Prepared by the North Dakota Legislative Council
staff for the Higher Education Committee
June 1999

DIVISION OF INDEPENDENT STUDY - BACKGROUND MEMORANDUM

STUDY RESPONSIBILITY

Section 22 of 1999 Senate Bill No. 2013, a copy of which is attached as Appendix A, directs a study of the role, mission, operation, and privatization of the Division of Independent Study, including educational services provided by the division to out-of-state students.

1999-2001 BIENNIUM

Summary of Division of Independent Study Appropriation, Including Authorized FTE Employee Positions

	1997-99 Appropriation	1997-99 Estimated Expenditures	1999-2001 Executive Budget	1999-2001 Appropriation*	1999-2001 Appropriation Increase (Decrease) Compared to 1997-99 Estimated Expenditures	1999-2001 Appropriation Increase (Decrease) Compared to 1999-2001 Estimated Expenditures
Division of Independent Study						
Total all funds	$5,316,050	$5,057,502	$5,303,622	$4,996,142	($61,360)	($307,480)
Less other funds	4,500,353	4,246,140	4,339,933	4,159,300	(86,840)	(180,633)
Total general fund	$815,697	$811,362	$963,689	$836,842	$25,480	($126,847)
FTE	38.7	38.7	40.7	38.7	0	(2.0)

* Represents the preliminary allocation for the division. The Division of Independent Study is a program within the Department of Public Instruction and as such a separate appropriation is not provided for the division in Senate Bill No. 2013.

Section 23 of Senate Bill No. 2013 provides legislative intent regarding the Division of Independent Study FTE employee positions. It states that it is the intent of the Legislative Assembly that the Department of Public Instruction have no more than 131.95 FTE positions and that no more than 38.7 of these positions be in the Division of Independent Study and that if the Superintendent of Public Instruction transfers any additional positions to the Division of Independent Study from other divisions of the department, the transfers must be reported to the Budget Section at its next meeting.

RELATED STATUTORY PROVISIONS

North Dakota Century Code Sections 15-19-01 through 15-19-08 relate to the state providing correspondence courses through the Division of Independent Study, the administration of the Division of Independent Study, the content of courses offered, requirements for certification of teachers relating to the correspondence program, and the establishment of a special operating fund for the Division of Independent Study.

Section 15-19-01 provides that the state shall provide correspondence courses through the Division of Independent Study under the following provisions:

1. Curriculum to be determined by the State Board of Public School Education and the division must be maintained upon the campus of one of the state institutions of higher education.
2. Unless excused in writing upon the course application forms, all pupils under the age of 16 taking correspondence courses must be required to attend their local school districts and study their lessons under the supervision of a local supervisor.
3. The division may provide services to persons who are not North Dakota residents.
4. Correspondence work must be completed in accordance with the rules established by the State Board of Public School Education.
5. Correspondence pupils shall pay for books and materials, postage, and other fees.
6. Pupils exempt from compulsory school attendance laws may enroll in correspondence courses offered through the Division of Independent Study.

Section 15-19-02 provides that activities relating to the Division of Independent Study are the responsibility of the Superintendent of Public Instruction and the director of the division must be appointed by the Superintendent of Public Instruction.

Section 15-19-03 provides that all applications for enrollment of persons under the age of 16 must be approved by the Superintendent or an administrator of a school in the district, prior to acceptance of enrollment by the Division of Independent Study.

Section 15-19-04 provides that the State Board of Public School Education and the Superintendent, or a member of the Department of Public Instruction, shall approve the content of courses offered, requirements

for certification of teachers, credits granted for each course, and other things necessary to integrate the correspondence program into programs administered by the Department of Public Instruction. The Division of Independent Study may advertise its program; however, the State Board of Public School Education and the Superintendent of Public Instruction shall ensure that the program in no way competes with public schools of the state for enrollment and students, encourages students to leave public schools, or duplicates the facilities of public schools through correspondence courses.

Section 15-19-06 establishes special funds relating to the Division of Independent Study and allows:

1. A special operating fund for the deposit of all income and fees collected by the Division of Independent Study.
2. The Superintendent of Public Instruction to establish an administrative operating fund not to exceed $10,000 out of the special operating fund for the Division of Independent Study. The administrative operating fund may not be used to pay salaries or expenses of the director.
3. The State Board of Public School Education to establish a scholarship fund for grants to students enrolled in courses offered through the Division of Independent Study. The scholarship fund may consist only of those funds specifically appropriated and property received by the board of the Division of Independent Study as a gift or bequest. The state director of the Division of Independent Study may draw only the interest earned by the scholarship fund for the award of scholarships.

Section 15-34.1-11.1 relates to the issuance of a high school diploma and allows the North Dakota Division of Independent Study to issue a high school diploma.

DIVISION OF INDEPENDENT STUDY ORGANIZATION AND SERVICES

Division of Independent Study - Mission and Goals

The mission of the Division of Independent Study is to provide personalized distance learning services and educational resources. Based on its strategic plan, the division's goals are:

1. To offer quality distance education courses in print-based and web-based formats.
2. To provide an on-line core curriculum on the World Wide Web, which will encompass all the courses required for high school graduation by the year 2000.
3. To expand course offerings to the kindergarten through grade 4 levels.
4. To develop courses based on the state's content standards.
5. To expand the division's share of the kindergarten through grade 12 distance education goal market.
6. To develop the state frameworks and content standards for major subject areas.
7. To provide curriculum assistance to schools.
8. To serve as a resource bank and information clearinghouse to meet the needs of all learners.
9. To improve communication and cooperative efforts with other state agencies to better utilize resources and prevent duplication of services.
10. To model exemplary programs such as Close Up.

Division of Independent Study Divisions

The Division of Independent Study contains three units--the Independent Study Center, the North Dakota Learning Resource Center, and the Curriculum Leadership and Improvement Unit.

Independent Study Center

The Division of Independent Study was established in 1935 by the North Dakota Legislative Assembly to provide distance education courses for students in kindergarten through grade 12 and adults. The division is regionally accredited through the North Central Association of Colleges and Schools and is a member of the Independent Study Division of the University of Continuing Education Association (UCEA). The division is the sixth largest of the 29 UCEA member high schools.

Services of the Independent Study Center include:

- Elementary, middle, and high school distance education courses. The division offers 173 one-semester grades 5 through 12 distance education courses. Enrollments have increased from 3,556 in 1987-88 to 9,638 in 1997-98. During 1997-98, students were enrolled from 49 states, Washington, D.C., and 35 foreign countries. Students from 166 of the 198 North Dakota high schools were enrolled and 83 students graduated from the division.
- Courses to students through traditional print-based correspondence courses and through on-line courses available over the World Wide Web.

North Dakota Learning Resource Center

The North Dakota Learning Resource Center augments schools' resources for developing the potential of students. The resource center provides books, CD-ROMs, computer software, curriculum kits, inservice/training, consultants, films, manipulative aids, pamphlets, student programs, videotapes, and videodiscs.

Services of the Learning Resource Center include:

- Educational video distribution.
- Educational resource materials.
- Curriculum kits.
- Southeast regional Close Up.
- Nonmandated tests.

Curriculum Leadership and Improvement Unit

The Curriculum Leadership and Improvement Unit provides technical assistance to schools in curriculum-related areas and includes the following services:

- Content standards and curriculum frameworks.
- Liaison roles.
- Awards and fellowships.
- Textbook bonding.

COURSE AND STUDENT ENROLLMENTS

Course enrollments have increased from approximately 3,500 for 1987-88 to 9,600 in 1997-98. Attached as Appendix B is a copy of a bar chart showing the course enrollments for each year for the period 1987-88 through 1997-98. Student enrollments have increased from just under 3,000 in 1987-88 to nearly 6,000 for 1997-98. Attached as Appendix C is a copy of a bar chart detailing the student enrollments for those years. Attached as Appendix D is a listing for the 1997-98 school year of North Dakota students enrolled by high school. Attached as Appendix E is a listing of the number of students by state for the 1997-98 school year.

REVENUE COLLECTIONS

Revenue collections for the Division of Independent Study have increased from approximately $400,000 for the 1987-88 school year to $1,444,000 for the 1997-98 school year. Attached as Appendix F is a bar chart detailing revenue collections for each year for that period.

STUDENT FEES

The following is a summary of the charges by the Division of Independent Study for each one-half credit course:

Fee	Resident Cost	Nonresident Cost
Tuition	$61	$73
Handling fee	20	20
Study guide	30	30
Total fee	$111	$123

According to the Division of Independent Study in its annual report for the 1997-98 school year, of the total new course enrollments of 9,638, 20 percent were resident students and 80 percent were nonresident students. Also during the 1997-98 year enrollment in on-line courses increased from 29 to 143.

STAFFING

For the 1997-98 year a total of 38.7 FTE employee positions were authorized. This included 19 FTE instructional staff including one principal, one academic counselor, and 17 certified teachers. In addition, there were 11.5 support personnel including 2 FTE technology staff, 1 FTE registrar, 1 FTE bookstore manager, 1 FTE administrative assistant, 1 FTE administrative clerk, 1.5 FTE administrative secretaries, 2 FTE information processors/operators, 1 FTE audio/visual technician, and 1 FTE offset printer/duplicating operator.

Attached as Appendix G is a copy of the organizational chart of the Division of Independent Study.

STUDY OUTLINE

The following is a proposed study outline for the committee's consideration in its study of the Division of Independent Study:

1. Receive testimony from representatives of the Division of Independent Study and the Department of Public Instruction regarding the current role and future plans for the Division of Independent Study, including possibilities for privatization of the Division of Independent Study, the provision of educational services by the Division of Independent Study to out-of-state students, and the charges for those services.
2. Receive testimony from representatives of school districts and other interested persons regarding the current and future role of the Division of Independent Study.
3. Receive information regarding the provision of Division of Independent Study services in other states, including the level of privatization of this service delivery.
4. Develop recommendations and any necessary legislation to implement the committee's recommendations.
5. Prepare a final report for submission to the Legislative Council.

SECTION 15. LEGISLATIVE INTENT - LEADERSHIP IN EDUCATIONAL ADMINISTRATION DEVELOPMENT CONSORTIUM AND TEACHER CENTER NETWORK - COOPERATIVE PROGRAMS. It is the intent of the fifty-sixth legislative assembly that to the extent possible, the leadership in educational administration development consortium and the teacher center network work cooperatively to improve the development and delivery of programs and services to educational administrators and teachers.

SECTION 16. LEGISLATIVE INTENT - ELECTRONIC ACCESS TO DEPARTMENT OF PUBLIC INSTRUCTION PUBLICATIONS - SCHOOL DISTRICT ELECTRONIC REPORTING. It is the intent of the fifty-sixth legislative assembly that to reduce printing and mailing costs incurred by the department of public instruction and to provide additional access to information, by July 1, 2000, the department shall, to the extent possible, provide electronic access to all publications and other documents produced by the department for distribution to school districts and shall reduce the number of publications and documents printed and distributed by mail. It is the intent of the fifty-sixth legislative assembly that to reduce mailing costs incurred by school districts and to increase the efficiency of communications between school districts and the department of public instruction, by July 1, 2001, school districts shall, to the extent possible, electronically prepare and transfer all reports and information required to be submitted to the department of public instruction.

SECTION 17. CREDENTIALING PROCESS FOR SPECIAL EDUCATION TEACHERS. The superintendent of public instruction may not change the credentialing process for special education teachers as it is in effect on March 1, 1999, without first convening a meeting to include representatives of the North Dakota council of education leaders, the council of exceptional children, the North Dakota education association, and the North Dakota school boards association. The purpose of the meeting is to receive comments regarding the proposed changes, the applicability of the proposed changes, including the scheduling, the manner of implementation, associated costs, and the short-term and long-term effects of the proposed changes. If, within thirty days after the date of the meeting, members of any two representative groups present at the meeting object in writing to the proposed changes, the superintendent may not implement the change prior to July 1, 2001.

SECTION 18. SCHOOL DISTRICT FINANCIAL DATA - REPORTING - REQUIREMENTS. The superintendent of public instruction shall develop standardized reporting forms, in both hard copy and electronic format, prescribing the manner in which school district superintendents and business managers must account for and report financial data. The superintendent of public instruction shall report to the interim education finance committee of the legislative council regarding the content of the reports and specific actions taken to account for transfers from school district general funds, to eliminate or reduce variations in the reporting of data, and to ensure that the financial data is available in a form that allows for accurate and consistent comparisons.

SECTION 19. NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS TESTING. The department of public instruction shall participate in the national assessment of educational progress (NAEP) testing program for the 1999-2001 biennium.

SECTION 20. FEDERAL FUNDING FOR SPECIAL EDUCATION URGED. The fifty-sixth legislative assembly urges the Congress of the United States and the President to increase federal funding for special education to achieve, within the next three years, the statutory goal of the federal government providing funding for special education students equal to 40 percent of the national average per student educational expenditure. The secretary of state shall send copies of this section to the President, the members of the North Dakota congressional delegation, the national conference of state legislatures, and the state superintendent of public instruction.

SECTION 21. LAND BOARD DISTRIBUTIONS. Notwithstanding the provisions of section 15-03-05.2, during the 1999-2001 biennium, the board of university and school lands shall distribute to the school for the deaf and the school for the blind all income from permanent funds managed for the benefit of those institutions.

SECTION 22. LEGISLATIVE COUNCIL STUDY - DIVISION OF INDEPENDENT STUDY. The legislative council shall consider studying, during the 1999-2001 interim, the role, mission, operation, and privatization of the division of independent study, including educational services provided by the division to out-of-state students. The legislative council shall report its findings and recommendations,

together with any legislation required to implement the recommendations, to the fifty-seventh legislative assembly.

SECTION 23. LEGISLATIVE INTENT - POSITION TRANSFERS - DIVISION OF INDEPENDENT STUDY. It is the intent of the fifty-sixth legislative assembly that for the 1999-2001 biennium, the department of public instruction be authorized to have no more than 131.95 full-time equivalent positions and that no more than 38.7 of these positions be in the division of independent study. It is the intent of the fifty-sixth legislative assembly that if, during the 1999-2001 biennium, the superintendent of public instruction transfers any positions to the division of independent study from other divisions of the department of public instruction, the transfers be reported to the budget section of the legislative council at its next meeting.

SECTION 24. CLASS SIZE REDUCTION GRANTS - REPORT TO BUDGET SECTION. During the 1999-2001 biennium, the department of public instruction shall present a report to the budget section on the distribution of federal class size reduction initiative grants.

SECTION 25. AMENDMENT. If House Bill No. 1034 does not become effective, section 15-21-02 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-21-02. Salary and traveling expenses. The annual salary of the superintendent of public instruction is ~~fifty-six~~ fifty-nine thousand ~~five~~ four hundred ~~sixty-eight~~ thirty-seven dollars through June 30, ~~1998~~ 2000, sixty thousand six hundred twenty-six dollars through December 31, 2000, and ~~fifty-eight~~ sixty-seven thousand ~~two~~ six hundred ~~seventy-two~~ nineteen dollars thereafter. The superintendent is also entitled to reimbursement for expenses incurred in the discharge of official duties, such expenses to be paid monthly on a warrant prepared by the office of management and budget and signed by the state auditor, upon the filing of an itemized and verified statement of expenses.

SECTION 26. AMENDMENT. Section 15.1-02-02 of the North Dakota Century Code as created by House Bill No. 1034, as approved by the fifty-six legislative assembly, is amended and reenacted as follows:

15.1-02-02. Salary ~~and traveling expenses~~. The annual salary of the superintendent of public instruction is ~~fifty-eight~~ fifty-nine thousand ~~two~~ four hundred ~~seventy-two~~ thirty-seven dollars through June 30, 2000, sixty thousand six hundred twenty-six dollars through December 31, 2000, and sixty-seven thousand six hundred nineteen dollars thereafter.

SECTION 27. AMENDMENT. If House Bill No. 1034 does not become effective, Section 15-21-03 of the North Dakota Century Code is amended and reenacted as follows:

15-21-03. Appointment of ~~deputy - Assistant~~ assistant - Clerks. The superintendent of public instruction may appoint ~~a deputy for whose official acts he is responsible, and~~ an assistant whose duty it is to assist the superintendent of public instruction in visiting schools and institutes, to attend school officers' meetings, and to perform such other duties as may be required of him. The superintendent also may employ such clerks as are necessary in carrying on the work of the department.

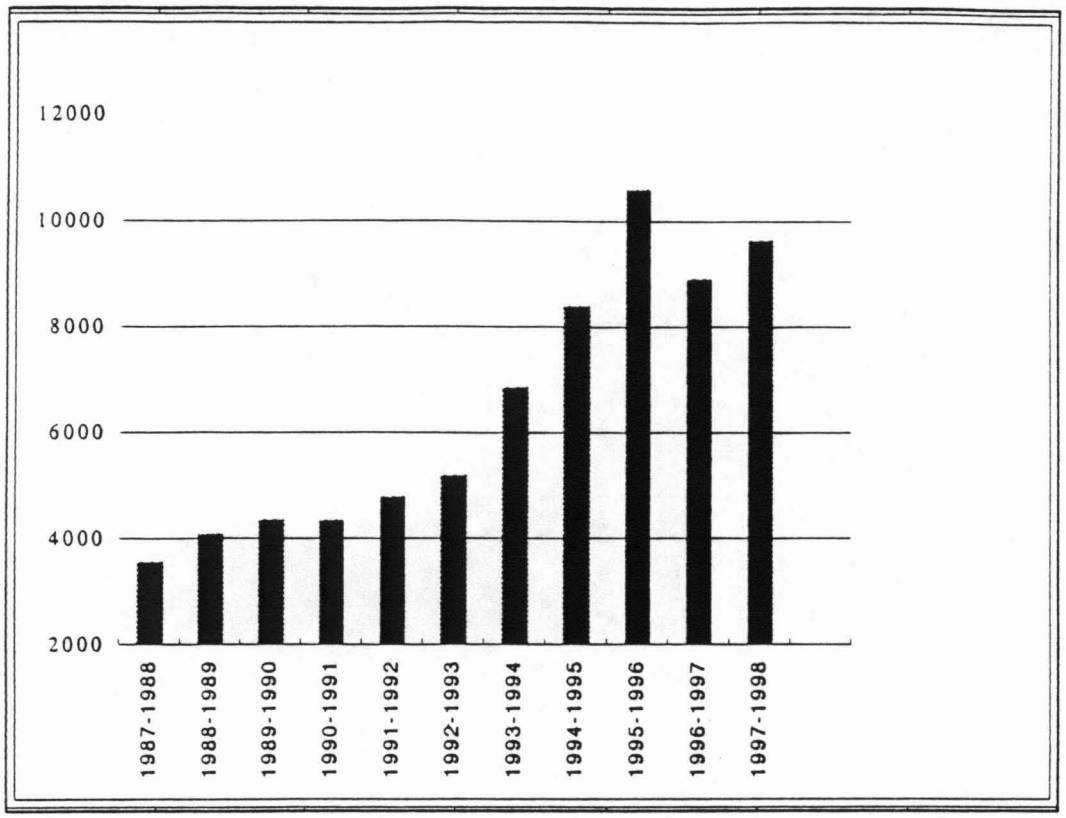
SECTION 28. AMENDMENT. Section 15.1-02-03 of the North Dakota Century Code as created by House Bill No. 1034, as approved by the fifty-sixth legislative assembly, is amended and reenacted as follows:

15.1-02-03. Appointment of ~~deputy~~ assistant - Employment of personnel. The superintendent of public instruction may appoint ~~a deputy superintendent and~~ an assistant. The superintendent may also hire personnel or contract with other persons to perform the work of the department of public instruction.

SECTION 29. AMENDMENT. Section 15-59-06 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

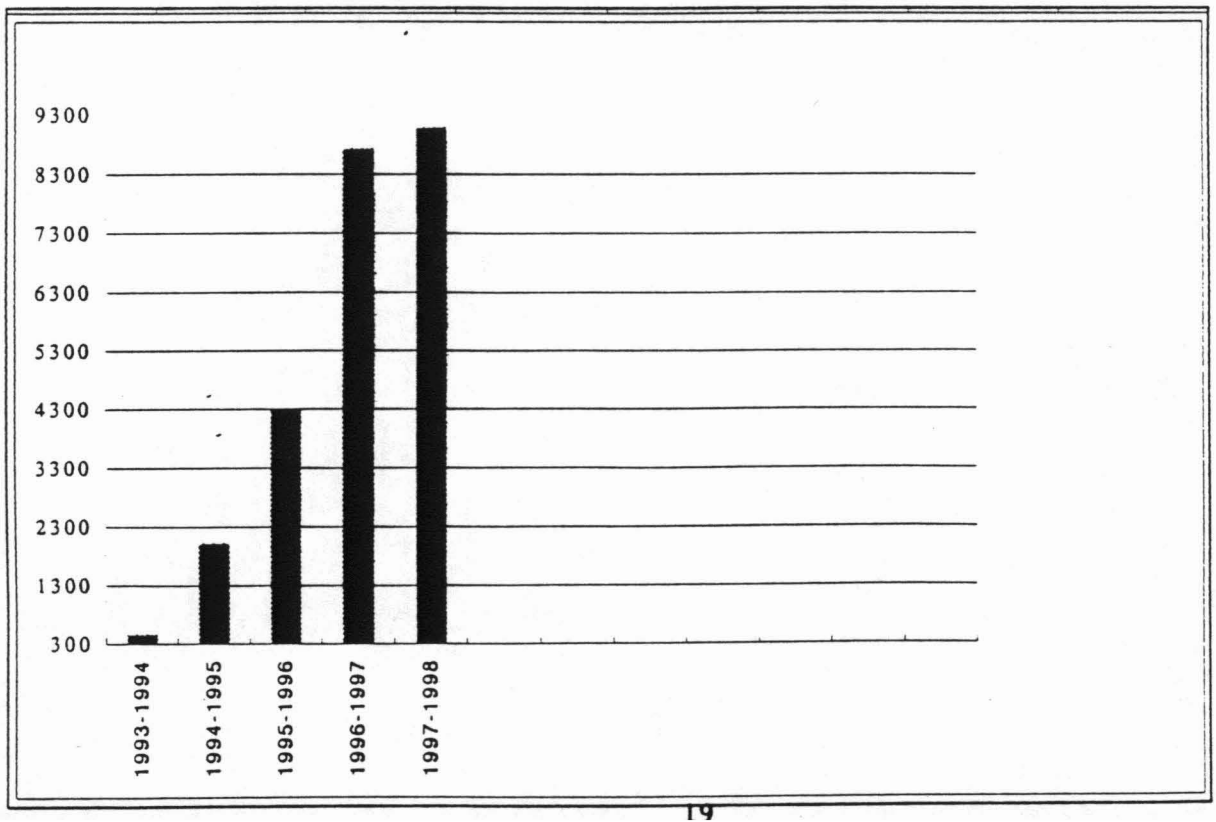
COURSE ENROLLMENTS

Division of Independent Study
1987-1998



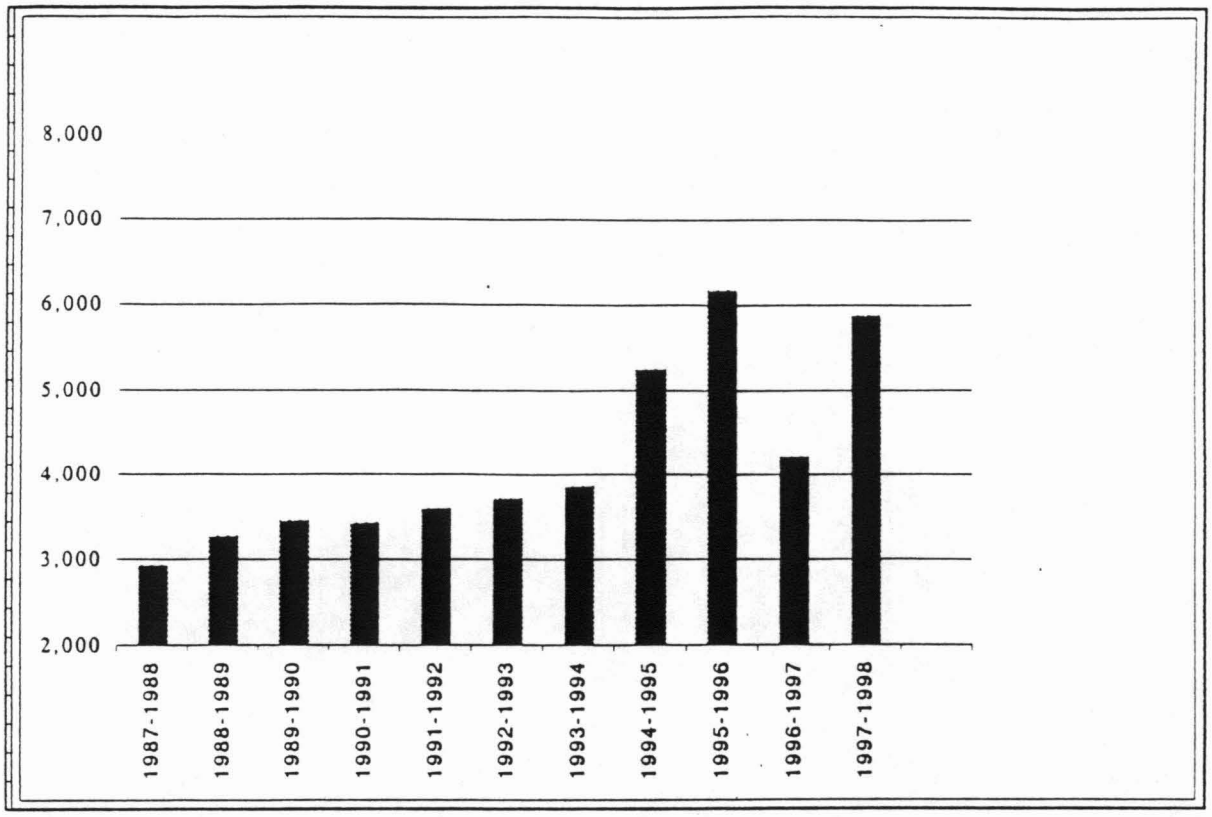
MATERIALS-ONLY

Division of Independent Study
1993-1998



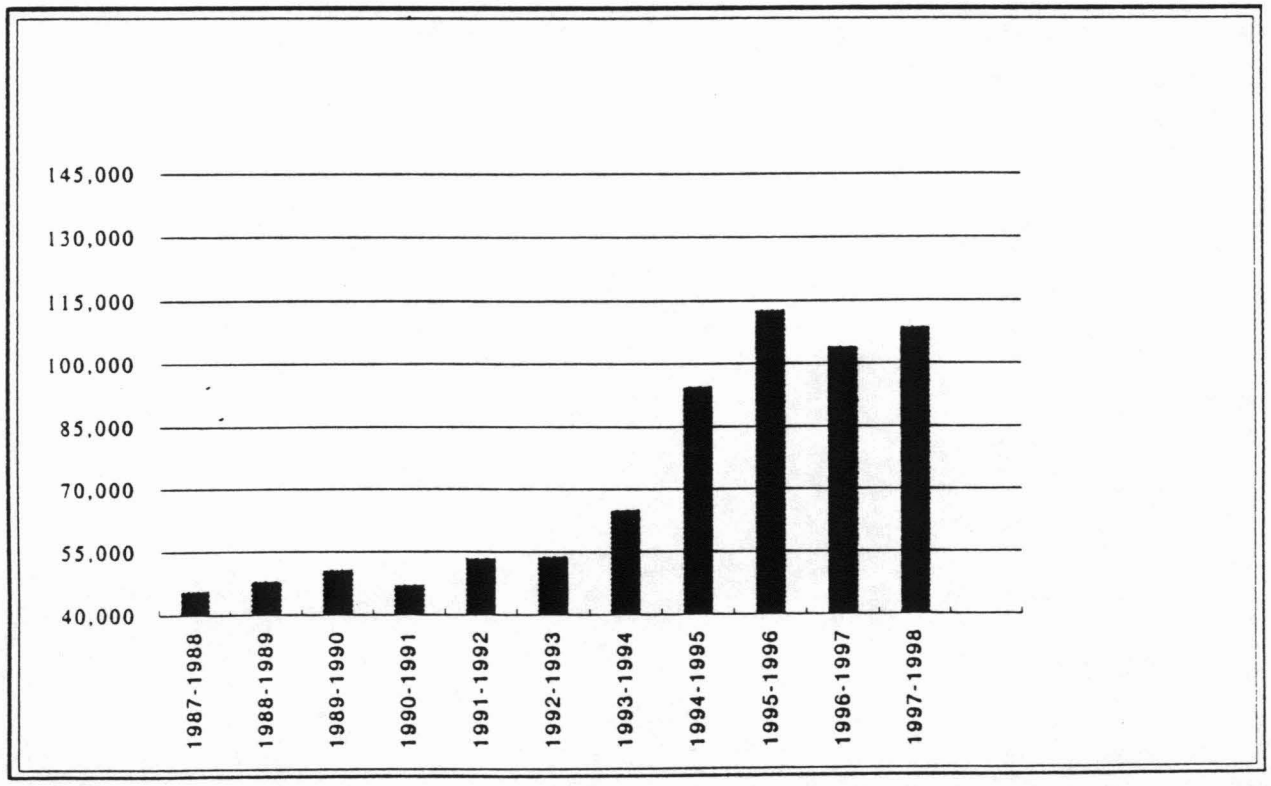
STUDENT ENROLLMENTS

Division of Independent Study
1987-1998



LESSON COUNTS

Division of Independent Study
1987-1998



North Dakota Students by High School
1997-1998

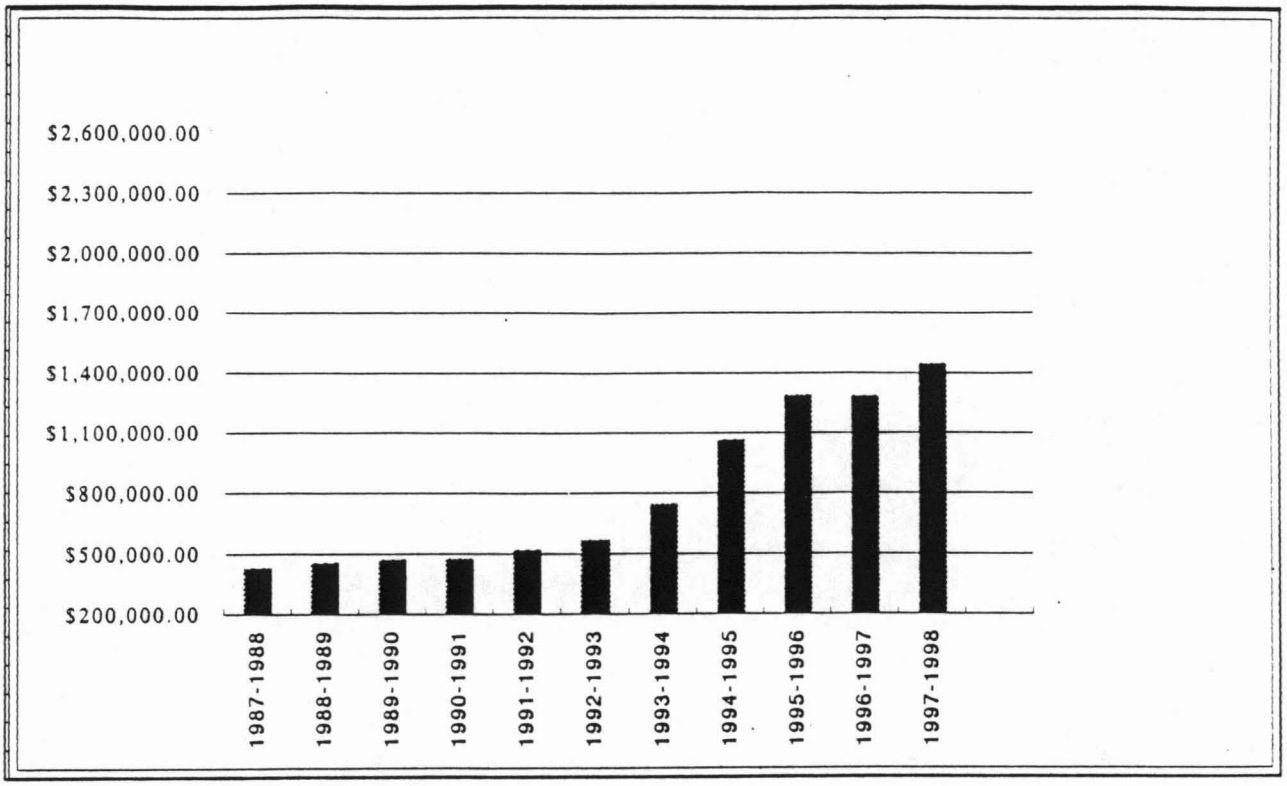
School	# of Students Enrolled	Course Enrollment
Adams	5	6
Alexander	4	5
Almont	1	3
Anamoose	0	0
Arthur (Northern Cass)	1	1
Ashley	4	6
Beach	2	8
Belcourt	67	82
Belcourt - Ojibwa Indian School	4	4
Belfield	2	3
Berthold	1	1
Beulah	16	27
Beulah Middle School	1	2
Binford (Midkota)	0	0
Bisbee-Egeland	0	0
Bismarck High School	24	34
Bismarck Century	26	33
Bismarck South Central	4	4
Bismarck St. Mary's	7	12
Bismarck Dakota Adventist	3	3
Bismarck Shiloh Christian School	1	2
Bismarck - Hughes Junior High	2	3
Bismarck - Simle Junior High	2	2
Bismarck - Robert Place Miller School	1	1
Bismarck - ND State Penintentiary	1	1
Bottineau	2	2
Bowbells	9	9
Bowman	3	3
Butte	0	0
Buxton (Central Valley)	2	2
Calvin (Border Central)	1	1
Cando	1	2
Carrington	1	3
Carson (Roosevelt)	0	0
Casselton (Central Cass)	5	6
Cavalier	15	26
Center	2	4

Number of Students by State
1997-1998

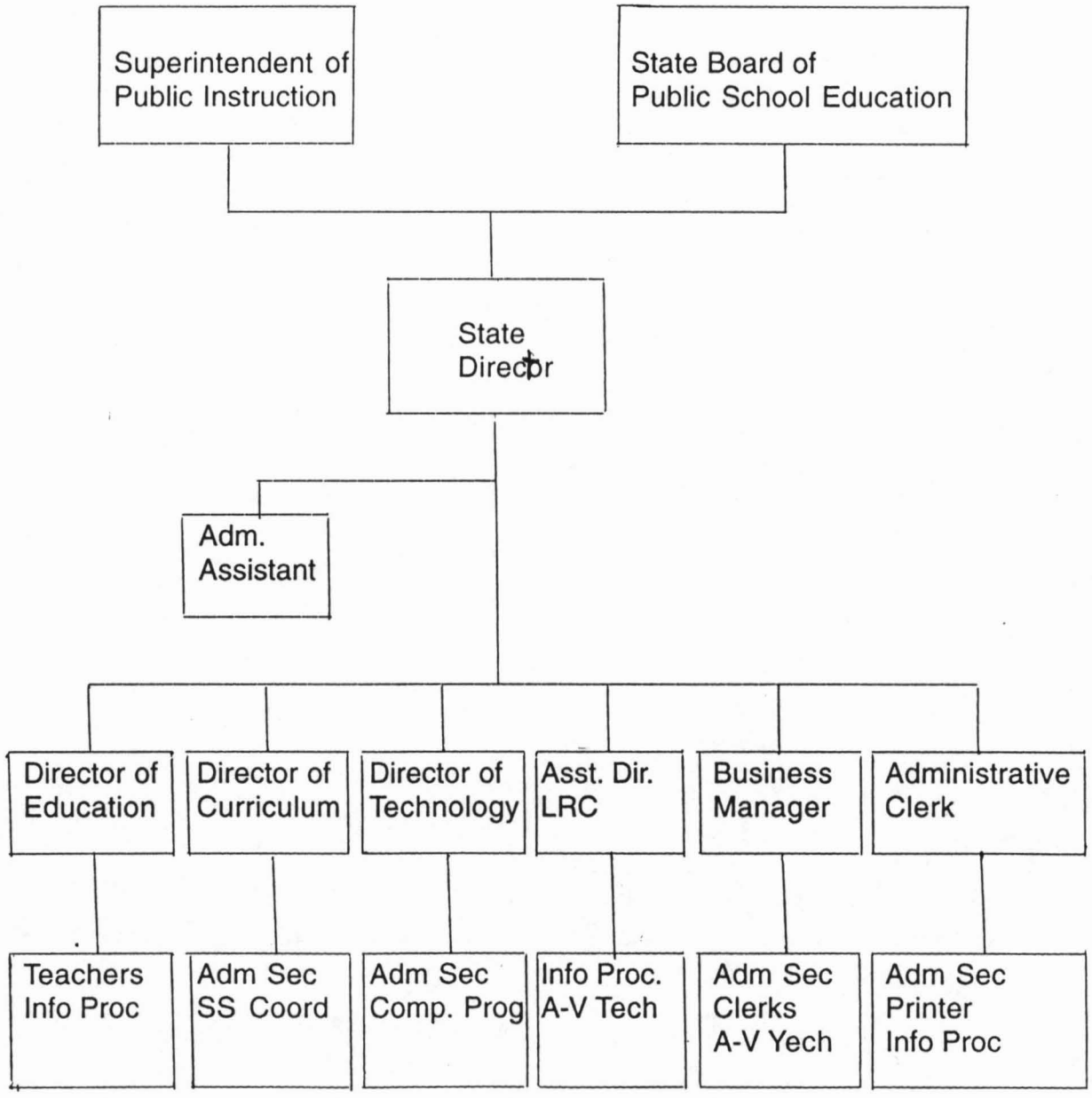
State	Number of Students	State	Number of Students
Alabama	7	Montana	465
Alaska	1664	Nebraska	27
Arizona	14	Nevada	89
Arkansas	3	New Hampshire	3
California	59	New Jersey	16
Colorado	119	New Mexico	22
Connecticut	13	New York	35
Delaware	4	North Carolina	21
District of Columbia	3	North Dakota	1420
Florida	47	Ohio	35
Georgia	54	Oklahoma	9
Hawaii	7	Oregon	70
Idaho	47	Pennsylvania	14
Illinois	49	Rhode Island	0
Indiana	7	South Carolina	12
Iowa	23	South Dakota	140
Kansas	54	Tennessee	27
Kentucky	7	Texas	63
Louisiana	11	Utah	47
Maine	11	Vermont	8
Maryland	21	Virginia	10
Massachusetts	5	Washington	168
Michigan	53	West Virginia	6
Minnesota	507	Wisconsin	167
Mississippi	3	Wyoming	73
Missouri	18		

COLLECTIONS

Division of Independent Study
1987-1998



Organizational Chart of Division of Independent Study 1/97



APPENDIX G