

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2052

2001 SENATE EDUCATION

SB 2052

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2052

Senate Education Committee

Conference Committee

Hearing Date 01-15-01

Tape Number	Side A	Side B	Meter #
1		x	12.4 - end
2	x		0 - 22.9
1 (01-17-01)		x	40.8 - end
2	x		0 - 19.8
Committee Clerk Signature <i>Andie Johnson</i>			

Minutes: CHAIRMAN FREBORG called the hearing on SB 2052 relating to the school calendar and mandated school holidays..

Testimony in Support of SB 2052.

SENATOR ANDRIST, one of the sponsors of the bill, testified in support of SB 2052. (see attached). He also presented proposed amendments to the bill (10281.0101) (see attached).

SENATOR O'CONNELL wondered if you gave the schools the option of two days for the NDEA Convention, what happens if each school picked different days. SENATOR ANDRIST feels to local school board should make the decision and he has confidence that the schools will work together. SENATOR O'CONNELL asked how many teachers would be involved in the process. SENATOR ANDRIST stated it was his intent to involve the teachers and he presumed the school board would be fair and the local representative for NDEA would discuss the issue. However, if the committee feels there should be more specific, he would support that.

SENATOR FREBORG stated that in present law the teachers have the option to come to the

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board and discuss the school calendar. SENATOR CHRISTENSON asked if this bill implies that a professional assembly of teachers statewide can be optional, and this may denigrate the professional attitude people have toward the teaching profession in this state. SENATOR ANDRIST doesn't feel that could be read into this. He feels the conference should be able to encourage its members to attend with interesting programs, topics, etc. and the schools should be given the choice to attend the state conference or hold their own in-service training. SENATOR KELSH asked if most local school districts either require their teachers to attend the conference or be in the local school building doing classroom work. SENATOR ANDRIST stated he felt that is the practice of most districts.

TONY WEILER, appearing on behalf of the State Association for Nonpublic Schools (SANS), supports the bill.(see attached). SENATOR WANZEK asked if a nonpublic school has the discretion to have their own calendar. He replied they do. SENATOR WANZEK asked what percent of nonpublic schools dismiss for the NDEA Convention. Mr. Weiler replied that some do not close for NDEA convention.

Testimony in opposition to SB 2052.

MAX LAIRD, President of NDEA, testified in opposition to this bill. (see attached). He feels if this bill passes, it will be difficult for NDEA to offer a conference without knowing the number of people attending. SENATOR O'CONNELL asked how many teachers are in ND. He stated there are 9600 licensed professionals, 9000 licensed by the educational standards and practices board and about 600 that are licensed by some other agency and are employed by a public school. He stated NDEA has over 8000 of these professionals in their membership which includes several categories. He stated NDEA represents about 85% of classroom teachers in ND.

DIANNE MONDRAY, a classroom teacher from Grand Forks, ND, testified that most teachers consider the NDEA Conference an important part of their continuing education. SENATOR KELSH asked if the location of the convention matters to the attendees. She feels it is helpful to be able to visit schools and classrooms outside your own area. SENATOR COOK asked what is expected of teachers who do not attend. She stated those in her district who do not attend the conference fill out a form as to what they will be doing the two days of the conference and they are expected to be in the classroom for a contractual day. SENATOR WANZEK asked if she felt the conference is instructional. She replied yes, that no association business is carried out. It is all instructional workshops and keynote speakers. The NDEA holds its assemblage on a Saturday in April for the purpose of electing officers and carrying out other business.

SENATOR COOK asked if there is a fee to attend the NDEA conference. She replied no.

SENATOR COOK asked about nonmembers.

RICHARD OTT, North Dakota Council of Educational Leaders (NDCEL), stated the primary concern of NDCEL is if the bill passes, there could be a domino effect, as the administrators meet during this time also for their meetings. He has attended some conventions, and feels it is a highly charged, very valuable educational experience for these people. He stated there is a registration fee for the administrators to attend their meeting, which is a major source of their income. SENATOR FREBORG asked if the administrators could meet anytime. MR. OTT stated yes. SENATOR KELSH asked what levels of administrators attend. MR. OTT replied all levels of administration are included.

JOE LENNERTZ, Director of Accrual and Accreditation for the Dept. Of Public Instruction, appeared on behalf of Anita Decker. (see attached testimony from Ms. Decker). He appearing not so much in opposition to the bill, but to offer amendments to the bill. (see attached). The

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Department of Public Instruction approves the calendars for schools twice a year for the purpose of 180 days. This is done in the spring and fall. The deadline is October 30 for the calendar, which overlaps the current calendar year. The schools submit their calendars a year in advance. SENATOR FLAKELL asked what opportunities exist for professional development throughout the state. MR. LENNERTZ didn't know. SENATOR COOK asked which holidays the amendments speak to. MR. LENNERTZ stated DPI thought this would give the schools a framework to work in rather than leaving it open-ended.

MAX LAIRD, President of NDEA, and the committee continued in discussion. MR. LAIRD stated there are approximately 9600 individuals employed in school districts with licenses. There are about 600 that have licenses that are not administered by the Educational Standards and Practices Board. There are about 2000 administrators, 7000 teachers (which includes retired, staff, etc.). He stated less than 1% of the 3-5000 people registered for the NDEA convention do not attend all or some parts of it. This is hard to track because there are no attendance record kept. There are two fee structures. Members pay nothing. Nonmembers pay \$200. He feels if this bill is passed, the conference will ultimately be canceled and the professional development would be left up to the local districts. He stated he has been contacted by communities who are concerned about the impact on the host community if this conference is not scheduled or held. It is a multi-million dollar impact to the host community. However, MR. LAIRD stated that NDEA would adjust if this bill is passed, but it would be difficult. SENATOR FLAKELL asked what other opportunities exist in the state for teacher development. There are professional development opportunities (conferences on national board teacher certification, on standards and assessments, on evaluation, and opportunities for local districts to provide professional

development in technology) held continuously as NDEA has time and dues dollars dedicated to a staff position for this.

BEV NIELSON, North Dakota School Board Association, stated NDSBA has no set position on this bill. They are interested in more professional development days. Their concerns are:

1. What to do with the teachers who don't attend
2. Verification of attendance
3. Costs involved
4. Offering in-service opportunities for those not attending

They feel the benefits of the NDEA Conference are it is an excellent, high quality conference.

NDSBA feels there would be a different quality in the programs if they are put under local control only. SENATOR KELSH asked if school districts pay for their teachers to attend the conference. She replied that she was unaware of any district covering the cost for their staff.

She further stated that most teachers are responsible for their own costs in obtaining continuing education.

SENATOR ANDRIST again stated his support for NDEA and its conference. However, if the reality is that only 1/3 of the teachers attend, then maybe we need to have something for the other 2/3 who do not.

There being no further testimony, the hearing on SB 2052 was closed.

The committee was adjourned.

01-17-01 Tape 1, Side B, 40.8 - end, Tape 2, Side A, 0 - 19.8

Discussion. SENATOR KELSH asked if this bill eliminates all the holidays that are listed in law now. SENATOR COOK stated that the repealer part of the amendment does eliminate the holidays listed in NDCC 15.1-06-02. These days are not part of the 180 days that are mandated

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for school. The bill allows the local school board to use up to 5 days for whatever they wish and if the repealer stay in, they could set holidays as they want as long as they have 173 days of contact. There was discussion on removing the repealer part of the amendment. The committee did not think the repealer was part of the intent of the bill.

SENATOR COOK moved to remove the repealer from the amendments. Seconded by **SENATOR FLAKOLL**.

Roll call vote: 5 Yes. 2 No. 0 Absent. Motion carried.

SENATOR KELSH stated the sponsor wanted to give total control to local schools and would not want the repealer taken out of the amendment. **SENATOR FLAKOLL** feels the dates in 15.1-06-02 should be left in NDCC. **SENATOR FREBORG** explained the days being discussed are a part of the 180 day calendar, 2 days for parent/teacher conference and the other 5 days being talked about. The holidays in Century Code are mandated and not a part of the 180 day calendar. **SENATOR CHRISTENSON** made a plea on behalf of NDEA annual convention. She feels the convention helps teachers in their professional growth. She feels by passing this bill would hurt attendance at the convention and in time the convention will end.

SENATOR COOK moved the amendment as amended. **SENATOR FLAKOLL** seconded.

Roll Call Vote: 4 Yes. 3 No. 0 Absent. AMENDMENT ADOPTED.

SENATOR COOK moved **DO PASS AS AMENDED**. Seconded by **SENATOR FLAKOLL**.

Discussion by committee. In visiting with constituents, **SENATOR KELSH** stated that a large percentage of teachers attend the conference. He doesn't feel the local districts can present a program on professional development as well as the state NDEA group. **SENATOR O'CONNELL** feels they are penalizing many for actions of a few. **SENATOR FREBORG** said

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it is very hard for local school districts to monitor attendance at the NDEA Conv. Because NDEA does not send out registrations. SENATOR COOK stated this is state control versus local control.

SENATOR COOK moved a DO PASS as AMENDED. Seconded by SENATOR FLAKOLL.

ROLL CALL VOTE: 4 Yes. 3 No. 0 Absent. Motion Carried.

Carrier: SENATOR COOK

SENATOR FREBORG adjourned the committee.

PROPOSED AMENDMENTS TO SENATE BILL 2052

Page 1, line 14, after "for" insert "state or nationally recognized"

Page 1, line 14, after "holidays" remove the underscored comma, insert "and" and replace "continuing education" with "professional development"

Page 1, line 15, after "activities" remove the underscored comma, and remove "and school activities"

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2052

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 15-40.1-09 and subsection 1 of section 15.1-06-04 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-35 of the North Dakota Century Code, relating to professional development days; and to repeal section 15.1-06-02 of the North Dakota Century Code, relating to mandated school holidays.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. If House Bill No. 1045 does not become effective, section 15-40.1-09 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.1-09. Application for payments - Verification and determination of payments for high school students - Report of county superintendent of schools - Appeal. Immediately upon the completion of the registration of students at the beginning of each school term and in no event later than September tenth of each year, the business manager of each school district within or without this state which is claiming payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a claim on a form prescribed by the superintendent of public instruction stating the number of students registered in high school and elementary grades for which payments are claimed, and such other information as may be reasonably requested by the superintendent of public instruction. Not later than December first, the superintendent of public instruction shall certify to the office of management and budget a list of the school districts and schools not operated by school districts entitled to payments from state funds, together with the amounts to which the several districts and schools are entitled. Per student aid as provided under sections 15-40.1-06, 15-40.1-07, and 15-40.1-08 must be computed on the basis of the previous year's average daily membership less the number of students attending school during the current school year in another district under the provisions of open enrollment or the current year's fall enrollment, whichever provides the greatest payment, for all current grade levels. Adjustments must be made in the subsequent year according to a comparison between the average daily membership for the year for which the adjusted payment is being made and the year preceding the year for which the adjusted payment is being made, whichever is greater, for grade levels that existed in both years. The greater of the two preceding years' average daily membership must be used in computing any adjustment in a district's foundation aid payments. For purposes of this chapter, "average daily membership" means the total days all students in a given school are in attendance, including ~~two five days set aside for the North Dakota education association instructional conference, three holidays listed in subsections 2 through 4 of section 15-28-04, and~~ two five days set aside for the North Dakota education association instructional conference, three holidays listed in subsections 2 through 4 of section 15-28-04, and which have been selected by the school board in consultation with the teachers for holidays, continuing education activities, and school activities, and up to two full days during which parent-teacher conferences are held, divided by one hundred eighty days. School districts educating children of agricultural migratory workers or offering high school summer school programs during the months of June, July, and August shall not be restricted to payments for a one hundred eighty-day school term.

Immediately upon the termination of the school year, and in no event later than July fifteenth of each year, the business manager of each school district within or without this state which has received payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a verified statement of

the name, residence, and membership of elementary and high school students as provided for in this section, and number of units of high school work taken by each high school student enrolled during the previous school year. The statement shall be attested to by the county superintendent of schools. The county superintendent shall investigate the validity of the statement and shall determine the residence and other qualifications of each student named in the statement. The county superintendent shall certify to the superintendent of public instruction on or before September first of each year the number of enrolled students in each district in the county for the previous school year upon which any adjustment may be based as provided in this section. If any statement is disallowed in whole or in part, notice of the disallowance and the names of students who are disallowed shall be reported to the superintendent of public instruction and to the district filing the statement. Any district may appeal to the superintendent of public instruction from the determination of the county superintendent of schools on or before September fifteenth in the year in which the determination is made. The superintendent of public instruction may change or modify the determination of the county superintendent if the evidence submitted by the district warrants a modification. The judgment of the superintendent of public instruction shall be final.

SECTION 2. AMENDMENT. Subsection 1 of section 15.1-06-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. During each school year, a school district shall provide for a school calendar of at least one hundred eighty days, apportioned as follows:
 - a. One hundred seventy-three full days of instruction;
 - b. ~~Three holidays listed in subdivisions b through j of subsection 1 of section 15.1-06-02 and~~ Five days selected by the school board in consultation with district teachers;
 - c. ~~Two days for the attendance of teachers at the North Dakota education association instructional conference for holidays, continuing education activities, and school activities; and~~
 - d. Up to two full days during which parent-teacher conferences are held or which are deemed by the school board to be compensatory time for parent-teacher conferences held outside regular school hours.

SECTION 3. AMENDMENT. Section 15.1-27-35 of the North Dakota Century Code as created by House Bill No. 1045, as approved by the fifty-seventh legislative assembly, is amended and reenacted as follows:

15.1-27-35. Average daily membership - Calculation. Average daily membership is calculated by adding the total number of days that each student in a given classroom, school, or school district is in attendance during a school calendar and the total number of days that each student in a given classroom, school, or school district is absent during a school calendar, and then dividing the sum by one hundred eighty. For purposes of calculating average daily membership, all students are deemed to be in attendance on:

1. ~~The three holidays listed in subdivisions b through j of subsection 1 of section 15.1-06-02 and~~ five days selected by the school board in consultation with district teachers for holidays, continuing education activities, and school activities; and
2. ~~The two days set aside for the attendance of teachers at the North Dakota education association instructional conference; and~~
3. The two full days, or portions thereof, during which parent-teacher conferences are held or which are deemed by the board of the district to be

compensatory time for parent-teacher conferences held outside regular school hours.

SECTION 4. REPEAL. Section 15.1-06-02 of the North Dakota Century Code is repealed."

Renumber accordingly

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1-17-1
1043

PROPOSED AMENDMENTS TO SENATE BILL NO. 2052
Amendments to SB 2052 Education 1/17/01

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Immediately upon the termination of the school year, and in no event later than July fifteenth of each year, the business manager of each school district within or without this state which has received payments from state funds under the provisions of this chapter shall file with the county superintendent of schools a verified statement of the name, residence, and membership of elementary and high school students as provided for in this section, and number of units of high school work taken by each high school student enrolled during the previous school year. The statement shall be

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attested to by the county superintendent of schools. The county superintendent shall investigate the validity of the statement and shall determine the residence and other qualifications of each student named in the statement. The county superintendent shall certify to the superintendent of public instruction on or before September first of each year the number of enrolled students in each district in the county for the previous school year upon which any adjustment may be based as provided in this section. If any statement is disallowed in whole or in part, notice of the disallowance and the names of students who are disallowed shall be reported to the superintendent of public instruction and to the district filing the statement. Any district may appeal to the superintendent of public instruction from the determination of the county superintendent of schools on or before September fifteenth in the year in which the determination is made. The superintendent of public instruction may change or modify the determination of the county superintendent if the evidence submitted by the district warrants a modification. The judgment of the superintendent of public instruction shall be final.

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REPORT OF STANDING COMMITTEE

SB 2052: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2052 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 15-40.1-09 and subsection 1 of section 15.1-06-04 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-35 of the North Dakota Century Code, relating to professional development days.

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provided for in this section, and number of units of high school work taken by each high school student enrolled during the previous school year. The statement shall be attested to by the county superintendent of schools. The county superintendent shall investigate the validity of the statement and shall determine the residence and other qualifications of each student named in the statement. The county superintendent shall certify to the superintendent of public instruction on or before September first of each year the number of enrolled students in each district in the county for the previous school year upon which any adjustment may be based as provided in this section. If any statement is disallowed in whole or in part, notice of the disallowance and the names of students who are disallowed shall be reported to the superintendent of public instruction and to the district filing the statement. Any district may appeal to the superintendent of public instruction from the determination of the county superintendent of schools on or before September fifteenth in the year in which the determination is made. The superintendent of public instruction may change or modify the determination of the county superintendent if the evidence submitted by the district warrants a modification. The judgment of the superintendent of public instruction shall be final.

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3. The two full days, or portions thereof, during which parent-teacher conferences are held or which are deemed by the board of the district to be compensatory time for parent-teacher conferences held outside regular school hours."

Renumber accordingly

2001 HOUSE EDUCATION

SB 2052

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2052

House Education Committee

Conference Committee

Hearing Date 03/14/01

Tape Number	Side A	Side B	Meter #
#1	X		120 to 6200
#1		X	1 to 2515
Committee Clerk Signature <i>Susi Gilberts</i>			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunsakor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelsch: We will now open the hearing on SB2052.

Sen. Andrist: (District 2) *Please refer to written testimony*

Chairman Kelsch: Did I understand that you wouldn't oppose an amendment that would say five day, two of which may be used for the teacher's convention?

Sen. Andrist: I'd welcome such an amendment.

Chairman Kelsch: A school district would say, you may go to the teacher's convention, if you do not choose to do that, you may choose, either the school district itself would choose two days for professional development or the school district would also allow those teachers to maybe participate in an additional or another type of professional development.

Sen. Andrist: That's exactly right.

Rep. Solberg: What's the primary problem? Is the issue professional development, or is the ability of our schools to dismiss for school activities?

Sen. Andrist: I see it as both. Actually, I first became interested in this bill two years ago. My hometown school went to the state football playoffs in Fargo, because it was so far away. It would solve the problem of letting them designate these five days for use any way that they wanted to. They could have said that one of these five days could have been travel days to the state playoffs if they would have wanted to.

Rep. Solberg: Is there any guarantee that there will be any quality professional development in this bill?

Sen. Andrist: No, there isn't. This troubles me to some degree. We should have specified that at least two of these days should have been for professional development.

Rep. Hunskor: Having gone to teachers conventions for a number of year, as I went to them, I rubbed shoulders with Math teachers from all over ND. They had different ideas, and you learn from other teachers, not just in the local area. That would be taken away if you would have a local or regional in service. I think it's important to be around people who are involved in your arena. We were able to hear speakers from out of state who had much experience.

Sen. Andrist: In my life, the newspaper, I would never have considered not attending the state convention. My vision is not to deter people from going, I think it's a wonderful thing, I just think that for those that feel otherwise, it would be nice if we could use those for some sort of professional development on a local plan. If they aren't going for whatever reason, it seems that we should be able to have some sort of program.

Page 3

House Education Committee

Bill/Resolution Number SB2052

Hearing Date 03/14/01

Rep. Hunsakor: If that would happen, then that would happen, it seems that some would be going to the NDEA conference and some would be staying home, so there would be limited numbers at home.

Sen. Andrist: I would presume that if I were the superintendent, I wouldn't try to organize something just in my district, but I would try to do something on a regional basis for in service. Some issues are statewide, but I also think that some are just regional as well.

Rep. Nottestad: Having two days for professional development would be wonderful. You could go into depth, you could go into things that could change your entire district program, but if I were to plan a really in depth program and one third of my staff went to the convention, that would take away so much from that type of a professional development, you couldn't do that.

Sen. Andrist: I can understand that this poses some difficulties, but at the same time, if the alternative is for one third of those teachers to go to the convention and the other two thirds of those teachers to sit around in an empty school or go hunting.... This is an alternative for professional development for those that don't go to the NDEA convention.

Rep. Nottestad: You're making an assumption that what's happening in the empty classroom is of no value what so ever for those that don't attend. I would strongly disagree.

Sen. Andrist: Each of us views things from whatever perspective we live in. The teachers that I'm acquainted with tell me that it's a wasted day. In fact, most schools, I'm told, no longer requires those teachers even to come into the school.

Rep. Nottestad: Would you say that that, then is a problem in your schools in your area and not the entire state of ND which this bill would affect.

Sen. Andrist: I have no way of knowing if it's pervasive around the state. I see no reason that it should be unique to our area. Maybe it's the cost that's the thing.

Rep. Hanson: Did you put this bill in on your own, or did you get requests from several school boards, and could you name them?

Sen. Angriest: I took this bill on my own, but I didn't do it as a loose cannon. I'd talked to people. It works nicely with my philosophy, and it has support from the superintendents from my area.

Rep. Thoreson: If a region decided to have a workshop, do those teachers have a choice of whether they attend that, or could they attend the NDEA conference, and how would you perceive the districts paying for something like that that's of the magnitude of the NDEA conference.

Sen. Andrist: This was sort of my vision. What the bill intends to do is to free them and let them make their own choice. I would presume that a couple of superintendents might get together and they might talk to some of their teachers and devise a plan that might be somewhat unique to that area.

Rep. Hunskor: In your testimony, you addressed the issue of hunting. Would it not be better, if teachers did go hunting, if that were handled by the superintendent or school board on a local basis, not with legislation?

Sen. Andrist: I don't think the law mandates that teachers go to the NDEA conference, and I think it's a matter of school board policy as to what those teachers may or may not do during those days if they don't go to the conference. Some require the teachers to come to school some don't.

Rep. Solberg: You mentioned that you're an advocate of local control, however, this bill is asking the legislature to set the rules on this issue, so to me that's conflict there.

Sen. Andrist: Right now, the law says you can teach 175 days. You can get paid for 180 days, you get credit for 5 more days. The only way this would change it, it would say that you'll actually teach school for 175 days and maybe you'll get credit for 5 days more to spend it as you choose.

Rep. Haas: You mentioned earlier that you wouldn't object putting an amendment on here that would say something like if teachers desire to go to the conference, that they would be allowed to go. For example, we have a school district that half of the teachers went to the conference and half of them decided to stay home. Would you then also see us mandating in service for those that didn't go?

Sen. Andrist: I didn't really visit this, but the thought occurred to me that this amendment would be good if it were concerned that NDEA would be shut out of this.

Rep. Mueller: You referenced a bit earlier some of the concerns that you have, but other groups meet at this same time. I'm not sure how we would begin to accommodate that other group of statewide meetings that go on if in fact we have pretty much discretionary powers at the local levels in regard to having the NDEA conference attended or not. Those that are not going to choose to become involved, that group of folks have cut them out to access to the other meetings that go on at this same time.

Sen. Andrist: I suppose that I could sit and tell you the solutions. My mission is to persuade you that these districts have their own set of concerns are more likely to come up with something that fits them well for these two days or all five days if they have the ability to decide.

Rep. Haas: Let's say that this bill would pass and NDEA was going to off their conference in June, July or August. Should we then require that every school district provide two days of professional growth out of those five days for their staff?

Sen. Andrist: As the bill is now written, it wouldn't now require that. If you had concerns that the school would not do that, I would welcome an amendment that would stipulate that the school calendar year must include two days for professional growth.

Chairman Kelsch: Is there anyone who wishes to appear in opposition to SB2052?

Linda Edwards: (NDEA) *Please refer to written testimony*

Rep. Hanson: Do you offer college credit to areas now?

Edwards: No, we don't. In order for us to offer credit, we would have to monitor the fifteen credit hours that each participant took through the workshop, and 80% of the presenters would have to go through a vida check and have their masters.

Rep. Nelson: In Sen. Andrist's testimony, he makes the statement that you choose not to reveal your membership attendance. Is that true, and if it's not what's the attendance of the latest convention?

Edwards: Logistically, we have not tracked everyone that attends the conference. This year, we're trying to computerize it so we can have an exact representation by district. In the past five years, we've had anywhere from 3200 to 4000 teachers per conference.

Rep. Nelson: Would that be retired and active teachers?

Edwards: As well as future teachers.

Rep. Nelson: There's a lot of data that NDEA compiles, you'd think that that would be very important that you not only have a list of the active teachers that are registering for the

conference, but for the workshops that they are attending. Is there a registration form at each workshop so that you'd have knowledge?

Edwards: You're correct and we agree, that's why we are trying to computerize it.

Rep. Hunskor: Those individuals who are not members of NDEA are allowed to go to the conference, and do they pay a certain fee?

Edwards: If they are not a member, then they pay a fee.

Rep. Haas: I want to make an assumption that this bill passes and the attendance at your conference drops dramatically, would you consider moving it then to June, July and August?

Edwards: No. We do four other conferences during the summer.

Don Hoff: (Velva science teacher) *Please refer to testimony*

Chairman Kelsch: You mentioned that all of the teachers in Velva belong to NDEA and most attend. How many do not attend approximately, what do they do during that time? What would be their reasons for not attending?

Hoff: In the last couple of years three fourths of 35 normally attend, and a number of those present. Those that don't, our school board has indicated that they need to be at the school the hours that they would normally be there, taking care of duties. Some of the things that would happen there would be taking care of individual things.

Rep. Haas: Does your district, have you established any allowable, professional leave for teachers?

Hoff: Two, but it's with board and administrative approval, and you need to have a reason.

Rep. Haas: Would you use those two days to attend the conference?

Hoff: Some would, but I often use those two days to attend the National Science Teachers Association.

Rep. Nelson: Your comments about mandating professionalism was good, but are there any safeguards built in that an instructor would come to the conference and register and then go pheasant hunting from Bismarck.

Hoff: It's not completely fool proof. In regard to the credit. We have, as a science teacher group, been able, on some occasions, offer credit, and then we will take roll at every one of our sessions. The problem becomes qualifying for the colleges that will give you the credit. A big problem that we have is that most of them require that 80% of them require that your presenters have a masters degree.

Marsha Dupre: *Please refer to written testimony*

Richard Ott: (ND Council of Educational Leaders) We stand here in support of this bill.

Sara Coleman: *Please refer to written testimony*

Rep. Hunskor: (District 6) *Please refer to written testimony*

Cheryl Croonquist: *Please refer to written testimony*

Bev Nielson: (ND School Board's Association) We stand neutral on this subject.

Max Laird: (NDEA) I'm here to answer questions.

Chairman Kelsch: I just want to get some data from you. Tell me how many eligible teachers we have in the state of ND that could potentially go to the NDEA conference.

Laird: Would say approximately 9,400-9,600 and approximately 600 administrators.

Chairman Kelsch: What are we looking at for teachers currently in the classroom.

Laird: We're looking at around 8500.

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House Education Committee
Bill/Resolution Number SB2052
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Chairman Kelsch: If you're looking at getting approximately 3500-4000. Would we look at that number and would that be representative of the 8500 or the 9400-9600?

Laird: The larger number.

Chairman Kelsch: That's approximately half that are attending the conference. What have your trends been? Where have we seen the numbers go?

Laird: We peaked out at about 6,000 people the one before last, and since there we've seen variability. We would probably see the lowest attendance in our last two cycles.

Chairman Kelsch: As I'm listening to all of this, a couple of things struck me. We heard regional, we heard, potential, having the conference more centrally located. If we have a lot of these school districts that feel as though they're a little bit removed. Have you ever considered doing anything with interactive TV?

Laird: In the last four years, we've looked at the possibilities of offering our conference regionally, interactively, by virtue of computer, and it's like pushing on a balloon: you push on one side, something pops out the other. If there's something brand new on the horizon, it's shown at our conference: the computer, the Apple 2E. We realize that professional development is an ongoing, continuous activity that we must respect, so our goal is to be in front of that curve. We still cannot deny the need for a statewide conference for those who choose to attend, are able to do so for those new cutting edge issues.

Chairman Kelsch: You heard me ask the question about the amendment. Would you be comfortable with the amendment?

Laird: Our goal behind this bill is to stand behind professional development activities. It's our belief that if the language that you're suggesting were incorporated into the bill that our

conference would lose the ability to ensure that the science association wants to have a sectional conference, would in fact have a significant number of people attend, because people could 'may' choose to not attend. We feel that it's extremely important that this state come together around a need for professional development activities on those two days. My goal would be to spend the next two years in attempting to clean up our own act. This is a message, and we know that.

Rep. Brusegaard: I'm just curious if you could tell me where in the Century Code we provide days off for ND Medical Association convention or ND State Bar Association.

Laird: You don't fund law or medicine.

Rep. Hanson: You talk about regional meetings. Have you talked about the four cities, say Grand Forks and Bismarck the same year and the next year Fargo and Minot and then rotate your speakers within those two days?

Laird: Yes, we have had that discussion, and we don't have enough employees.

Rep. Mueller: Travel has certainly improved over time, so the issue of not being able to get there wears a little thin. What in your opinion has happened that we're down to 50% attendance on the average?

Laird: I don't know that we ever had 100%, although it was a cultural issue. It's become a state weekend. Costs have increased and people are now at a point that they're doing more cherry picking when it comes to professional development.

Chairman Kelsch: We will now close the hearing on SB2052.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2052

House Education Committee

Conference Committee

Hearing Date 03/21/01

Tape Number	Side A	Side B	Meter #
#1	X		2629 to 4000
Committee Clerk Signature 			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunsakor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelsch: We will now take up SB2052.

Rep. Brusegaard: I move the amendments.

Rep. Hawken: Second.

The amendment vote was 9 YAY 6 NAY 0 ABSENT

Chairman Kelsch: What are the wishes of the committee?

Rep. Bellew: I move a DO PASS AS AMENDED

Rep. Brusegaard: Second.

Chairman Kelsch: Committee discussion.

The motion of DO PASS AS AMENDED fails with 4 YAY 11 NAY 0 ABSENT.

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House Education Committee

Bill/Resolution Number SB2052

Hearing Date 03/21/01

Chairman Kelsch: What are the wishes of the committee?

Rep. Hawken: I move a DO NOT PASS AS AMENDED.

Rep. Solberg: Second.

Chairman Kelsch: Committee discussion.

The motion of DO PASS AS AMENDED passes with 12 YAY 3 NAY 0 ABSENT

Floor Assignment: Rep. Mueller

Date: 3/21/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2052

House House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendments

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo	✓	
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson		✓
Rep. Larry Bellew	✓		Rep. Bob Hunskor		✓
Rep. C.B. Haas	✓		Rep. Phillip Mueller		✓
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg		✓
Rep. Dennis E. Johnson		✓			
Rep. Lisa Meler	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad		✓			
Rep. Laurel Thoreson	✓				

Total (Yes) 9 No 6

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 3/21/01
 Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. SB2052

House House Education Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Rep. Bullew Seconded By Rep. Brusegaard

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo		✓
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson		✓
Rep. Larry Bellew	✓		Rep. Bob Hunsakor		✓
Rep. C.B. Haas		✓	Rep. Phillip Mueller		✓
Rep. Kathy Hawken		✓	Rep. Dorvan Solberg		✓
Rep. Dennis E. Johnson		✓			
Rep. Lisa Meler		✓			
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad		✓			
Rep. Laurel Thoreson		✓			

Total (Yes) 4 No 11

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 3/21/01
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2092

House House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass As Amended

Motion Made By Rep. Hawken Seconded By Rep. Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo	✓	
V. Chairman-Thomas T. Brusegaard		✓	Rep. Lyle Hanson	✓	
Rep. Larry Bellew		✓	Rep. Bob Hunsaker	✓	
Rep. C.B. Haas	✓		Rep. Phillip Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg	✓	
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meier	✓				
Rep. Jon O. Nelson		✓			
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				

Total (Yes) 12 No 3

Absent 0

Floor Assignment Rep. Mueller Hawken

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2052, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2052 was placed on the Sixth order on the calendar.

Page 1, line 4, after "days" insert "; to repeal section 15.1-09-42 of the North Dakota Century Code, relating to annual instructional conferences; and to provide an effective date"

Page 2, line 8, replace "five" with "three"

Page 2, line 11, after "for" insert "national or state" and replace "continuing education activities, and school" with "two days for professional development"

Page 3, line 10, remove the overstrike over "~~Three~~" and insert immediately thereafter "national or state" and remove the overstrike over "~~holidays~~"

Page 3, line 11, remove "Five days"

Page 3, line 12, remove the overstrike over the semicolon

Page 3, line 13, remove the overstrike over "~~e. Two days for~~", after "teachers" insert "professional development activities, which may be provided", and remove the overstrike over "~~at the North Dakota education~~"

Page 3, line 14, remove the overstrike over "~~association instructional conference~~" and remove "for holidays, continuing education"

Page 3, line 15, remove "activities, and school activities"

Page 3, line 16, remove the overstrike over "~~d.~~" and remove "c."

Page 3, line 28, remove the overstrike over "~~three~~"

Page 3, line 29, remove "five"

Page 3, line 30, after "for" insert "national or state", remove "continuing education activities, and school activities", and remove the second "and"

Page 4, line 1, remove the overstrike over "~~The two days set aside for~~"

Page 4, line 2, after "~~conference~~" insert "professional development activities" and remove the overstrike over "~~and~~"

Page 4, line 3, remove the overstrike over "~~e.~~"

Page 4, after line 5, insert:

"SECTION 4. REPEAL. Section 15.1-09-42 of the North Dakota Century Code is repealed.

SECTION 5. EFFECTIVE DATE. This Act becomes effective on July 1, 2002."

Renumber accordingly

2001 TESTIMONY

SB 2052

Testimony on SB 2052

Submitted by Sen. John M. Andrist

The state has a legitimate interest in defining how many days our schools must teach and what constitutes a school day, but it seems to me we have no legitimate interest in telling local schools WHICH days to open and/or close.

We require 180 days of teaching per year and give two days of credit for parent-teacher conferences. Then we also give five more days of credit with a mandated list of days in which they may not conduct classes.

2052 removes those mandated days of closure and gives local school boards and their teachers the right to choose any five days, which they can use arbitrarily for holidays, continuing education, or school activities.

I don't suspect any school will want to operate on Christmas day, but it would be their choice. I would also like to point out that the selection of those five days must be done in consultation with district teachers.

2052 is plain and simple an issue of local control.

The bill does not eliminate the NDEA convention as days for which the school can get credit while closing. It gives them the choice.

It does not say they must close on Veterans Day, or Thanksgiving Day, or even the 4th of July. It gives them the choice.

I would submit that if this bill passes there will be virtually no change in the calendar for many, even most of our schools. But it gives them the choice.

My administrators like this bill. Many teachers like it too. One superintendent told me two days of well organized in-service training which all of our teachers attend would be much better than an event attended by few if any of our faculty, whose primary mission is shopping, rather than problem solving. After all, it is 400 miles to Fargo. "But we're willing to give them that choice."

Our school is always struggling to create a calendar that will give them the necessary days in the time frame in which they operate, so they've got some wiggle room with storm days. This gives them some flexibility.

We spend a lot of time in these halls cursing the federal mandates with which we must live. Too often we turn around and send the same unnecessary mandates back to our home towns, schools, and counties.

We don't need to micromanage everything they do. Let's give them the choice.

January 15, 2001

SENATE EDUCATION COMMITTEE
SB 2052

CHAIRMAN FREBORG AND MEMBERS OF THE COMMITTEE:

My name is Tony Weiler. I am appearing today on behalf of the State Association for Non-Public Schools (SANS). We have reviewed this bill and are not going to oppose the bill or offer an amendment. From what we understand, the reference to "schools" anywhere in the legislation does not refer to non-public schools. This is supported by an North Dakota Supreme Court decision, Dickinson Public School District No. 1 v. Scott, 252 N.W.2d 216. This opinion holds that the Legislature has consistently distinguished between the public schools, usually calling them "school" or "schools," and call other schools which it has consistently described as either "non-public schools" or "parochial schools."

As long as that is the intent of this legislation, SANS does not have a problem with it.

If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

Testimony on SB 2052

Max Laird Against

For many years the NDEA has offered our fall conference as an opportunity for teachers from across the state to attend a, high quality, professional development event. In addition, it allows for teachers to network and collaborate with their colleagues within a variety of disciplines over a two day period. We have always honored the intent of the law allowing the use of foundation aid support for these two days. In the 80's we changed the name of the conference from "convention" to "instructional conference". The agenda did not change but we felt that we never wanted to be misunderstood that this was truly a professional development event not an association activity. As you can see by our agenda we continue to attempt to offer the highest quality and most current activities for teachers that we can.

As teaching has gotten more and more complex NDEA has been able to continually remain in the front of the professional development needs of teachers in ND. We are the only state association of our size in the country still today that has dedicated dues dollars to a full time professional development staff position.

This is clearly one of the missions of NDEA. The NDEA Instructional Conference is our primary vehicle to get education employees talking about what is new and allows us to use a variety of other methods to continue to get information out. We continue to believe that we are assuring that quality professional development is delivered at our conference and we cannot guarantee that on a school district by school district basis

This legislation

Line 10 eliminates the need to for a school board to choose from a list, previously provided in law, of holidays to which foundation aid may be applied. That opens up a lot of discussion about what is a holiday?

Line 13 strikes out the use of foundation aid for attendance at our NDEA conference. We do feel that we offer the largest and most current professional development conference of its type in the state. We feel that there is something for everyone. While distance and cost are factors they shouldn't impact the availability of such an event for those 3-5000 people who do attend every year and find it valuable.

Line 14 and 15 adds language that allows the five days listed in line 11 to be used by a school district for, in addition to continuing education, holidays and school activities. We find it unacceptable to raise holidays and school activities to the level of continuing education. It is imperative that we protect and enhance any opportunity that teachers have to participate in activities ^{that} ~~the~~ will improve student achievement. In fact, Gov. Hoeven in his campaign and in legislation intends to request the addition of a day of foundation aid that will be fully funded and dedicated for professional development for teachers.

This language merely confuses the situation and could easily result in more, less or, no continuing education opportunities for teachers. If a district were to adopt the option of five days of continuing education there would then be three additional uncompensated work days in the school year. The district could elect to opt for five holidays or five school activities days and thus allowing for no continuing education days

I thank you for your time and urge a do not pass vote on this legislation.

**TESTIMONY ON SENATE BILL NO. 2052
SENATE EDUCATION COMMITTEE
January 15, 2001
Department of Public Instruction**

Chairperson Freborg and members of the committee:

My name is Anita Decker. I am the assistant director of School Approval and Accreditation with the Department of Public Instruction.

We are somewhat concerned that about the use of the term "school activities" in line 15. It is vague and open to a wide range of interpretation.

On behalf of the Department, I would like to propose several amendments to the bill.

First, we would further identify the word "holidays" in line 14 to be "state or nationally recognized holidays." This would expand the options to include holidays not currently observed, while at the same time emphasizing historical or otherwise significant events.

Secondly, we would substitute "professional development" in place of the term "continuing education" in line 14 to be more in keeping with wording used in educational best practices literature.

We also suggest deleting the reference to "school activities" in line 15.

We believe the bill as amended will provide districts with more flexibility in choosing holidays in their school calendar and in providing for professional development days.

Testimony on SB 2052**Submitted by Sen. John M. Andrist**

The state has a legitimate interest in defining how many days our schools must teach and what constitutes a school day, but it seems to me we have no legitimate interest in telling local schools WHICH days to open and/or close.

We require 180 days of teaching per year. Then we prescribe a laundry list of days when school may not convene -- which includes most of our holidays and two days during which the NDEA Convention is in session. Then we give them five free days of teaching credit to cover some of those days.

As introduced SB2052 would have removed all those mandated days of closure, giving credit for any five days chosen by each board in collaboration with their teachers. The Senate amended the bill to put the holidays back in. So the bill comes to you with just five days credit for any purpose.

2052 is plain and simple an issue of local control.

Contrary to its mischaracterization, the bill was not introduced to get even with NDEA, nor is it an effort to "kill" their fall conference, as they insist on mischaracterizing the issue to their members.

Apparently NDEA chooses not to reveal membership and convention attendance figures, but I'm not questioning that it is a popular event with many teachers.

At the same time we know that for whatever reason the majority of our teachers do not attend. The last time the convention was held in Fargo not one teacher from my home district chose to attend. And that's the purpose of this bill -- to give the many schools like ours an opportunity to develop a good use for this forced 2-day holiday.

Matter of fact, it gives districts a new tool for inserting up to five days of professional development activities into their school calendar.

There is no doubt in my mind that those two days in October will continue to be non-teaching days. Too many student organizations and church youth groups have built in programming for those days. And there is no doubt in my mind that teachers who want to go to their state convention will be permitted to do so -- with pay.

What will change is that schools will be able to devise alternative inservice training opportunities for those who don't like NDEA politics or don't wish to go to their convention, for whatever reason. Does it make sense to require those teachers to hide in their basement or spend two days in an empty school, as they now do?

There are nine school superintendents in my district. Every one of them likes this bill. Many teachers like it too. One superintendent told me this is the perfect approach to build in two days of well organized in-service training for those teachers who don't or won't participate in the NDEA conference.

Our school is always struggling to create a calendar that will give them the necessary days in the time frame in which they operate, so they've got some wiggle room with storm days. This gives them that flexibility.

We spend a lot of time in these halls cursing the federal mandates with which we must live. Too often we turn around and send the same unnecessary mandates back to our home towns, schools, and counties.

We don't need to micromanage the school calendar. If we're going to give them five free days, let's permit our teachers and boards, on an individual, rather than cookie cutter basis, to decide for themselves how best to use these days.

This is a free market, local control bill. Please give your home town teachers and school boards this flexibility.

**Testimony on SB 2052
Professional Development Days
By Linda Edwards, Director of Professional Development
North Dakota Education Association**

Madame Chairperson and members of the House Education Committee, for the record I am Linda Edwards, Director of Professional Development for the North Dakota Education Association. I am speaking in opposition to SB 2052

A host of issues can affect teacher quality, including teacher recruitment and hiring practices, teacher certification, and teacher compensation. But the most critical issue for ensuring students success, most experts agree, is the need for ongoing professional development.

"By the year 2000, the nation's teaching force will have access to programs for the continued improvement of their professional skills and the opportunity to acquire the knowledge and skills needed to instruct and prepare all American students for the next century."

So stated Goal 4 of the National Education Goals. Increased attention to the professional development of teachers and other teacher quality issues are at the forefront of education reform efforts.

Schools and students have changed significantly in recent years. Teachers are still at the heart of instruction. If we expect to prepare all students for the 21st century, we must provide teachers with ongoing opportunities to be the most informed, the most capable, and the most inspiring classroom leaders possible.

Ensuring professional development tailored to the needs of teachers and ensuring that teachers are central to the planning and delivery of training is a goal for NDEA. Ongoing professional development is a prerequisite to high teacher quality. Teachers must have opportunities within the context of the school day, and school year, to learn new

strategies, reflect upon their practice and refine their teaching based on ongoing feedback from hands-on classroom interaction. The right kind of professional development makes a direct difference in school performance.

The mission for instructional conference is based on a simple premise. The premise is that the improvement of education relies centrally on the development of a highly qualified teacher workforce with the knowledge, skills, and dispositions to encourage exceptional learning for all North Dakota's students.

NDEA has an Instructional and Professional Development Commission comprised of 18 teachers from across our state. They oversee the professional development opportunities NDEA offers as well as evaluate and design the format for the Instructional Conference. They represent districts from across North Dakota and from varying sizes—from Fargo to Carson. The professional development offerings do have a local voice.

The instructional conference provides North Dakota educators, pre-service teachers, and retired teachers an opportunity to enhance their professional learning across the continuum of a career in the classroom. Teachers need opportunities to become intellectually engaged with their subject-matter and to deepen their understandings of key concepts.

The conference also provides an opportunity for teachers and students access to their colleagues where they can be encouraged to share, discuss, and reflect on their practice. NDEA works with districts to provide a regular, ongoing program of professional growth and development. The program would be tied specifically to increasing teachers' capacity to improve student educational performance in order to meet school-developed targets and district goals.

I urge your consideration of a do not pass on SB 2052.

Additional Information:

Keynote presenters: Tim Lautzenhelsler, Mike Farrell, Sandra McBrayer, 1995 National Teacher of the Year, Barbara Coloroso, Dr. Bruce Perry, Dr. David Berliner, Jack Canfield, Dr. Steven Bavolek, Eric Chester, Dr. Mike Kneale, and Dan Clark.

Sectionals: Art Educators, Association of Teacher Educators, Business and Office Education Association, Driver Education, North Dakota Council of Teacher of English, Family and Consumer Science, Foreign Language Association of North Dakota, Gifted and Talented, Guidance and Counseling, Health, Physical Education, Recreations and Dance, Kindergarten, Library Media, North Dakota Council for Teacher of Mathematics, Music Educators of North Dakota, North Dakota Reading Association, Science, North Dakota Council of Social Studies, Students North Dakota Education Association, North Dakota Technology Educators Association

Attendance: The past five years had attendance ranges from 3500-4000.

Revenue for Hosting City: The Instructional Conference is on a bid basis. The hosts cities have reported a financial impact approximately 2 million dollars.

Vendors: Approximately 150 vendors from across the nation share new ideas and products for teaching and learning.

Testimony in Opposition to SB2052
House Education Committee
RaeAnn Kelsh, Chairperson

Chairperson Kelsh and members of the House Education Committee, for the record my name is Bob Hunskor, Representative from District 6. I am here to testify in opposition to SB 2052.

SB 2052 was introduced, at least in part, to address the issue of teacher attendance at the statewide teachers convention.

This bill, if passed, states that a school district shall provide for a school calendar of at least 180 days apportioned as follows:

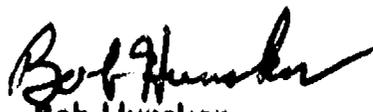
1. 173 full days of instruction
2. 5 days selected by the school board in consultation with district teachers for holidays, continuing education activities and school activities.
3. Up to two full days during which parent teacher conferences are held which are deemed by the school board to be compensatory time for parent teacher conferences held outside school hours.

In surveying those institutions and individuals in District 6 affected by the passage of this bill the following information is submitted for your review:

1. Of the 146 teachers and administrators contacted, 137 would prefer the bill be killed. 9 were in favor of passing this bill. This 95% opposition is reflected in the attached testimonies #1-5.
2. The speech and pathology conference is coordinated with the teachers convention, see attached testimony #6
3. The school administrators conference is coordinated with the teachers convention
4. Numerous church youth activities and/or conventions are coordinated with the teachers convention. See attached testimonies # 7 and #8.

In lieu of the above information, I would respectfully ask this committee to recommend a DO NOT PASS on SB2052 and let the NDEA and school districts address this concern.

Respectfully Submitted,



Bob Hunskor
District 6 Representative

January 25, 2001

Rep. Bob Hunskor:

In regards to Senate Bill 2052, I wish to make the following comments:

The proposed change in the current legislation would have a negative impact on the professional development opportunities for North Dakota teachers. Designating two days during the school year for the NDEA Educational Conference allows for effective planning and implementation of valuable seminars and workshops. The majority of the teachers in my district use these days to explore new and different teaching strategies and techniques and gather information from fellow educators which benefit the students in our public school. In deleting the Educational Conference from the Century Code, we would certainly send a message to the school districts that this professional development opportunity is less important today than it has been in the past. In this time of necessary focus upon the educational funding and organizational concerns in our State, it is imperative that we recognize and support the best interest of our school district professionals.

I urge you to help defeat Senate Bill 2052.


Cheryl Croonquist
Director of Music Education
Glenburn Public School

RE: SB 2052 - NDEA Convention, Inservice, etc.

March 10, 2001

Dear Mr. Hunsakor:

Please vote against changing the NDEA Teacher's Convention. I like it just the way it is. I feel that this would be a slap in the face to the professional educators. A forum was called over a month ago in Mandan to try to figure out what to do about teacher shortages in our state. They were trying to come up with incentives for getting people here and keeping people here. This is certainly going in the opposite direction.

Many of the teachers in our district belong to NDEA and take seriously the opportunity for professional development provided by the sessions at convention (Instructional conference). The library meetings are always helpful and it is really my main time to see other librarians (Library Media Specialists). We use our time for speakers on timely topics, bringing in authors, and sharing.

The members use their own money to pay for meals, rooms, section dues, and gas. In Bottineau we have always been given the option to work at school and in that case are to give our plan of action to our principal. We can also take leave without pay. We are on our honor to do what we say we are going to do. I think schools should hold their teachers accountable to do something. Since the time of James Holwell we have always had to state our intentions of what we are doing with our time. It has worked well here. I am enclosing a copy of the form we use to state our intentions.

Thank you for your support of education.

Sincerely,

LeaRae Espe, Library Media Specialist, Bottineau Public Schools
401 Alexander St.
Bottineau, ND 58318
701-228-2911 (Home) 228-2266 (Work)

To: Representative Bob Hunskor
From: Newburg United Education Association
Date: March 10th, 2001
Re: North Dakota Instructional Conference

Dear Representative Hunskor;

I am writing this letter to you on behalf of the Newburg United Education Association. The teachers in our association chose teaching as a profession, not as a job. They have dedicated their lives to teaching the youth of our area. One of the greatest rewards of education is spending time with students, along with the interaction among fellow educators. This fellowship extends far beyond the walls of a school building. It stretches state wide. The North Dakota Instructional Conference is a way of allowing teachers a chance to gather together once a year to share ideas, gather new information and extend themselves professionally. The conference gives teachers a time to gather state wide and discuss educational concepts as well as relevant issues and topics. Attending the instructional conference gives educators a chance to come together as a proud group of professionals and rally around each other for the great job they do, as well as honor those who have risen above and beyond in the field of education. This is a chance for teachers to stand tall and be proud of the outstanding job they do educating our youth. This conference gives teachers insight and resources that would not be available to them in their home districts.

The North Dakota Instructional Conference is an outstanding tool as it brings new and innovative ideas to North Dakota teachers. It is a time of moral and professional rejuvenation. This is an excellent opportunity for educators to grow and develop their skills. The workshops offered are innovative and exciting. The keynote speakers are invigorating and thought provoking. If every teacher takes just one new idea or concept from the instructional conference back to their schools and improves their teaching, our students will reap the benefits.

North Dakota students rank the highest in several subjects nationwide. This is a direct result of the outstanding educators that we have in North Dakota. We must continue to give these educators the tools to continue to be the very best! The North Dakota Instructional Conference provides professional growth and development that all educators need in order to continue to provide the top notch education that our students deserve.

Our total association, as well as our entire teaching staff is in total favor of continuing the North Dakota Instructional Conference. Please do everything that you can in order to kill the bill that eliminates the Instructional Conference. SB 2052 will not help education, it will hinder it. Thank you for being concerned with education. We appreciate the work that you are doing.

Newburg United Education Association

Tonya Hunskor

Tonya Hunskor
NUEA Presidents

Please vote no on the Senate bill #2052

This is the only opportunity for all ND educators to get together and share ideas, etc.

For elementary teachers, this is the only conference that allows opportunities to attend sessions in all the core areas that they teach.

Having separate conferences, such as: Reading, Math, Science, during the school year does not allow all teachers the opportunity to go due to the limitations of substitutes.

Please do not take the only opportunity we have as ND educators to get together as one group that helps keep ND schools as one of the top in the nation!

**James Nero
Bottineau Public Schools**

I would be opposed to this bill. I think killing the NDEA Conference would be unfortunate. Many teachers from throughout the state take advantage of it, and benefit from it.

I also feel the bill is vague in that it is uncertain how these days will be used. Larry Geinger

Please let Rep. Hunsdor know how important the NDEA Instructional Conference is to our educators. It is a wonderful opportunity to share ideas, to become renewed through the large group meetings with wonderful speakers. If we are piloting new educational materials, it gives us the opportunity to compare and see what is out there. I would really miss those days because of all the advantages they give us in our rural communities. We just don't get those types of opportunities in N.D. in any other setting. Please urge him to consider defeat of this bill. ElRita K. Nelson

I would like to see the days continued for our NDEA Conference. I usually attend the meetings and really enjoy the various sessions that are offered for professional growth. It is a good time to meet with teachers from other schools and share ideas. Those who do not attend use the time productively at school working on class plans and student work. Thank you, Mary Lura

Dear Rep. Hunsdor,

Please register my opposition to SB 2052 which would effectively eliminate teacher's convention as we know it. Ranking 50th in salary is often discouraging but going to convention and sharing ideas, getting moral support and having speakers to inspire us does count for something and helps morale tremendously. I am very opposed to this bill. Thank you.

Sincerely,

Peggy Gregg
Junior High English
Bottineau Public Schools
Bottineau, ND

You wanted our thoughts about the bill----I guess I'm not in favor of it. I look forward to Convention. There have been years I have not gone because I was bogged down with school work, but I try to go most of the time. It is also nice to have that option to get caught up on work too. I think as educators we are becoming discouraged because it seems as though the only thought given to us is what can be taken away from us---especially the "older" teachers. We hear how good our schools are in comparison to other states, and how students educated here are thought of first for jobs in other places. We feel instead of being rewarded for a job well done, we are being discounted. Any thought of extra money or time goes to the "new people". It has hurt morale in the profession. Well--that's it for what it is worth. Thanks for asking. Phyllis

I don't feel it's right to take convention time away from the teachers. It seems like we keep losing more and more all the time. I do know there are some teachers who aren't honest about attending the convention but at the same time I don't feel the rest of us should be punished. This is a time for us to gather up-dated materials to use in our classroom and get ideas from other teachers. What is their reasoning for taking it away? Mary Bullinger

I feel this bill excluding the NDEA Convention will be a problem with many school districts and teachers. Reason for this--any teacher planning on attending the convention will need personal or professional leave. Which of the state's districts have enough substitutes to fill those leaves? And also which teachers will be allowed to attend or not attend? I do know from past experiences NOT all teachers throughout the state attend but are given the opportunity to use those days for other reasons. The choices that the Bottineau District offer their staff are wonderful and each teacher has to make choices of her/his own for those days. Kathleen Weinzierl



"Nancy L. Gooch"
<gooch@sendit.sendi
t.nodak.edu>

03/08/01 02:38 PM

To: tbrusega@state.nd.us, hgrumbo@state.nd.us, bhunskor@state.nd.us,
rkelsch@state.nd.us, chaas@state.nd.us, djohnson@state.nd.us,
lmaler@state.nd.us, jonelson@state.nd.us, droffest@state.nd.us,
pmueller@state.nd.us, dsolberg@state.nd.us, lihoreso@state.nd.us

cc:

Subject: SB2052

Dear Representatives,

I am a speech pathologist/teacher working in the Minot school system, and our ND Speech and Hearing Conference is scheduled at the same time as the NDEA conference in the fall. Other organizations, including our school administrators, have their state conferences at that time also. This allows us to attend a 2-day conference without taking contact time away from our students on classroom days. Please DO NOT PASS SB2052, the instructional conference bill, which is scheduled to be heard in your committee next week. That bill would leave the decision for inservice days to the local districts, which might eliminate the opportunity for us to have statewide conferences. It isn't just an NDEA issue! Other state organizations will also be adversely affected.

Sincerely,
Nancy Gooch



Rep. Bob Hunsdor,

First Lutheran of Bottineau, ND has a large number of youth attending a LYO convention over Teacher's Convention each year. We feel this is an enjoyable, educational, and faith-building event for our youth. First Lutheran urges you to continue to allow these days off from the school schedule, so the youth of our community can attend this very important annual event.

Thank you for your support!

Dan Marquardt

Council President

JOANN ROSENTHAL

192 Ryan Street
Maxbass, ND 58760
701-268-3287
jrosenth@sandit.nodak.edu

March 10, 2001

Dear Representative Hunskor,

I am writing to urge you to vote to kill SB2052 on NDEA Instructional Conference. Not only does this bill impact the teacher's time for professional development, it also affects the time established for Western North Dakota Synod Youth Gathering. As a Luther League advisor, I'm aware of the convenience that this time, the days off during the school week, provides for youth to attend this gathering. The Gathering is an opportunity for youth to sing, worship together, and participate in other program opportunities. Since this an in-state Youth Gathering, it also has the advantage of being less costly and time restraining, yet every bit as rewarding as a National Youth Gathering. It is my concern that if the Instructional Conference days are no longer available the Youth Gathering will also go by the wayside. The alternatives of it possibly becoming a weekend or summer event have the distinct disadvantage of severely limiting who can attend the gathering due to the business of sports and summer work and summer activities. We're all aware of how short summers in North Dakota are already.

It is my opinion that the advantages that Instructional Conference offers for our youth and our teachers far outweigh the reasons for removing it. The two days set aside provide an opportunity for many people, youth and teachers, to actively participate in growth and development. Without them, I think we'll lose much more than it's worth.

Thank you for your time and consideration on this matter and the excellent job you're doing.

Sincerely,

Jo Ann Rosenthal
JoAnn Rosenthal

House Education Committee

My name is Mike Ness. I am the Superintendent of the Bottineau Public School. I am here to oppose Senate Bill 2052.

I think school personnel need to take this bill seriously but we should first try to clean up the system we presently have. There are really two parts to the bill. I don't think the three days that are set aside for holidays really should be a point of discussion. Almost every profession has a number of paid holidays for their employees and I don't think schools should be any different. Whatever form this bill takes as it comes out of your committee, I hope you will leave those days as they are now.

The two days that are now designated as NDEA days need to be scrutinized. We keep coming to the legislature, session after session, asking for more inservice days for our employees but we don't use these days as they are designated for all of our employees.

My hope is that the NDEA, the School Boards Association, and the Administrators Association will convince all North Dakota schools to use these days as inservice for all teachers and administrators. If the schools do not do this, I recommend this bill be passed next legislative session.

In the Bottineau School, 40 of the 65 teachers and administrators went to their respective conventions this past fall. These are paid days that are set aside by the legislature for inservice, however we need to provide an inservice for those who don't attend the conventions. In Bottineau, we have allowed our staff to work in their classrooms on those days but I don't think that is what the legislature had in mind when these days were set aside as paid inservice days. I think the honor system is at times abused and we need to make people accountable.

Next fall in Bottineau, if this bill is defeated, I am proposing that our staff will have 3 options for those days:

- 1) Attend NDEA or the Administrators' Conference;
- 2) Attend a local inservice we provide or another approved inservice; or
- 3) Take a personal day

No other options!

All of our staff members are not NDEA members for various reasons, and not all of them who are NDEA members attend the convention. One of the reasons is that it is very expensive for them to attend. Some of them can't afford spending \$200-\$400 (at a minimum) for registration, rooms, meals, and travel. There are also various other reasons for not going, and some of them really aren't very good reasons.

I hope you will give the schools another chance to make this a worthwhile inservice time for all teachers and administrators. If we can't straighten it out by ourselves, then in 2 years I will be here to support this legislation. I am asking you will bring this out of committee a unanimous do-not-pass and bring with it the message that schools need to be accountable for these days or the proposed action will again be presented next session.

Thank you for the opportunity to testify on this bill. If you have any questions I will try to answer them.

Mike Ness
Bottineau Public School Superintendent

**Testimony in Opposition to
Senate Bill 2052
by Barbara Evanson**

Good morning Chairwoman Kelsch and members of the House Education Committee:

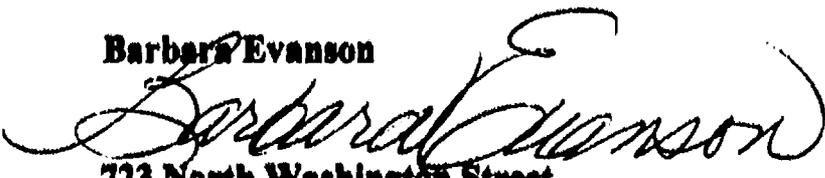
At the present time, the yearly statewide professional development convention is open to all educators, not just NDEA members. The days set aside for this time are "gathering together" times for teachers. In a rural state, it is essential that we have at least ONE time when this can happen for all the state's teachers.

- **National speakers address issues all teachers want and need to hear. The cost for these presentations is currently built into NDEA members' dues.**
- **Breakout sessions are planned by the state entities, such as North Dakota Reading Teachers or North Dakota Council for Mathematics, so the sessions are geared by and for the teachers within the discipline. All the time-consuming details are left up to NDEA staff as to initial invitations, correspondence, advertising, locations, times, materials and supplies, follow-up, and problem-solving.**
- **Vendors are willing to send representatives from educational supply companies which allows teachers to compare quality, cost, and effectiveness of materials available to them for on-the-spot purchases, or for ordering at a future date. The value in seeing and often obtaining samples is great.**
- **Booths are also set up by agencies working for and with educators, such as the Teachers' Fund for Retirement, allowing teachers to access a variety of necessary and useful information.**

Teachers have identified, as one of their major concerns, the need for MORE professional development opportunities. Taking away our highly effective professional development conference would be a devastating step backward.

For these reasons, I am in opposition to SB 2052.

Barbara Evanson

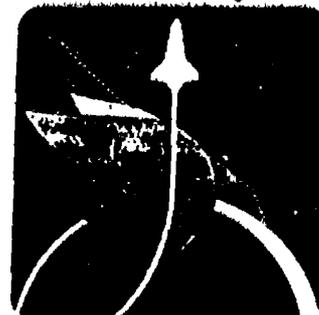

**723 North Washington Street
Bismarck, ND 58501**



PRESIDENTIAL AWARD
FOR EXCELLENCE IN SCIENCE
AND MATH TEACHING

DONALD L. HOFF
402 E. First Street
VELVA, ND 58790
PHONE 701-338-2306
hoff@sendit.nodak.edu

Teacher in Space



Members of the ND House Education Committee:

I appreciate the opportunity to share some concerns with you. I come before you as a seasoned ND science teacher, a member of the VEA, the NDEA, president of the ND Association of Physic Teachers, and as an individual.

I would urge you to defeat SB 2052 as passed by the Senate as it would destroy the state wide education conference as we now know it. The state wide event could not continue not knowing how many teachers would be allowed by school boards to attend.

Currently 100% of the teachers in Velva belong to the NDEA and most attend the state conference every year. It is a great opportunity to attend inservice offered by other ND teachers and to network with fellow educators. Over the years the conference has provided me many opportunities to attend and to present to fellow science teachers programs or lessons that have worked well.

The NDAPT (North Dakota Association of Physic Teachers) holds an annual meeting at the state conference. We share programs, provide inservice, and address issues in physics education. With no state conference physics, science, and other sections who meet then are doomed. And this is at a time when this state's need for physics teachers is critical.

As an individual I find this bill troubling! I have tried all of my career to promote teaching as a profession and worked to make it so. A profession controls its own inservice and training. Teachers currently do this at the state education conferences. This bill would take the decisions on when and if inservice and training occurs away from teachers, a very discouraging move to teacher professionals.

I welcome the opportunity to respond to your questions or concerns.

Marsha Dupre

March 14, 2001

Regarding: SB 2052

Dear members of the committee:

Each day I drop my 8 and 10 year old off at the front doors of Edison Elementary school in Minot. I do so knowing that the educational system in Minot, as well as the rest of ND is outstanding. Our educational system provides us with teachers of exceptional quality. I am constantly amazed at their skills and abilities to educate my children, building and strengthening both their mental and emotional abilities.

As a professional businesswoman, I understand the value of professional development. One of the best resources available to the teachers of our state is the opportunity provided them through the North Dakota Educational Associations Instructional Conference. Attending the conference provides them with fresh, new ways to teach our children under the pressures of today's world. It provides them with networking opportunities that they cannot gain elsewhere. As a professional, you have most likely attended conferences that have helped you in your career. You understand the value of its educational component, you understand the value of meeting with vendors from across the nation who share new ideas and products, you understand the value of networking opportunities.

Removing the two days designated for the NDEA Instructional Conference from law will result in the end of future NDEA Instructional Conferences which provide our teachers with a comprehensive professional development opportunity they could not get elsewhere. I truly believe that doing this will have a major impact on the quality and abilities of ND teachers. Therefore it affects my children and the value I place on their professional education.

I have taught my children that they must always use the two magic words. Those words are **Please and Thank you**..... I ask you to Please not remove the two days designated for the NDEA Instructional Conference from law . . . and I say Thank you for providing the teachers of ND the opportunity to grow and learn and be the best they can be for the future citizens of ND.

Sincerely,

Marsha Dupre

Marsha Dupre
Minot, ND



March 14, 2001

Chairman Kelsch and Committee members,

I am asking you to kill SB 2052, removing the 2 designated days for the NDEA instructional conference for several reasons:

- The 3rd week in October has become a state Holiday much like Deer Hunting weekend.
- The long weekend allows families a traditional break for in-state travel.
- The school holiday allows many other groups to hold conferences and events without conflicting with school schedules: Youth groups, Religious organizations etc. This affects all communities not just those hosting NDEA's conference.
- Because of this long weekend, October is one of the busiest Months for the Hospitality Industry.
- In Bismarck-Mandan meeting attendees spend an average of \$5.32 million during October.
- October ranks 1st or 2nd in spending by meeting attendees annually.
- Leisure travel increased proportionally during October.
- NDEA Instructional conference brings in out of state dollars: exhibitors, presenters etc.

I hope you agree that removing these dates would be detrimental not only to our state's teachers but also to the many business owners in the Tourism Industry.

Warm Regards,

Sara Otte Coleman
Bismarck-Mandan Convention and Visitors Bureau

**TESTIMONY ON SENATE BILL NO. 2052
HOUSE EDUCATION COMMITTEE
March 14, 2001
Department of Public Instruction**

Chairperson Kelsch and members of the committee:

My name is Anita Decker. I am the assistant director of School Approval and Accreditation with the Department of Public Instruction.

On behalf of the Department, I would like to propose several amendments to the bill.

First, we would further identify the word "holidays" (on page 2, line 11; page 3, line 14 and line 30), to be "state or nationally recognized holidays." This would expand the options to include holidays not currently observed, while at the same time emphasizing historical or otherwise significant events.

Secondly, we would substitute "professional development" in place of the term "continuing education" (on page 2, line 11; on page 3, line 14 and line 30) to be more in keeping with wording used in educational best practices literature.

Finally, we are somewhat concerned that about the use of the term "school activities" (on page 2, line 11; page 3, line 15 and line 30). It is vague and open to a wide range of interpretation. Deletion of this phrase

would assure that paid calendar days are devoted to instruction and promotion of student learning rather than extracurricular activities.

We believe the bill as amended will provide districts with more flexibility in choosing holidays in their school calendar, in providing for professional development for educators, and in working with parents to improve student learning.

PROPOSED AMENDMENTS TO SENATE BILL 2052

Page 2, line 11, after "for" insert "state or nationally recognized"

Page 2, line 11, after "holidays" remove the underscored comma, insert "and" and replace "continuing education" with "professional development"

Page 2, line 11, after "activities" remove the underscored comma, and remove "and school activities"

Page 3, line 14, after "for" insert "state or nationally recognized"

Page 3, line 14, after "holidays" remove the underscored comma, insert "and" and replace "continuing education" with "professional development"

Page 3, line 15, after "activities" remove the underscored comma, and remove "and school activities"

Page 3, line 30, after "for" insert "state or nationally recognized"

Page 3, line 30, after "holidays" remove the underscored comma, insert "and" and replace "continuing education" with "professional development"

Page 3, line 30, after "activities" remove the underscored comma, and remove "and school activities"

Renumber accordingly