected by the Governor from a list of five nominees proposed by the North Dakota Council of Educational Leaders, two individuals selected by the Governor from a list of five nominees proposed by the North Dakota Education Association, two individuals selected by the Governor from a list of five nominees proposed by the North Dakota School Boards Association, two individuals selected by the Governor from a list of five nominees proposed by the North Dakota Parent-Teachers Association, two parents of school-age children selected by the Governor, two high school students selected by the Governor, and the Superintendent of Public Instruction or a designee of the Superintendent.

School District Biennial Planning Report

In the 2003 legislative session, school boards were directed to invite the public to participate in a biennial planning process for the purpose of addressing the effects that demographics might have on the district in the ensuing three-year and five-year

periods and specifically addressing potential effects on academic and extracurricular programs, instructional and administrative staffing, facility needs and utilization, and district tax levies. Upon completion of the planning process, NDCC Section 15.1-07-26 provides that each board must prepare a report, publish a notice in the official newspaper of the district indicating that the report is available, and make the report available upon request.

Professional Development Report

On or before October 1 of each year, school districts are required to file a report with the Superintendent of Public Instruction indicating the amount and source of funds that were made available to the district for professional development during the preceding school year, the amount and source of funds that were expended by the district for professional development during the preceding school year, and a separate list of the professional development activities in which the district participated during the preceding school year, together with the amount of time committed to the activities. North Dakota Century Code Section 15.1-21-12 directs the Superintendent of Public Instruction to compile the information in order to determine how much of the funding available for professional development was in fact used by school districts and whether the expenditure correlated with increased student achievement on the state reading and mathematics tests.

School Approval Process

North Dakota Century Code Section 15.1-06-06 provides that each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the Superintendent of Public Instruction. It also provides that the Superintendent may not approve a school unless:

1. Each classroom teacher holds a valid teaching certificate [license] issued by the education standards and practices board;
2. The students are offered all subjects required by law; and
3. The school is in compliance with all local and state health, fire, and safety laws.

The section is silent with respect to the manner in which the Superintendent of Public Instruction must determine if a school meets the requirements of the section. North Dakota Century Code Section 15.1-02-11 authorizes the Superintendent to adopt rules governing school accreditation but, likewise, provides no guidance as to the manner in which accreditation must be determined or verified. If, however, a school district wishes to operate a kindergarten, one of the statutory requirements under Section 15.1-22-02 is that the district submit to the Superintendent of Public Instruction and follow a developmentally appropriate curriculum.

Educational Cost Per Student Determination

North Dakota Century Code Section 15.1-27-03 directs the Superintendent of Public Instruction to determine the educational cost per student and specifies various items that the Superintendent may not use in the determination (e.g., capital outlay for buildings, sites, and debt service, and expenditures for school activities, school lunch programs, and transportation). Presumably, such determinations require some form of data collection and reporting requirements.

Per Student Payment Determination

North Dakota Century Code Section 15.1-27-05 provides for application of the equalization factor, commonly referred to as the "mill deduct." The section directs the Superintendent of Public Instruction to determine the amount of payments due a school district based on the addition of the tuition apportionment payments, per student payments, special education aid, and teacher compensation payments and the subtraction from that total of 34 mills times the taxable valuation of property in the district and the amount by which the unobligated general fund balance of the district on the preceding June 30 is in excess of 75 percent of its actual expenditures plus \$20,000. Sections 15.1-27-06 and 15.1-27-07 provide for application of weighting factors based on the number of students in average daily membership in particular types of schools, grades, or sizes of schools. The statutory language in these sections does not explicitly call for data collection and reporting on the part of school districts but rather implicitly calls for such reports. The same is true of other statutory sections that address payments for unaccredited schools, special education, supplemental payments, English language learners, students on active duty, students attending school out of state, isolated schools, cooperating districts, reorganized districts, and summer school programs. However, reimbursement to school districts participating in joint powers agreements is, in accordance with Section 15.1-27-40, based on the submission of receipts for incurred expenses at the time and in the manner designated by the Superintendent of Public Instruction.

Data Collection and Reporting Requirements Imposed by Other Agencies and Entities

School districts must also meet statutory data collection and reporting requirements imposed by state agencies and entities other than the Superintendent of Public Instruction.

Discharge of Personnel for Cause

North Dakota Century Code Section 15.1-15-11 imposes reporting requirements on school boards in the event that a teacher, a principal, or an assistant or associate superintendent is discharged for cause.

Section 15.1-14-07 imposes a similar requirement if the individual discharged for cause was the school district superintendent. The required report is to be filed with the Education Standards and Practices Board.

School Condition Report

North Dakota Century Code Section 15.1-09-35 also requires school boards to prepare annually a report regarding "the condition of all schools in the district, including their financial condition and the educational progress of students enrolled in each school." This report is to be forwarded to the county superintendent of schools. The portion of the report that pertains to the financial condition of each school is to be published in the official newspaper of the school district.

City Ordinances and Regulations

The Board of Education of the city of Fargo is required by NDCC Section 15.1-09-50(9) to "prepare and report to the mayor and the city council ordinances and regulations necessary for the protection, safekeeping, and care of the schools, lots, sites, and appurtenances and all the property belonging to the city, connected with and appertaining to the schools, and to suggest proper penalties for the violation of ordinances and regulations."

Career and Technical Education Curricula

Some statutory data collection and reporting requirements reference submissions, but in a manner that lacks clarity. North Dakota Century Code Section 15-20.1-11, for example, provides that the "curriculum offered students by an area career and technology center must be as determined by the school board; provided, that such curriculum must be submitted annually to the state board for approval, and only an approved curriculum may be offered." An "area career and technology center" is not defined in Chapter 15-20.1. It is, however, defined in the following chapter as "a program of career and technical education conducted at one or more attendance centers by three or more participating public school districts." A school board is also defined as "a participating public school district board." (See Section 15-20.2-01.) Section 15-20.1-11 is not clear with respect to which entity is to fulfill the statutory requirement regarding curricular submissions to the State Board for Career and Technical Education.

Availability of Forms Superintendent of Public Instruction

The Superintendent of Public Instruction has made available on the Department of Public Instruction web site (www.dpi.state.nd.us/forms/duedates.pdf) a list of forms with due dates. The list, which includes forms for both data collection and reporting requirements, as well as various applications, petitions, and

questionnaires, is attached as Appendix B. The Superintendent of Public Instruction has also provided an extensive list of available forms categorized by topics. This list includes forms for annexations and dissolutions, the school district census, credentials, district budgets and tax levies, elections, the education of homeless children, enrollment, Even Start, federal title programs, financial reports, membership reports, school construction, special education contracts, summer school, transportation, tuition, school nutrition programs, child and adult care food programs, food distribution programs, summer food service programs, federal special education programs, bilingual and second language programs, summer traineeship programs, special milk programs, character education, schoolwide programs, comprehensive school reform demonstration projects, school approval and accreditation, home education, education technology, and other miscellaneous topics. The list contains direct links to all the forms and can be accessed at www.dpi.state.nd.us/forms/frmreslt.asp.

State Board for Career and Technical Education

The State Board for Career and Technical education (formerly known as the State Board for Vocational and Technical Education) also maintains a web site through which it provides various forms to be completed by school districts. Section 115(a) of the Carl D. Perkins Vocational and Applied Technology Act of 1990 provides that each state board that receives funds under the Act must develop and implement a statewide system of core standards and measures of performance for its secondary and

postsecondary vocational education programs. The Act also requires any entity that receives financial assistance under the Act to annually evaluate the effectiveness of its program in accordance with the standards and measures developed by the state board. The program evaluation forms are available at www.state.nd.us/vte/services/evaluation/index.htm and pertain to the areas of administration, agriculture education, business and office technology, career development, diversified occupations, family and consumer sciences, health careers, information technology, marketing education, special populations, technology education, and trade, industry, and technical education.

North Dakota Educational Technology Council

The North Dakota Educational Technology Council has approved a *North Dakota Educational Technology Plan*. The plan is designed to identify the goals, objectives, strategies, timelines, and measures of success that state agencies, institutions, and programs will use in supporting the use of technology to improve elementary and secondary students' learning. The plan, which can be found at www.state.nd.us/itd/etc/docs/03-05-state-tech-plan-final-with-cover.pdf, references the need to be accountable for results and proposes that a systematic process should be in place for continuous assessment, evaluation, and reporting the extent to which students are progressing and whether educational objectives are being met.

ATTACH:2

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE CONCURRENT RESOLUTION NO. 3052
(Representatives Hawken, Delmore, D. Johnson, R. Kelsch)
(Senators Cook, Flakoll)

A concurrent resolution directing the Legislative Council to study school district data collection and reporting requirements.

WHEREAS, school districts are required to collect and submit data to a variety of entities, including the superintendent of public instruction, the education standards and practices board, the state board for vocational and technical education, and the educational technology council; and

WHEREAS, the data that is to be collected and submitted affects students, staff, school operations, and specific programs; and

WHEREAS, data collection and submission requirements are expected to increase because of new federal and state education statutes and rules; and

WHEREAS, some of the data that is required is duplicative and some of the data that is required is of little value; and

WHEREAS, electronic reporting systems do not always function in a manner that allows for maximum efficiency in data collection and reporting;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study school district data collection and reporting requirements, including the complexity of the requirements, the ability of school districts to comply with the requirements, and methods for ensuring efficiency in the data collection and reporting process; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly.

Filed March 26, 2003

DEPARTMENT OF PUBLIC INSTRUCTION FORMS WITH DUE DATES

- SFN 13417 Summer Traineeship Application - March 1
- SFN 14392 School Vehicle Inventory Report - October 20
- SFN 17309 ND Vocational Education Multi-District Center - Financial Report - August 1
- SFN 17310 ND Special Education Unit Financial Report - August 1
- SFN 17311 ND School District Financial Report - August 1
- SFN 18711 Pupil Membership Report of Special Education Students - April 1
- SFN 18717 Pupil Membership Report - By Course - August 1
- SFN 18826 Pupil Membership Report - Home Based Instruction - August 1
- SFN 19272 Pupil Membership Report - Special Education Extended Year (Summer) - August 1
- SFN 19409 Fall Report of Pupils Attending School in Bordering States - September 15
- SFN 50040 Admitting District Chronological Listing of Open Enrollment Applications - April 15
- SFN 50091 Report of Schools Offering a Summer High School Program Forms - June 1
- SFN 50412 Nonpublic School Participation - Federal Title Programs - February 28, 2003
- SFN 50414 Special Education Unit Budget - August 15
- SFN 50672 Even Start Personnel and Class Schedule - September 15
- SFN 50675 Even Start Biannual Project Narrative Report - January 10, July 10
- SFN 50676 Even Start Budget/Expenditure Report - January 10, July 10
- SFN 50819 Small but Necessary Schools - October 15
- SFN 50976 Enrollment and Average Daily Membership Report for Reorganized/Cooperating School Districts - October 1
- SFN 51280 School Approval and Accreditation Annual Report for 2002-03 - September 13
- SFN 51330 English Language Learner Payment Program - December 1
- SFN 51540 Pupil Membership Report of ND Students Attending Out-of-State - August 1
- SFN 52030 Financial Report - January 10, July 10
- SFN 52031 Report of Schools Offering a Remedial Elementary Summer School Program Form - June 1
- SFN 52520 Technology Literacy Challenge Fund Final Report - July 10, 2001
- SFN 53077 Application for Refugee Children School Impact Grant - October 1
- SFN 53078 Refugee Children School Impact Grants Progress Report - June 15
- SFN 53230 School Repair and Renovation Progress Report - September 30
- SFN 53231 IDEA Projects Progress Report - September 30
- SFN 53232 Technology Projects Progress Report - September 30
- SFN 53339 Limited English Proficient (LEP) Student Survey - June 30
- SFN 53347 Character Education Final Report and Grant Application - June 15, 2003
- SFN 53414 Even Start Program Evaluator Information - September 15
- SFN 53468 United States Senate Youth Program Application - October 19, 2002

SFN 53484 Schoolwide Program Checkpoint #3 - March 15
SFN 53485 Schoolwide Program Checkpoint #4 - April 20
SFN 53515 2002 Application for 21st Century Community Learning Center Grants - December 16, 2002
SFN 53586 Summary and Final Report - July 10
SFN 53589 Narrative Report - January 10, July 10
SFN 53679 Regional Education Improvement Training Workshop Registration - March 31, 2003
SFN 53683 Team Nutrition Grant Application - May 1, 2003
SFN 53722 Talent Pool Recommendation Form - May 15, 2003
SFN 58169 Waiver of Accreditation Standards or High School Unit Instructional Time - March 1
SFN 58170 Reconfiguration of Instructional Days - March 1
SFN 7544 School District Membership and Attendance Report - August 1
SFN 9066 Certificate of Compliance - September 13
SFN 9133 Certification of District Reports by County Superintendent - August 1
SFN 9134 Pupil Membership Report - August 1
SFN 9135 Summary Report of Student Transportation - August 1
SFN 9136 Annual Report of Student Transportation - August 1
SFN 9139 Certification - Pupil Membership and Transportation - August 1
SFN 9149 Public School District Budget and Tax Levy - Certificate of Levy - August 15
SFN 9150 School District Taxable Valuation, Tax Levies, and Bond Elections - December 1
SFN 9223 District Family Transportation Report - August 1