

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2270

2001 SENATE EDUCATION

SB 2270

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2270

Senate Education Committee

Conference Committee

Hearing Date 02-05-01

Tape Number	Side A	Side B	Meter #
1	x		43.8 - end
1		x	0 - end
2	x		0 - 28.7
1 (2-12-01)	x		33.5 - end
1 (2-12-01)		x	0 - 14.8
1 (2-13-01)	x		29 - 43.8
1 (2-13-01)		x	9.9 - end
2 (2-13-01)	x		0 - 4.9
2 (2-14-01)	x		30.1 - end
2 (2-14-01)		x	0 - 25.5
Committee Clerk Signature <i>Anders Johnson</i>			

Minutes: **CHAIRMAN FREBORG** called the hearing on **SB 2270** relating to the provision of all grade levels by school districts. The hearing was held in the **Brynhild Haugland Room**.

Testimony in support of SB 2270:

SENATOR GRINDBERG, District 41, spoke in support of the bill. He presented an overview of the bill. (see attached). In explaining the bill he stated his intention is not to close existing schools, but to look at ways of efficiency and to look at the future and the challenges that face our state. In subsection 3, schools on military bases are exempt (NDCC 15.1-08). In the next five years there will be 12, 800 fewer students in the state. This is a critical issue for ND, and he does support the local decisions on this issue. Because of the dynamics and demographics of our

state, it is prudent for the citizens of ND and the legislature to talk about these challenges objectively and look at the issues and what is best for the students of this state. Why is ND growing at such a slow pace? Several reasons for this. North Dakota has typically paid the least to get by. He feels the young people move out of state due to low wages. According to the roundtable discussions, the status of North Dakotans is they don't want to see others succeed. The issue now is declining enrollment in our schools. What is the public policy on declining enrollment. We need to look at what is best for ND. We need to check all options, including the Governor's proposal. This bill does not close any schools. SENATOR KELSH asked how this bill would affect schools working in a cooperative effort. SENATOR GRINDBERG stated that if they have cooperative efforts and things are working out and they have efficiencies that have brought them to the point of collaborating, this bill might allow them to merge and continue to operate the same way.

REPRESENTATIVE HAAS, District 36, spoke in support of the bill. (see attached). He also distributed a handout on school district reorganization recommended timeline. (see attached).

There are options in the dissolution process. There is good technical assistance available from DPI. North Dakota needs to embrace the necessary changes and move forward or it will stagnate while the world passes it by.

REPRESENTATIVE NOTTESTAD, District 43, spoke in support of the bill. North Dakota still has 51 K - 8 school districts. He stated we need to bring a norm to North Dakota of K - 12 schooling. He has an amendment (see attached) to address the border towns of ND which will assure them that the arrangements they have in place will remain, and they will still have the option of attending schools in the other state as is necessary. There is no guarantee that the

cross-border arrangements will always be there. Passage of this bill would be a huge step to help in the efficiency of delivering education to K - 12 in ND.

REPRESENTATIVE LAUREL THORESON, District 13, testified in support of the bill. He feels we are in a crisis situation in ND with numbers. We have to work together as a community (all North Dakota) to supply the best education for our students. He feels money alone won't solve the problems (declining enrollment, teacher shortage, etc.) facing ND, but through working together and through education of the people, the problems can be resolved.

SENATOR CHRISTENSON, District 18, presented testimony in support of the bill. (see attached).

TOM DECKER, DPI, stated this bill is redefining local control. Local control will still exist in these areas if this bill is adopted. A different group of school board members will be making decisions about school districts. They will be making decisions in an environment large enough to have long-term viability and the financial base to operate a district. This bill addresses how to more equitably address declining enrollment and share resources. In looking at the transportation issue, he stated that children can be transported to their school within an hour if the transportation is set up properly. Because of the emotional involvement on this issue, DPI would ask the legislators to focus on the policy issues, on what is best for most of ND's students, and on distribution of taxable assets that will allow those districts in ND that will be needed forever as K - 12 locations to continue to function effectively with adequate resources. On the issue of the 51 K - 8 districts, he feels they will not dissolve voluntarily or consolidate willingly. The legislature may want to set up a process whereby new local boards can appeal to DPI on a decision to dissolve or consolidate. He feels the timeline of 6/30/02 is workable. Reorganization usually takes place between districts that are equal so he feels most of the 51 districts would go

through dissolution. This bill is part of rethinking about redistributing taxable assets and redistributing resources available to bring greater equity to educational funding across ND. We need to look at districts having long-term viability. Many ND school districts are now in a "survival" mode and are not in position to make decisions that are in the long-term best interests of the asset distribution for ND. There continues to be a significant difference between all ND districts in K - 8 in expenditure per pupil, in levy effort and disparity in levies, and it is in all those areas significantly greater when in K - 8 districts across the state than in K-12.

Testimony in opposition to SB 2270:

RICHARD RAY, Administrator in Manvel, ND, which is a K - 8 school with 186 children. He stated this issue is emotional and is not about the quality of education. He further feels it is about local control and about neighborhood schools. He questions how small districts are not paying their own way. He wants the "neighborhood" school kept in the district. He fears the closure of small schools with this bill. He thinks it is easier to educate K - 8 in a small town, and 9 - 12 in a larger school. He stated they already have consolidation and feels within the next 5 years, much more of it will take place. He thinks the local school boards will close their school if they can not do the job of educating the students (based on money issues and quality of instruction), but it should be a natural process. He feels this bill addresses too many school districts not too many schools.

GARY EVANS, Principal Golva Elementary School, feels small schools lead to pride. (see attached testimony). Beach, with 200 students in the high school, provides the same education standards as a larger school.

SHERILYN JOHNSON, Principal Almont Public School, presented testimony. (see attached).

SENATOR KELSH asked how she feels about the cost of administration for the small school.

She stated that in addition to her administrative salary, she also receives salary as a teacher of 7th and 8th grade students.

DEAN BARD, NDSOS, stated they feel the local district should be in charge of changing the districts boundaries. This is stated in the NDSOS Legislative Program pamphlet. He further stated that the admitting district would be the ones to bus the students.

KEITH ROCKEMAN, school board president of Bowline Butte School District #19, presented testimony. (see attached testimony). He feels if this bill passes it will mean the closure of his school. SENATOR COOK asked how many students are in this school. There are 4 students in the elementary school. Several high school students attend in another town. The elementary school is a one room school with one instructor.

JIM GROSS, Litchville/Marion School District, presented testimony. (see attached). He feels the cooperative agreement is working well in their district. They pool all their resources together and the elementary pays their share (the first year the elementary paid more than the high school). Their district covers 600 square miles and they have 7 buses. The local districts worked out this agreement and it is working.

SCOTT BUXBAUM, School Board President, East Fairview Elem. School, presented testimony (see attached).

KAY OLSON, Mapleton, feels there are many tools available to help communities grow but a community needs at least K - 6 to attract them.

TIM DWYER, Sidney, MT, feels there are two issues here: 1. Local control, 2. Children's education. He feels the local input can do a better job than a large district.

LOIS ANDERSON, County Superintendent Slope/Bowman counties, presented testimony. (see attached).

KATIE LUTHER, Sweet Briar school, presented testimony. (see attached).

PATTY LEWIS, ND Farm Bureau, feels the local districts will do consolidating when needed (she cited the fact that in the early 1940's there were over 2000 school districts and now ND has just over 200).

WAYNE STANLEY, Principal at South Prairie School, Minot, feels this backfires on consolidation because as the declining enrollments hit the smaller schools, and they look at what is best for their high school kids, if their enrollment gets below 50 - 60 students, is it in their best interest to turn around and say they will operate a K - 8 and send their high school students to a high school district just as South Prairie does. He feels if this bill passes, it will eliminate the opportunity to do this. The town will face the question of consolidating and close right now, lose our town and the viability in it, or do they go along with raising the mill levy and other money to keep the education on the local level.

CHUCK MILLER, Nedrose Elementary School, Minot, the largest graded elementary in the state, stated that most administrators do teach in the school also. They feel this is a local school even though there are 248 students. This is a local issue, and he is confident the people of ND will make the right decision.

Testimony in opposition to SB 2270 presented to the clerk from:

Sheldon Public School Board

Nancy Grosulak, School Board member from Billings County

Gary Pennington, Horse Creek School Dist. President

John Winter, School Board member at Horse Creek

Kay Hatter, President Earl School Board

CHAIRMAN FREBORG closed the hearing on SB 2270.

02-12-01, Tape 1, Side A, 33.5 - end, Side B, 0 - 14.8

SENATOR FREBORG stated he would like to change the date to 2004.

SENATOR O'CONNELL moved an amendment to change the date to 2004. Seconded by SENATOR COOK. SENATOR KELSH stated he sees no reason to adopt this change. He feels the legislature will be back in 2003 and could make changes then.

Roll Call Vote: 6 YES. 1 NO. 0 Absent. Amendment adopted.

SENATOR FREBORG stated he would accept an amendment that states the patrons of the original district, after reorganization, would have to vote to close their school. Otherwise the school will remain open. This would put all the land in a high school (K - 12) district. Committee discussion. Fear that maybe a large school would try to do away with the small school. SENATOR FREBORG stated he has listened to testimony in the past and now where the people have a fear their small school will be shut down. This offers protection for that.

SENATOR COOK moved an amendment that the original district would have to vote to close their school. Seconded by SENATOR O'CONNELL.

Discussion followed. TOM DECKER, DPI, answered questions for the committee.

Roll Call Vote: 7 YES. 0 NO. 0 Absent. Amendment adopted.

SENATOR COOK moved a DO PASS as Amended. Seconded by SENATOR CHRISTENSON. SENATOR KELSH feels this will hurt small districts. He feels reorganizing has been done when the interests of the students is best served. He also feels this issue will be addressed in the next Legislative session. SENATOR COOK believes with the

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second amendment, local control exists. Passage of the bill will make education better for the children. SENATOR O'CONNELL feels the bill may change current cooperative efforts.

Roll Call Vote: 4 YES. 3 NO. 0 Absent. Motion Carried.

Carrier: SENATOR FREBORG

02-13-01, Tape 1, Side A, 29.0 - 43.8, Side B, 9.9 - end, Tape 2, Side A. 0 - 4.9

SENATOR FREBORG stated there are border schools where students from two states attend. If the school would close under any condition, the children from the bordering state would not be able to go to school. He feels these schools should be exempt or amended out of the bill. He would like Tom Decker to address this issue, because he has a concern with the Montana students. SENATOR COOK stated that there could be an exception for K - 8 grades and the high school students could co-op with another out of state high school. Discussion on Fairview, ND and Fairview, Mont. School system. It is a unique situation, where the grade school is in North Dakota and the high school is in Montana. The state line goes down the Main street of town. The committee will wait for Tom Decker to address this issue.

TOM DECKER addressed the committee on their concerns about border schools. Different border schools have different circumstances and different options. East Fairview is unique. He can not see any reason for the grade school to ever close. He feels the amendment for Representative Nottestad deals with the issue of cross-border attendance. The current cross-border attendance statute in guaranteeing access, grandfathers those who were attending school in 1991 and the siblings of those people. DPI has suggested that ND provide open enrollment to students along the borders, so parents and students can make a choice about their district of attendance just as they do in ND. There are several choices here: 1. Full cross-border open enrollment, 2. Guarantee students in the K - 8 districts, who become part of

2-13-01

larger administrative units, wherever they are across the border, cross-border open enrollment. He feels guaranteeing students in the K - 8 districts cross-border open enrollment is the safest thing to do. In cross-border enrollments, ND sends more students out of state rather than those coming into the state, because of geography. Mr. Decker sees no future administrative district that will not have K - 12. He feels K - 12 strength is needed in at least one location. Mr. Decker reminded the committee that last session they passed language that gives any K - 12 in cross-border attendance issues appeal to the State Board.

SENATOR COOK moved to reconsider SB 2270 with the amendments that were adopted on 2/12/01. Seconded by SENATOR WANZEK. Roll Call Vote: 5 YES. 2 NO. 0 Absent. Motion prevailed.

SENATOR COOK moved to adopt the Nottestad amendment 10494.0101. Seconded by SENATOR CHRISTENSON.

Roll Call Vote: 5 YES. 2 NO. 0 Absent. Amendment adopted.

SENATOR O'CONNELL asked if this would affect the 51 K - 8 school districts. Mr. Decker answered yes it will. More discussion on the amendment. Section 3 of the amendment provides protection for all students attending out of district schools. In most cases, our state aid per student will cover the cost of the student attending a cross-border school. More discussion with Mr. Decker answering questions from the committee. There is still a concern for the small schools being closed. There is also a concern about creating large administrative districts.

SENATOR KELSH would like to bring amendments for the bill on 2/14/01 and would ask to hold the bill until then.

02-14-01, Tape 2, Side A, 30.1 - end, Side B, 0 - 25.5

2, 14/61

SENATOR COOK moved to reconsider the committee's action on adopting the Nottestad amendment on February 13, 2001. **SENATOR FLAKOLL** seconded.

Roll Call Vote: 6 YES. 0 NO. 1 Absent. Motion Carried.

The committee is now dealing with the amended bill with that states to close a school the original district has to vote on it.

SENATOR COOK presented amendment 10494.0106 for the committee's consideration. This is basically the same as the Nottestad amendment but this amendment applies the ability for open enrollment across the border only to the 51 K-8 school districts. Discussion followed.

SENATOR COOK moved to adopt this amendment. **Seconded by SENATOR FLAKOLL.**

Roll Call Vote: 6 YES. 0 NO. 1 Absent. Amendment Adopted.

SENATOR KELSH presented amendment 10494.0105 for the committee's consideration. After discussion, **SENATOR COOK** moved this amendment with the addition of 6/30/2006 as a time certain for the school districts to combine on their own. Motion died for lack of a second.

TOM DECKER, DPI, spoke to the 51 K-8 districts. This amendment addresses only those districts cooperating now. He did not feel we should exempt any districts.

SENATOR KELSH moved the amendment 10494.0105 with 6/30/06 as time certain.

Seconded by SENATOR O'CONNELL. More discussion. **Roll Call Vote: 7 YES. 0 NO. 0 Absent. Amendment adopted.**

SENATOR COOK moved a **DO PASS AS AMENDED.** **Seconded by SENATOR CHRISTENSON.** **Roll Call Vote: 4 YES. 3 NO. 0 Absent. Motion Carried.**

Carrier: SENATOR FREBORG

FISCAL NOTE
 Requested by Legislative Council
 01/22/2001

Bill/Resolution No.: SB 2270

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill requires that on or before June 30, 2002, each school district must offer within its boundaries all educational grade levels from one through twelve. Any district that fails to comply must reorganize or dissolve and attach to another high school district.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

This bill is expected to be revenue neutral. Resources will be reallocated among districts, but statewide no estimable change is expected.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	01/25/2001

PROPOSED AMENDMENTS TO SENATE BILL NO. 2270

Page 1, line 1, after "districts" insert "; and to create and enact a new section to chapter 15-40.2 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter 15.1-29 of the North Dakota Century Code, relating to the education of students in bordering states"

Page 1, line 3, underscore "School districts - Provision of all grade levels by school districts."

Page 1, line ⁴7, underscore "1. On or before June 30," and ", each school district in this state must offer within its"

Page 1, underscore lines 5 through 9

Page 1, line 4, replace "2002" with "2004"

Page 1, after line 9, insert:

- "4. Before the board of a school district may close a school located within the boundary of a district that was required to undergo reorganization and dissolution under this Act, the board shall place the question of closing the school on the ballot. The question may be voted upon only by those qualified electors who reside within the boundary of the district that was required to undergo reorganization or dissolution under this Act. The board may not close the school unless a majority of the qualified electors voting on the question approve the closure.

SECTION 2. If House Bill No. 1045 does not become effective, a new section to chapter 15-40.2 of the North Dakota Century Code is created and enacted as follows:

**Students residing in school districts not offering all grade levels -
Education in bordering states.**

1. Notwithstanding the provision of any other law, a student may attend school in a bordering state and the student's school district of residence must pay the tuition in accordance with section 15-40.2-10 provided:
 - a. The student resides in a school district that on July 1, 2001, did not offer within its boundaries all educational grade levels from one through twelve;
 - b. The student resides within forty miles of a bordering state, as measured from the student's home using the most common route of travel; and
 - c. The student notifies the student's school district of residence of the student's intent to attend school in a bordering state.
2.
 - a. The superintendent of public instruction shall forward all state aid payments for any student attending a public school in a bordering state under this section to the student's school district of residence.
 - b. The board of the student's school district of residence may reduce any tuition payment it must make under this section by an amount commensurate with the tuition costs the district would be entitled to

receive as compensation for a student from the bordering state enrolled in its school.

- c. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15-40.1-16.
3. Nothing in this section requires that a school district of residence provide transportation or payments in lieu of transportation for a student attending school in a bordering state under this section.

SECTION 3. A new section to chapter 15.1-29 of the North Dakota Century Code is created and enacted as follows:

Students residing in school districts not offering all grade levels - Education in bordering states.

1. Notwithstanding the provision of any other law, a student may attend school in a bordering state and the student's school district of residence must pay the tuition in accordance with section 15.1-29-02 provided:
 - a. The student resides in a school district that on July 1, 2001, did not offer within its boundaries all educational grade levels from one through twelve;
 - b. The student resides within forty miles of a bordering state, as measured from the student's home using the most common route of travel; and
 - c. The student notifies the student's school district of residence of the student's intent to attend school in a bordering state.
2.
 - a. The superintendent of public instruction shall forward all state aid payments for any student attending a public school in a bordering state under this section to the student's school district of residence.
 - b. The board of the student's school district of residence may reduce any tuition payment it must make under this section by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the bordering state enrolled in its school.
 - c. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.
3. Nothing in this section requires that a school district of residence provide transportation or payments in lieu of transportation for a student attending school in a bordering state under this section."

Renumber accordingly

Adopted

PROPOSED AMENDMENTS TO SENATE BILL NO. 2270

Page 1, line 4, replace "2002" with "2004"

Page 1, after line 9, insert:

- "4. Before the board of a school district may close a school located within the boundary of a district that was required to undergo reorganization and dissolution under this Act, the board shall place the question of closing the school on the ballot. The question may be voted upon only by those qualified electors who reside within the boundary of the district that was required to undergo reorganization or dissolution under this Act. The board may not close the school unless a majority of the qualified electors voting on the question approve the closure."

Renumber accordingly

Date: 2/13/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2270

Senate Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken reconsider SB 2270 w amend from 2/12/01

Motion Made By Sen. Cook Seconded By Sen. Wanzek

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christenson	✓	
Senator Flakoll - Vice Chairman	✓		Senator Kelsh		✓
Senator Cook	✓		Senator O'Connell		✓
Senator Wanzek	✓				

Total (Yes) 5 No 2

Absent _____

Floor Assignment _____

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

PROPOSED AMENDMENTS TO SENATE BILL NO. 2270

Page 1, line 1, after "districts" insert "; and to amend and reenact section 15-40.2-09 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-29-01 of the North Dakota Century Code, relating to the education of students in bordering states"

Page 1, after line 9, insert:

"SECTION 2. AMENDMENT. If House Bill No. 1045 does not become effective, section 15-40.2-09 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-40.2-09. Attendance in public schools or institutions of Education of students in bordering states, when permitted - Continuation of attendance under certain circumstances - Payment of tuition.

1. ~~Students may attend a school in a bordering state in accordance with section 15-40.2-10 under the following circumstances:~~
 - a. ~~Upon notifying the school district of residence, a student who lives within forty miles (64.37 kilometers) of another state or in a county bordering on another state may, with the approval of the school board a bordering state, as measured from the student's home using the most common route of travel, may attend a public school or institution in a in the bordering state.~~
 - b. ~~A student who has attended a school district in a bordering state since, and including, the 1990-91 school year, must be permitted to continue attending school in the district in the bordering state.~~
 - c. ~~A student, whose sibling attended an out of state school during or before the 1990-91 school year, must be permitted to attend school in the district the sibling attends in the bordering state.~~
2. ~~If the school board of the district in which the student resides denies a request for attendance and payment of tuition in another state, an appeal may be made to the three member committee in accordance with section 15-40.2-05. If the three member committee determines that the student falls within the terms of subdivision b or c of subsection 1, then the student may attend in the bordering state and the school district of residence shall pay the tuition. If the three member committee determines the student falls within the terms of subdivision a of subsection 1, then the three member committee shall make its decision using the criteria specified in section 15-40.2-05. For kindergarten students, the three member committee shall use the criteria specified for elementary students in section 15-40.2-05. Subsection 3 of section 15-40.2-05 does not apply to an appeal for out of state attendance and payment of tuition. Regardless of the provisions of this section, if the school district of residence does not provide for the education of kindergarten students, it may not pay tuition for a kindergarten student to attend school in a bordering state. The decision of the committee regarding payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board, or the parent or guardian of the student, to the state board of public school education,~~

~~whose decision is final. The board of the student's school district of residence shall pay the tuition in accordance with the provisions of section 15-40.2-10.~~

3. ~~Foundation aid~~ The superintendent of public instruction shall forward all per student and transportation aid payments for students any student attending out-of-state schools must be made a public school in a bordering state to the student's school district of residence. However, the ~~district board~~ board of the student's school district of residence is entitled to reduce the tuition payment to ~~an out-of-state a school in a bordering state~~ by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the ~~out-of-state district bordering state~~ enrolled in its school.
4. ~~Transportation payments for students~~ The superintendent of public instruction shall determine transportation payments for a student attending a public school in a bordering state must be determined as provided in section 15-40.1-16.
4. 5. This section does not require the district of residence to provide student transportation, or payments in lieu thereof, for ~~students any student~~ attending ~~out-of-state schools~~ school in a bordering state.

SECTION 3. AMENDMENT. Section 15.1-29-01 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:

15.1-29-01. Education of students in bordering states - Payment of tuition.

1. ~~Students may attend a school in a bordering state in accordance with section 15.1-29-02 under the following circumstances:~~
 - a. ~~A~~ Upon notifying the school district of residence, a student who lives within forty miles [64.37 kilometers] of another state or in a county bordering on another state may, with the approval of the school board, a bordering state, as measured from the student's home using the most common route of travel, may attend a public school or institution in a in the bordering state.
 - b. ~~A student who has attended a school district in a bordering state since, and including, the 1990-91 school year must be permitted to continue attending school in the district in the bordering state.~~
 - c. ~~A student whose sibling attended an out-of-state school during or before the 1990-91 school year must be permitted to attend school in the district the sibling attended in the bordering state.~~
2. ~~If the school board of the district in which the student resides denies a request for a student's attendance in and payment of tuition to another state, the student's parent may appeal the decision to the three member committee referenced in section 15.1-29-06.~~
 - a. ~~If the three member committee determines that the student meets the terms of subdivision b or c of subsection 1, the student may attend school in the bordering state and the board of the student's school district of residence shall pay the tuition.~~
 - b. ~~If the three member committee determines the student falls within the terms of subdivision a of subsection 1, then the three member~~

~~committee shall make its decision using the criteria specified in section 15.1-29-06.~~

- ~~e.~~ If the student is a kindergarten student, the three member committee shall apply the same criteria as that specified for elementary students in section 15.1-29-06, except that subsection 2 of section 15.1-29-06 does not apply to an appeal for out of state attendance and payment of tuition. Notwithstanding the provisions of this section, if a student's school district of residence does not provide for the education of kindergarten students, the district may not pay tuition for a kindergarten student to attend school in a bordering state.
 - ~~d.~~ Any decision by the three member committee regarding the payment of tuition for high school, elementary, or kindergarten students may be appealed by the school board or by the student's parent to the state board of public school education. A decision by the state board is final. The board of the student's school district of residence shall pay the tuition in accordance with the provisions of section 15.1-29-02.
3.
 - a. The superintendent of public instruction shall forward all per student and transportation aid payments for a student attending an out-of-state school in a bordering state to the student's school district of residence.
 - b. The student's district of residence may reduce any tuition payment it must make to an out-of-state school in a bordering state by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the out-of-state district bordering state enrolled in its school.
 - c. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.
 4. Nothing in this section requires that a school district of residence provide student transportation or payments in lieu of transportation for students attending out-of-state schools school in a bordering state."

Renumber accordingly

adopted

February 14, 2001

PROPOSED AMENDMENTS TO SENATE BILL NO. 2270

Page 1, line 1, after "districts" insert "; and to create and enact a new section to chapter 15-40.2 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter 15.1-29 of the North Dakota Century Code, relating to the education of students in bordering states"

Page 1, after line 9, insert:

"SECTION 2. If House Bill No. 1045 does not become effective, a new section to chapter 15-40.2 of the North Dakota Century Code is created and enacted as follows:

**Students residing in school districts not offering all grade levels -
Education in bordering states.**

1. Notwithstanding the provision of any other law, a student may attend school in a bordering state and the student's school district of residence must pay the tuition in accordance with section 15-40.2-10 provided:
 - a. The student resides in a school district that on July 1, 2001, did not offer within its boundaries all educational grade levels from one through twelve;
 - b. The student resides within forty miles of a bordering state, as measured from the student's home using the most common route of travel; and
 - c. The student notifies the student's school district of residence of the student's intent to attend school in a bordering state.
2.
 - a. The superintendent of public instruction shall forward all state aid payments for any student attending a public school in a bordering state under this section to the student's school district of residence.
 - b. The board of the student's school district of residence may reduce any tuition payment it must make under this section by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the bordering state enrolled in its school.
 - c. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15-40.1-16.
3. Nothing in this section requires that a school district of residence provide transportation or payments in lieu of transportation for a student attending school in a bordering state under this section.

SECTION 3. A new section to chapter 15.1-29 of the North Dakota Century Code is created and enacted as follows:

**Students residing in school districts not offering all grade levels -
Education in bordering states.**

1. Notwithstanding the provision of any other law, a student may attend school in a bordering state and the student's school district of residence must pay the tuition in accordance with section 15.1-29-02 provided:
 - a. The student resides in a school district that on July 1, 2001, did not offer within its boundaries all educational grade levels from one through twelve;
 - b. The student resides within forty miles of a bordering state, as measured from the student's home using the most common route of travel; and
 - c. The student notifies the student's school district of residence of the student's intent to attend school in a bordering state.
2.
 - a. The superintendent of public instruction shall forward all state aid payments for any student attending a public school in a bordering state under this section to the student's school district of residence.
 - b. The board of the student's school district of residence may reduce any tuition payment it must make under this section by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the bordering state enrolled in its school.
 - c. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.
3. Nothing in this section requires that a school district of residence provide transportation or payments in lieu of transportation for a student attending school in a bordering state under this section."

Renumber accordingly

adopted

10494.0105
Title.

Prepared by the Legislative Council staff for
Senator Kelsh
February 13, 2001

PROPOSED AMENDMENTS TO SENATE BILL NO. 2270

Page 1, line 9, replace "school" with ":

a. School"

Page 1, after line 9, insert:

"b. School districts cooperating in the joint provision of education services under a plan approved by the superintendent of public instruction."

Renumber accordingly

6/30/01
have until 2006 to become one district

REPORT OF STANDING COMMITTEE

SB 2270: 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 2270 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 relating to the provision of all grade levels by school districts; and to create and enact a new section to chapter 15-40.2 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter 15.1-29 of the North Dakota Century Code, relating to the education of students in bordering states.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. School districts - Provision of all grade levels.

1. a. On or before June 30, 2004, each school district in this state shall offer within its boundaries all educational grade levels from one through twelve.
- b. Any district that fails to comply with subdivision a for a period of one year must become, through a process of reorganization or dissolution, attached to a district that is in compliance with subdivision a.
- c. This section does not apply to:
 - (1) School districts established under chapter 15.1-08.
 - (2) School districts cooperating in the joint provision of education services under a plan approved by the superintendent of public instruction for the period beginning on the effective date of this Act, and ending on June 30, 2006.
2. Before the board of a school district may close a school located within the boundary of a district that was required to undergo reorganization and dissolution under subsection 1, the board shall place the question of closing the school on the ballot. The question may be voted upon only by those qualified electors who reside within the boundary of the district that was required to undergo reorganization or dissolution under subsection 1. The board may not close the school unless a majority of the qualified electors voting on the question approve the closure.

SECTION 2. If House Bill No. 1045 does not become effective, a new section to chapter 15-40.2 of the North Dakota Century Code is created and enacted as follows:

Students residing in school districts not offering all grade levels - Education in bordering states.

1. Notwithstanding any other provision of law, a student may attend school in a bordering state and the student's school district of residence shall pay the tuition in accordance with section 15-40.2-10 if:
 - a. The student resides in a school district that on July 1, 2001, did not offer within its boundaries all educational grade levels from one through twelve;

- b. The student resides within forty miles of a bordering state, as measured from the student's home using the most common route of travel; and
 - c. The student notifies the student's school district of residence of the student's intent to attend school in a bordering state.
2.
 - a. The superintendent of public instruction shall forward all state aid payments for any student attending a public school in a bordering state under this section to the student's school district of residence.
 - b. The board of the student's school district of residence may reduce any tuition payment it must make under this section by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the bordering state enrolled in its school.
 - c. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15-40.1-16.
 3. This section does not require a school district of residence to provide transportation or payments in lieu of transportation for a student attending school in a bordering state under this section.

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 - b. The board of the student's school district of residence may reduce any tuition payment it must make under this section by an amount commensurate with the tuition costs the district would be entitled to receive as compensation for a student from the bordering state enrolled in its school.

- c. Transportation payments for a student attending school in a bordering state must be determined as provided in section 15.1-27-27.
3. This section does not require a school district of residence to provide transportation or payments in lieu of transportation for a student attending school in a bordering state under this section."

Renumber accordingly

2001 TESTIMONY

SB 2270

**Testimony for Senate Education Committee
SB 2270**

Senator Linda Christenson District 18 Grand Forks

The concept of quality education is the premier guiding concept in modern educational philosophy. To assure each child in a given school, district, or state is awarded the best possible opportunity to grow and learn in an environment which is caring, nurturing and intellectually challenging is worthwhile and compelling to all parents, educators and legislators concerned about educational issues. Such is the concept behind SB 2270.

The idea that the best quality education is found primarily in the small school setting is not supported by broad educational research. While some studies indicate that small schools do, indeed, produce educational excellence, the majority of the evidence does not support the idea that large schools lack this ability or that it is the exclusive prerogative of a small school to produce it. In fact a recently completed study of the Kansas school system revealed that elementary schools between 300-400 students were, in fact, the optimal size. (Cotton, 1996)

Let us dispel some misconceptions about SB 2270. Not all schools will be affected or closed in this action. Any staffing concerns will be handled through natural attrition or relocation. Long, arduous bus rides are not a necessity. So many of the natural fears and misunderstandings generated about this bill can be cleared simply by understanding what the bill entails.

The issue that most profoundly affects everyone here is the quality of educational opportunity for the students in question. I spent the first three years of my teaching career in small rural North Dakota schools. They were wonderful, fulfilling times of learning and bonding with both the community and the students. I treasure those times. Unquestionably, the dedication and commitment of the faculty, staff, and administration of small schools are both admirable and excellent. In reality, however, the opportunities offered to students in a larger school are decidedly advantageous over those offered in a smaller school setting. Three reasons make this apparent:

1. **Expanded staff and faculty:** special education, vocational education, and academic and sports extra-curricular programs

In an expanded offering of both classes and activities , students are given the opportunity to hone skills and talents otherwise unnoticed and under appreciated. Students all have special needs which in a larger setting are more likely to be addressed. The expansion of opportunities in a variety of sports offers possibilities not otherwise available.

2. **Expanded course offerings:** science, math vocational, technology, and the fine arts

Course offerings in any academic or vocational area will increase the possibilities of capturing student interests and abilities. Student success is directly related to his/her motivational level. Broadening the course offerings at every level gives students the highest access to achievement.

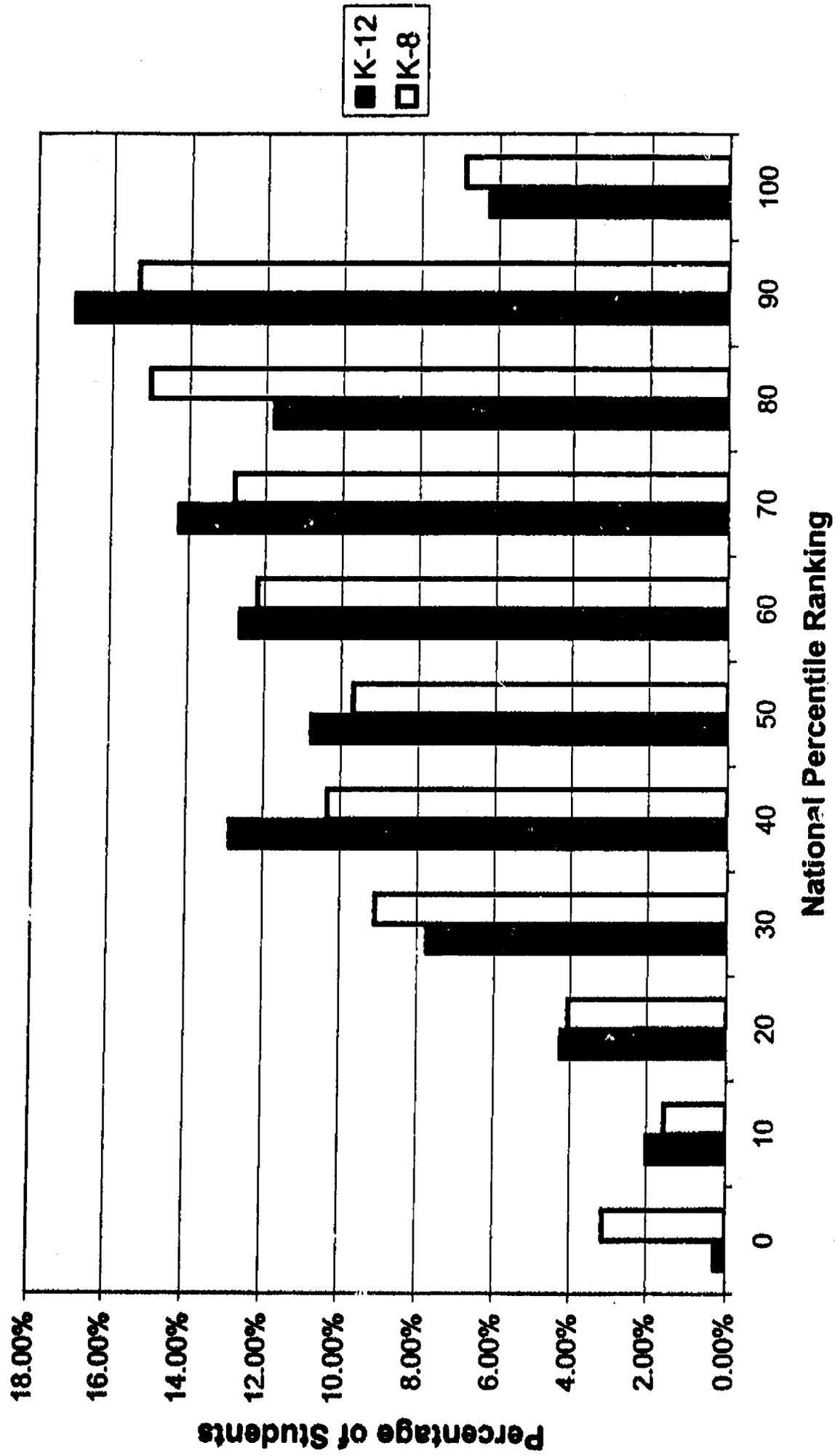
3. **Exposure to diversity:** attitude, lifestyle, and beliefs.

Such a possibility often frightens or threatens parents and students. The reality of our world, however, is that increasing diversity is the way in which our world, our state, our community must operate if we are to become part of the new millennium. Our future depends on our ability to understand and accept differences between ourselves and others. NOTE: Too often the idea of understanding and acceptance is made synonymous with endorsement of other beliefs and lifestyles.

The argument that long distance learning facilitated by technology will supplant the teacher-student bond is erroneous. Obstacles and insufficient learning situations can not be alleviated by technology alone.

We are at a point where we must move forward in education. We must make the best use of our resources. In the late 50's the high school education was made the norm or educational achievement in our state. At that time we should have made all districts have high schools. We now face the difficult but necessary challenge of making these changes. To make these changes is a difficult and wrenching experience for all concerned, but they must be undertaken. We have a constitutional imperative to see that every child in our state is given the best possible opportunity to achieve and succeed. This is one step forward toward that goal.

North Dakota Public School 4th Grade CTBS Scores by Type of District



Sen. Grundberg

SENATE BILL 2270

OVERVIEW

51 Districts (of 230 or 22.1% of total)

Enrollment

2,695 total	2.5% of 108,094
Range of enrollment	248 (Nedrose) to 2 (Bowline Butte)
Average enrollment	53 students per district

Land Area

8,591 square miles	3.2 square miles per student
Range of size	24 square miles (Apple Creek)
	1,186 square miles (New 8)

Taxable Value Per Pupil

K-8	15,625
K-12	11,254

Tax Levies

K-8	General Fund, 123	Total Levy	171
All Districts	General Fund, 190	Total Levy	218
Range, K-8:			
	Apple Creek	Total Levy	252.17
	Billings Co.	Total Levy	40.75

Cost Per Pupil

K-8	\$5,911
K-12	\$4,925
Range, K-8:	
	Manvel, \$3,223
	Twin Butte \$24,456

Ending Balance

K-8	\$ 12,844,267	per student	\$4,766
All K-12	\$149,322,288	per student	\$1,381

Faculty Square Footage

K-8	Districts Total SF	643,090
K-8	Districts enrollment	2,341
All K-8	SF per student	275

Example districts:

Pioneer Elementary, Bismarck	119 SF per student
Beulah Elementary	113
Dunseith Elementary	176
Ellendale Elementary	99

Minnesota's state standards—100-110 SF per elementary student

1955-1960 Est.

High school education became generally accepted minimum standard educational level. School districts should have become K-12 at that time.

- Every student resident of a K-12 school system
- Every tax payer supporting K-12
- Every voter electing school board for K-12

Conclusion

Getting all land in a high school district is 40 years overdue.

ND Public School Districts by Type and Size



- K-12 enr=225+
- K-12 enr<225
- K-8
- Non-operating

Sen. Grundberg

Senate Bill 2270 – Testimony

Good Morning, Chairman Freborg and members of the Senate Education Committee. My name is C.B. Haas, Representative from District 36. It is a pleasure to be here with you to discuss this bill and the very important topic of education.

I am here this morning to express my support for Senate Bill No. 2270. There are a number of changes that must be made in the manner in which we deliver elementary and secondary education in North Dakota. Due primarily to the demographic changes in our State, we are experiencing increased fragmentation and a lack of coherence in the delivery of these services. This does not imply that we are educating our young people in a sub-standard fashion. Our dedicated educational professionals have done and continue to do an exceptionally fine job in this regard.

At the same time, however, we must address the changing demographics in North Dakota and the necessity for some changes in the overall structure used to deliver elementary and secondary education. The demographic changes have led to increased inefficiencies and inequities for our citizens. The changes necessary to maintain a higher level of equity and efficiency have lagged far behind the demographic and economic shifts.

You might ask, "Why do we have to be efficient and equitable?" The answer is apparent. North Dakota has limited resources and they need to be used in such a manner so as to benefit all of our citizens equally or as equally as possible. We constantly struggle to secure adequate funding for elementary and secondary education. That in itself is a very good reason for efficiency.

Most would agree that when it comes to delivering K-12 education, a K-12 district structure should be the minimum. And such a district should be large enough with regard to student numbers and land mass to sustain itself with a diverse and challenging curriculum for its students. Most would also agree that there should be less disparity across the State in taxable value per student. This, of course, is directly related to a district's ability to raise revenue for educational purposes.

Placing all of the land mass of North Dakota into a K-12 district will begin to address these problems. We have 51 districts that provide only an elementary education with an average enrollment of 53 students per district. These districts represent 22.1% of the districts in the State with only 2.5% of the total enrollment. This is very inefficient. In addition, these districts have a very high taxable value per student.

I should note here that by increasing efficiency and striving for more equity, I'm not referring to saving dollars. What I am referring to is a reallocation of resources to provide more and better opportunities to the school age children of North Dakota.

There is another extremely important fact to note here. The absorption of these elementary districts into a K-12 district does not necessarily mean that a particular school will have to close. A Board of Education has the responsibility and the authority to place schools wherever they are needed in a district.

The next question is, "What happens to a district under the provisions of this bill if and when it becomes law?" One of two things will happen.

- 1. Dissolution -- means the process through which school district ceases to function and the subsequent attachment of its real property to another school district or districts.**
 - a. It is important to note that in this process, each landowner and each family with children will have the opportunity to indicate a choice as to which neighboring district they would prefer to have their property attached. This information would be used by the local school board in developing a map indicating the amount of property to be attached to each neighboring K-12 district.**
 - b. The dissolution process can generally be accomplished over a period of approximately six months. A district going through this process would likely start the process in January, February or March and conclude it some time in June so an effective date of July 1 of any given year could be achieved.**

- 2. Reorganization- means the formation of a new school district**

through the combination, in whole or in part, of two or more school districts.

- a. This process generally requires a longer period of time, usually a twelve month period.
- b. The material I've given you outlines the procedure and timeline.

Chairman Freborg and members of the Committee. There are a number of other bills in the Senate and House that address the issue of how we are going to structure the delivery of K-12 education in order to guarantee a bright and productive future for the citizens and youth of North Dakota. This bill represents an important and necessary component of that delivery system. I encourage you to support it.

Kathleen Norris, in her book, Dakota, A Spiritual Geography, said it well and I quote. "Disconnecting from change does not recapture the past, it loses the future."

Let it not be said of us that we were not able to see the future and make progress towards it. There really is no such a thing as the 'status quo'. I believe we either embrace the necessary changes and move forward or we stagnate while others and the world pass us by.

Let us not lose our future.

Thank you, Mr. Chairman and Committee members.

DEPARTMENT OF PUBLIC INSTRUCTION
600 E Boulevard Ave
Bismarck, ND 58505-0440

**SCHOOL DISTRICT REORGANIZATION
RECOMMENDED TIMELINE**

All school district reorganizations are effective on July 1. The following are the required steps to accomplish a reorganization effective July 1 of year Y.

- LOCAL BOARDS' ACTION TO AUTHORIZE DEVELOPMENT OF REORGANIZATION PLAN
- PUBLIC MEETINGS – In June or July of year X – in conjunction with development of reorganization plan
- LOCAL BOARDS' ACTION - Each involved school board must approve the reorganization plan before it is submitted to the county superintendent for a county hearing. – JULY, AUGUST of year X.
- LEGAL NOTICE PUBLISHED FOR COUNTY HEARING 14 DAYS PRIOR TO HEARING
- COUNTY HEARING ON REORGANIZATION PROPOSAL – SEPT 1 to SEPT 20 of year X.
 - Reorganization plan must contain items listed in NDCC Section 15.1-12-10.
- REORGANIZATION PACKETS IN STATE OFFICE – OCTOBER 1 of year X.
- NOTICE FOR STATE HEARING PUBLISHED 14 DAYS PRIOR TO SCHEDULED HEARING DATE
- STATE BOARD APPROVAL (usually 3rd Monday of any month)
 - November 1 to December 1 of year X.
- PUBLIC MEETINGS REGARDING REORGANIZATION PROPOSAL AND UPCOMMING ELECTION

- **NOTICE OF ELECTION PUBLISHED AT LEAST 14 DAYS PRIOR TO ELECTION.**
- **VOTE ON REORGANIZATION IN EACH SCHOOL DISTRICT – MAJORITY APPROVAL IN EACH DISTRICT REQUIRED – No later than December 31 of year Y. (See NDCC Section 1.1-12-11(1).)**
- **ELECT NEW SCHOOL BOARD before January 15 of year Y.**
- **NOTICE OF HEARING PUBLISHED AT LEAST 14 DAYS BEFORE HEARING. (See NDCC Section 15.1-12-15(2)).**
- **NEW SCHOOL BOARD HOLDS PUBLIC HEARING TO PRESENT CURRICULUM, COURSE OFFERINGS, AND AVAILABLE STAFF POSITIONS. (See NDCC Section 15.1-12-15(2).) – by February 1 of year Y.**
- **NEW SCHOOL BOARD MUST NOTIFY TEACHERS WHETHER THEY WILL BE OFFERED CONTRACTS. (See NDCC Section 15.1-12-15 (3) – by 5:00 on April 15 of year Y.**
- **EFFECTIVE DATE OF REORGANIZATION – JULY 1 of year Y.**

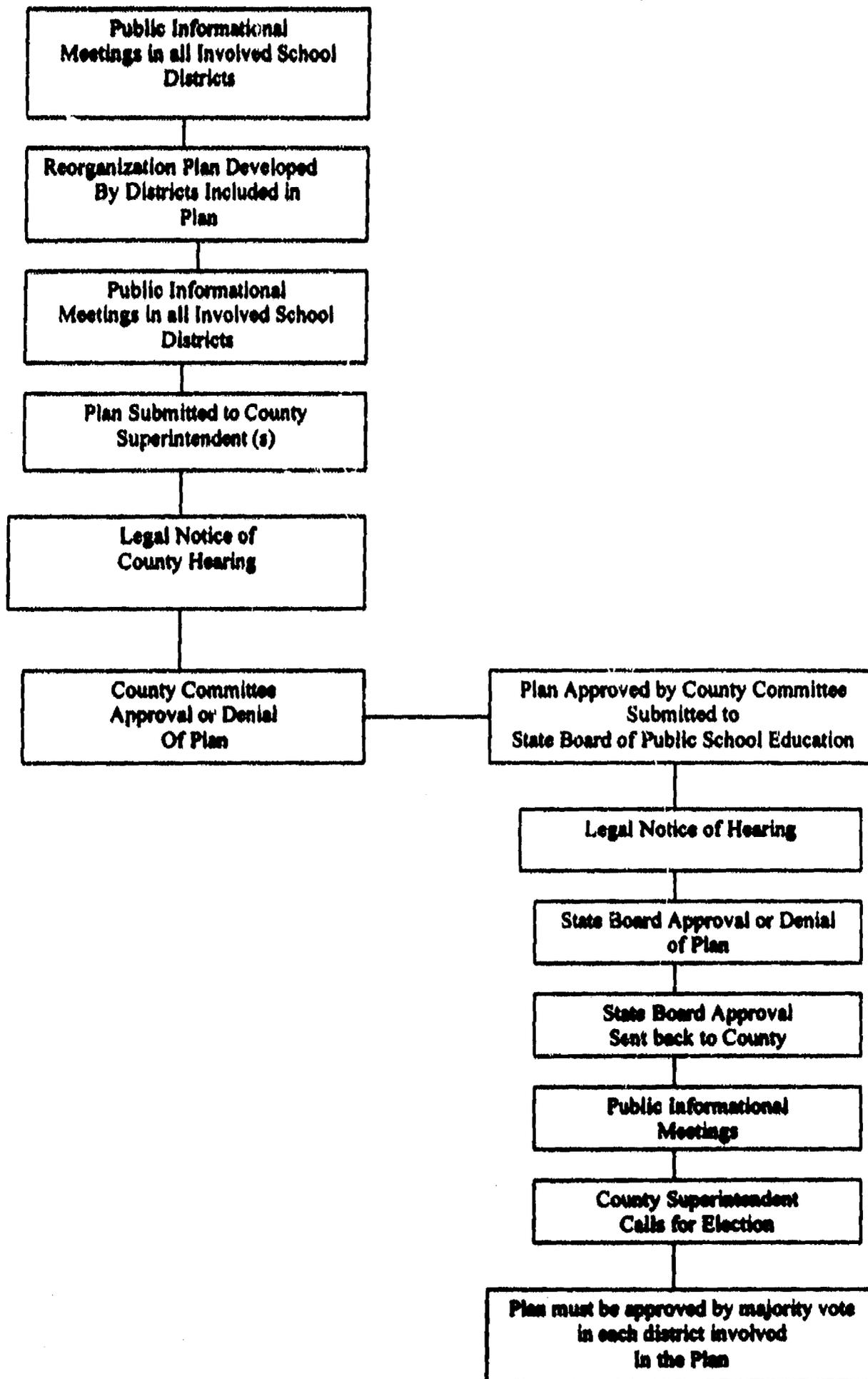
DEPARTMENT OF PUBLIC INSTRUCTION
Finance and Organization Unit

CHART FOR REORGANIZATION

Purpose: The formation of a new school district (NDCC Sections 15.1-12-09 through 15.1-12-22).

1. Reorganization plan developed by districts.
2. Public informational meetings.
3. Plan submitted to county superintendents having jurisdiction over the major portion of property in each participating school district..
4. County reorganization committee hearing.
5. County committee approval or denial of reorganization plan.
6. If plan is approved, the plan is submitted to the State Board of Public School Education for approval or denial.
7. If plan is approved by the State Board of Public School Education, the plan is returned to the county superintendent submitting the plan.
8. Public informational meetings.
9. The county superintendent will then call a special election of the voters residing in the territory of the proposed new district.
10. The reorganization plan must be approved by a majority of the electors residing within each school district involved in the plan.

Flow Chart for Reorganizations



VOLUNTARY SCHOOL DISTRICT DISSOLUTION

- **The school district decides and votes that "it is in the best interests of its students to dissolve the school district and become attached to surrounding school districts". Once this step is taken, subsequent handling of the dissolution is out of the hands of the local school district board.**
- **The school district board, after it has voted to dissolve, notifies the county superintendent of its decision and provides a copy of appropriate documentation.**
- **The county superintendent notifies the county committee and schedules a hearing on school district dissolution. If the school district lies in more than one county, a multiple county reorganization committee hearing would be scheduled.**
- **Appropriate public notice of the county hearing is published.**
- **The county committee holds the hearing, takes input from anyone who wishes to testify, and decides on a dissolution proposal.**
- **After the state hearing, the county committee shall order the district dissolved and its real property attached to one or more contiguous, operating school districts.**
- **The county committee may not order the attachment of any territory unless a minor resides within the boundaries of the territory to be attached.**
- **The county committee may provide for an effective date other than July 1, following the State Board's approval of the dissolution. If the county committee does not provide a different effective date, the dissolution becomes effective on July 1 following the State Board's approval of the dissolution (assuming the State Board approves it).**
- **If more than one county committee is involved and the county committees cannot agree upon an order attaching the territory to adjoining districts, the county superintendent shall notify the State Board. The State Board shall conduct a public hearing and dissolve and attach the district to adjacent districts in the manner it deems appropriate.**

**VOLUNTARY DISSOLUTION
TIMELINE**

EFFECTIVE DATE - JULY 1

STATE BOARD APPROVAL - JUNE

**LEGAL NOTICE PUBLISHED FOR STATE HEARING 14 DAYS PRIOR TO
JUNE HEARING**

ANNEXATION PACKETS IN STATE OFFICE - MAY 15

COUNTY HEARING - MAY 1

**LEGAL NOTICE PUBLISHED FOR COUNTY HEARING 14 DAYS PRIOR TO
HEARING**

LOCAL BOARD'S ACTION - APRIL 1

PUBLIC MEETINGS? - MARCH 17 - APRIL 1

Voluntary Dissolution Questionnaire

The _____ School District board has voted to put the district into voluntary dissolution. As part of the process of developing a dissolution plan to submit to the county committee the _____ school board asks that you as school district patrons provide the following information to assist with the development of the plan.

- 1) Are there children in your household that will be attending school in the 2000-2001 school year? Yes _____ No _____ If yes, list the children by name and grade that they will be in for the 2001-2002 school year and the school district they will attend if the _____ district is dissolved.

Students Name	Grade	District Attending

- 2) If the _____ School District dissolves, property in the district may be attached to the _____, _____, or _____ districts. To be attached to one of these districts, the property must be contiguous to the district or to property that is also being attached to that district. State law requires that in order to attach land to a neighboring school district at least one student between the ages of 0-17 must live on that property.

I prefer that the property that I own/rent be attached to:

School District	First Choice	Second Choice	Third Choice

The information that you have provided will be used by the _____ school board to develop a preliminary map indicating the amount of property to be attached to each of the neighboring school districts.

Gary Evans, Principal of Galva Elementary School
Speaking in opposition to SB 2270:

Galva Elementary has an enrollment of 35, K-8 students. High school students attend Beach High School which is 13 miles north of Galva. Some of the high school students travel as far as 68 miles round trip. Forty of these miles are on a gravel road. With due respect to proponents of the bill, school closure will be an outcome of SB 2270.

I was a teacher/administrator in western Montana for 28 years in a district of 2000 students. In comparing that district with Galva, I conclude that bigger is not better. The difference is "Pride" in the school and in the community. Galva is representative of many small towns in North Dakota. Many Galva students are 3rd & 4th generation. They have positive traditions to uphold by getting good grades, exhibit good behavior and generally practice good citizenship.

Thirteen of fifteen Galva graduates attained Honor Roll status at Beach High School in the first semester. The teachers at Beach are impressed by the preparation of Galva students. Galva Elementary has been designated a Distinguished Title I school the past two years. These students score well on CTBS.

If Galva Elementary is forced to close, community pride will be negatively impacted. Without the school, the community will suffer greatly as it is the hub of community activities.

Galva is the type of school that we would want our children and grandchildren to attend - a safe environment; a quality education; excellent student/teacher ratio; and community support, perhaps. I urge you to oppose this bill. Thank you.

RE: Senate Bill 2270

Dear Chairman Freborg and Members of the Senate Education Committee:

My name is Keith Rockeman. I am the school board president and am representing Bowline Butte School District #19. I am asking that you NOT recommend Senate Bill 2270.

This bill is being introduced with finances in mind and not the educational needs of the children. In addition to the normal state funding, we fully finance the education of our high school students by paying a tuition fee.

The mill levy in our school district is 124 mills which runs our school. We received only \$1100 in state aid last year. If the state was providing the majority of support for our school, there might be justification in trying to reorganize it. This reorganization attempt is not justified.

Former President Clinton signed into law an appropriations bill that provides funding to reduce classroom sizes. The small schools already have reduced classroom sizes. This bill will eventually close these schools. Isn't that defeating what our former president was trying to accomplish?

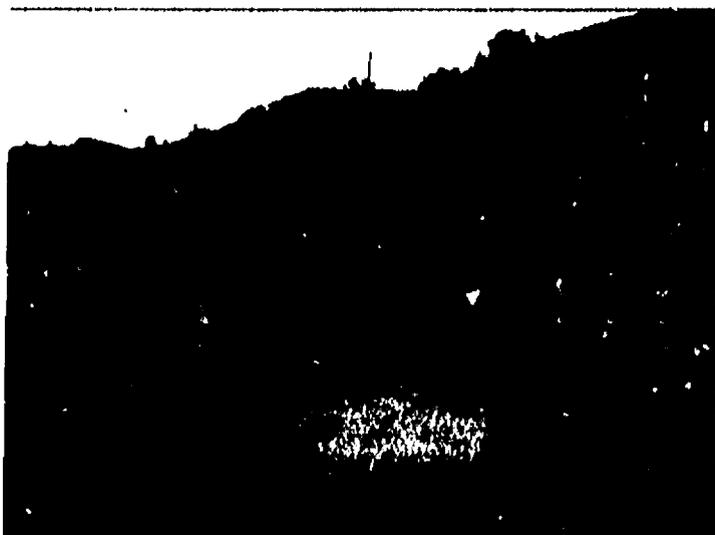
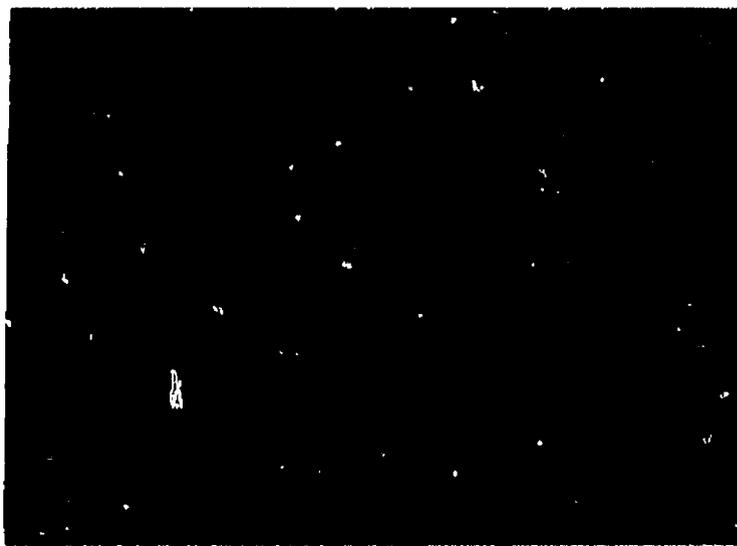
This issue cannot be looked at only from a financial aspect. The safety and well being of our children is vitally important. Our children would be subjected to unnecessary hardship. IntelliHealth, using Harvard Medical School as a source, states 6-to-10-year-old children need 10 hours of sleep a night. I quote them in saying, "Sleep deprivation can lead to problems performing simple tasks as well as poor concentration, irritability and daytime drowsiness. All of these will impair a child's ability to learn." Two of our older students who ride the bus get up at 5:30 in the morning, leave home at 6:30, drive 17 miles to meet the bus, board the bus at 7:00 and arrive at school at 8:30. After school they board the bus at 3:30, meet their ride at the bus stop at 5:00, and arrive home at 5:30. If you place a smaller child in this situation, he or she will have to be asleep by 7:30 in order to get adequate sleep. That leaves two hours of their day for supper, bath, homework, and family time. Don't force them to spend their childhood traveling four hours to go to school when they can travel only 30 minutes.

If the bus route is extended to include picking up our schoolchildren, we have grave concerns about their safety on poorly maintained county gravel roads. The roads become rutted-up ice trails in the winter and washboard dust bowls in the summer because of heavy travel by oil tanker trucks and other vehicles. Visibility is limited at times due to hills, curves, and dust. The county librarian asked us to use a county bookmobile at a different location so their vehicle is not subjected to this tortuous terrain. Would the school bus drivers ask us to meet them at a different location even though they have a door-to-door pick-up policy? Will this policy be abandoned? We have included some photos to show you how poor our roads are and how rough the terrain is. After all, they do call it the Badlands for a reason!

We are concerned that relinquishing the younger children's education to a high school district would reduce parental input in their children's learning process. It would place control in the hands of people who are less informed of the unique location and lifestyle of these children. It is in the best interest of the children to keep their education local.

Chairman Freborg and members of the Senate Education Committee, we ask that you NOT recommend Senate Bill 2270.

**Thank you,
Keith Rockeman**



RE: Senate Bill 2270

Dear Chairman Freborg and Members of the Senate Education Committee:

My name is Sherilyn Johnson. I am the principal, a 7th/8th teacher, and a parent of a 4th grader at Almont Public School, Sims District #8. I am asking that you NOT recommend Senate Bill 2270.

We have 34 students in our K-8 district who come from supportive families and a tight-knit community that takes great pride in the quality school for which Almont is noted. Our high school students do well when they leave Almont, tutored to New Salem High School. (Almont students have often been honored as the valedictorians, salutatorians, homecoming queens and kings, honor students, award winning musicians and athletes, etc..) They have been prepared well and they leave Almont School with a strong sense of identity.

A safe, positive, and respectful atmosphere is nurtured in our small rural school. The values of caring for and respecting your neighbor, using creative resources, developing technology skills, collaborative teamwork, positive attitude, honesty, and giving your best quality effort are values that are upheld and modeled at Almont School.

When my husband and I moved back to North Dakota to his family's farm, we were eager to make the commitment and adjustments necessary in making a living on the farm. A small rural school was the setting that we chose for our child, because of the quality, up-to-date teaching and curriculum, individual attention, and the safe wholesome environment Almont School offers. Being an administrator and teacher at Almont School, has given me the chance to see first hand the opportunities and the challenges that a small district faces. I am thankful that our son has the opportunity to attend a rural North Dakota school. As a parent, I do not want to lose this choice.

North Dakota is noted for its farmland, ranches, and wide open spaces. People with children live on these farms and ranches. This senate proposal is incongruous with our North Dakota Agriculture Commission's recent initiative to "grow" rural North Dakota. The Ag Commission has worked very hard to establish a mission of encouraging young people to develop their farm/ranch operations. Many of us have taken the risk and have taken up that challenge, only to face proposed legislation such as Senate Bill 2270 that threatens the very livelihood of rural North Dakota; rural North Dakota is the backbone of North Dakota.

This proposal may look clean, neat, and cost effective on paper. However, I am concerned about the long-term demographic consequences of this proposal. Geographically, socially, and economically- what will the negative cost impact be? This is not a mere issue of fiscal management, but about communities of people who would lose the opportunity to educate their children locally in a way that best meets their children's needs. Senate Bill 2270 does not support the people of rural North Dakota.

Chairman Freborg and members of the Senate Education Committee, as a concerned parent, as a dedicated educator, and as a rural North Dakotan, I strongly urge that you DO NOT PASS Senate Bill 2270.

Thank you!

Sherilyn M. Johnson
Almont Public School
sherjlo@sensdk.nodak.edu

February 2, 2001

Senate Education Committee Members

This letter is addressing concern for a proposed SENATE BILL No. 2270, "SECTION 1. School District-
revision of all grade levels." The Litchville and Marlon School Districts are currently entered into a K-12
educational cooperative. The high school is located in Marlon and the elementary school is located in Litchville.
Before the cooperative agreement was entered into, many committees were established trying to decide which
arrangement would best meet the educational needs of the students of our respective districts. After tedious
work, countless hours of study and discussion, and after approximately 30 separate committee meetings, the
vast majority of our parents and patrons of our districts choice was to enter into the current K-12
cooperative agreement we are operating.

This agreement has worked very well for our schools. Our parents and patrons wanted more educational
opportunities for their children. We have approximately 240 students. We have pooled our resources and are
providing more enhanced educational opportunities. Before the cooperative agreement was entered into, we
were offering 46 semester hours at Litchville. Now, we are offering approximately 80 semester hours.
Including Interactive Television with a T1 Line, high technology equipment, complete Internet access with a
56K line and we are currently in the process of updating from a 56K line to a DS 3, which is equal to 45 T1
Lines.

Governor Schaffer recently commented about the efforts the committees of Elgin and New Leipzig have done.
They also started with a cooperative agreement. Governor Schaffer also stated that consolidation isn't always
the best solution for everyone. The cooperative agreement works well in our districts. Again, this is what our
parents and patrons wanted for our students.

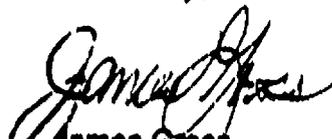
It has been stated that elementary districts aren't paying their fair share. This is far from the truth in our
districts. In fact, in the first three years when we calculated all the educational costs and revenues at the end
each fiscal year; the high school district owed money to the elementary district.

We are very proud of the educational opportunities we are providing. It is true we could have remained two
separate K-12 school districts. Our school boards, parents, and patrons were progressive enough and took the
initiative to do more for our students by entering into our current cooperative agreement.

If this proposed bill is enacted, then, school districts that are trying to cooperate, share, and school districts
that have entered into a cooperative agreement would no longer be able to do this. These schools should be
excluded from this bill. After all, we are working together as a K-12 system. We should not be punished for
providing more educational opportunities for students. If our districts are forced to consolidate or reorganize
at this time, all the efforts of the individuals who worked so hard to make our agreement successful would be
torn apart. Also, consolidation or reorganization can lead to more serious and economic ramifications and
possible community demise. Please consider our valued request.

Thank you for your valuable time and much needed consideration and assistance.

Sincerely,


James Gross
Superintendent

February 5, 2001

Chairman Freborg and members of the Senate Education Committee:

I am Scott Buxbaum, School Board President from East Fairview Elementary School, East Fairview, North Dakota and spokesman for four school districts in McKenzie County adjacent to the Montana State Line. They are Yellowstone #14, Horse Creek #32, Bowline Butte #19 and Earl #18. We are opposed to Senate Bill 2270. I will briefly describe the situation in our districts and I know there are similar situations across the state. Eighty-five percent of the students in our District #14 live in the Yellowstone Valley within four miles of the Montana State line which is also where the high school is located. Our students attend elementary school at East Fairview, North Dakota, a fully accredited school, and our high school students have attended the Fairview High School for over the past fifty years under the reciprocal agreement act in Title 15, Chapter 15-10.1 of the North Dakota Century Code. East Fairview and Fairview Schools in 1996 negotiated a tuition agreement that is based on actual cost of education, also in 1997 East Fairview agreed to assist Fairview Schools with the installation of a new computer lab to the sum of \$100.00 per student for 10 years. (These are enclosed in your handout.)

Fairview High School is a large, modern facility built in 1956, expanded in 1968, with a new gym built in 1965, and a vo-ag, trades, and industries shop built in 1975. They also added new classrooms in 1980. Their present high school enrollment is 100 students. They employ 18 teachers and offer 70 classes, including a telecommunications system for foreign languages, all of which is well over the minimum necessary for accreditation in North Dakota. I would like to refer you to the attached class schedule handout. They also offer 22 extra-curricular activities. Because of the short distance to the school, our students conveniently attend after-school activities and better parent participation is also realized. In 1982 our district built a new gym and two new classrooms. These facilities are used by the students in K-12 from both schools.

February 5, 2001

If Senate Bill 2270 becomes law, instead of attending high school in our community our students would be bused to the nearest existing North Dakota High School in Alexander or Trenton. This is about 100 miles round trip per day. The average is now 26 miles round trip per day. Horse Creek #32 would travel about 220 miles per day.

Further complicating this is that we are Mountain Standard Time, while the Alexander and Trenton schools are on Central Standard Time. This bill could do more than put an end to our students attending high school in our community. It may put an end to our elementary school in East Fairview, that has an enrollment this year of 74 students. Because of the time zone and extreme mileage difference, we may be forced to double our bus routes.

With our present energy situation the extra cost of transportation would be staggering. To give you an idea of the added cost of transportation, alone our district receives approximately \$32,202.00 from the state at the present payment schedule. This figure would increase 8 times or \$257,616.00 just in transportation costs.

This is the situation in our district. We are simply more conveniently located near a fine school outside the State of North Dakota.

Chairman Freborg and members of the education committee, we ask that you do not support Senate Bill 2270.

THANK YOU.

Scott Buxbaum,

School Board President

East Fairview Elementary School

Yellowstone School District # 14

Tuition Cost for 1999-2000

**Maximum Charge to YSD #14
(1998-1999)**

Actuals (1998-1999)

General Fund	\$828,929.54
Estimated Budget 98-99	\$835,315.00
2 Retirement Fund	\$92,000.00
Estimated Budget 98-99	\$70,000.00
3 Total Estimated Budget 98-99	\$920,929.54
	\$905,315.00
4 ANB	\$127.78
(Average Number Belonging)	
Fall Enrollment+	
Spring Enrollment	
(124+122) / 2 x 187 / 180	
5 Expenditures / ANB (#3 / #4)	\$7,207.15
	\$7,084.95
6 Montana Payment / ANB	\$2,663.06
(State ANB & SpEd pmt / ANB)	\$2,663.06
(340,285.67 / #4)	
7 Remaining Cost (#5 - #6)	\$4,544.09
	\$4,421.89
Converting ANB #7 to per	
Student cost (#7 x 187/180)	\$4,720.80
	\$4,593.86
Total Cost	\$141,624.14
#7 per student cost x	\$137,816.80
Yellowstone SD ADM (30)	
(4,720.80 x 30)	
4,593.86 x 30	

1 General Fund	\$831,967.00
Actual Expenditures 98-99	
2 Retirement Fund	\$62,940.44
Actual Expenditures 98-99	
3 Total Actual Expenditures 98-99	\$894,907.44
4 ANB	\$107.53
(Average Number Belonging)	
Fall Enrollment+	
Spring Enrollment	
(105 + 102) / 2 x 187 / 180	
5 Expenditures / ANB (#3 / #4)	\$8,322.40
6 Montana Payment / ANB	\$3,164.57
(State ANB & SpEd pmt / ANB)	
(340285.67 / #4)	
7 Remaining Cost (#5 - #6)	\$5,157.83
Converting ANB #7 to per	
Student cost (#7 x 187/180)	\$5,358.42
8 Total Cost	\$123,243.66
#7 per student cost x	
Yellowstone SD ADM (23)	

The estimated current year budget/maximum cost column will be completed by the admitting district before the tuition agreement is signed by both districts.

The actual column will be filled out by the admitting district following the current year and sent to the Yellowstone School District Business Manager by July 31st.

Payments to the admitting district will continue as in the current year.

ADMITTING DISTRICT

RESIDENT DISTRICT

Chairman of the Board

Chairman of the Board

Business Manager

Business Manager

Date

Date

Yellowstone School District # 14

Tuition Cost for 2000-2001

**Maximum Charge to YSD #14
(1999-2000)**

Actuals (1999-2000)

1 General Fund Estimated Budget 99-00	\$828,929.54
2 Retirement Fund Estimated Budget 99-00	\$70,000.00
3 Total Estimated Budget 99-00	\$898,929.54
4 ANB (Average Number Belonging) Fall Enrollment+ Spring Enrollment (105+102) / 2 x 187 / 180	\$107.53
5 Expenditures / ANB (#3 / #4)	\$8,359.81
6 Montana Payment / ANB (State ANB & SpEd pmt / ANB) (347,489.01 / #4)	\$3,231.56
7 Remaining Cost (#5 - #6)	\$5,128.25
Converting ANB #7 to per Student cost (#7 x 187/180)	\$5,327.69
8 Total Cost #7 per student cost x Yellowstone SD ADM (29) (5327.69 x 29)	\$154,503.01

1 General Fund Actual Expenditures 99-00	_____
2 Retirement Fund Actual Expenditures 99-00	_____
3 Total Actual Expenditures 99-00	_____
4 ANB (Average Number Belonging) Fall Enrollment+ Spring Enrollment (00-01) (___ + ___) / 2 x 187 / 180	_____
5 Expenditures / ANB (#3 / #4)	_____
6 Montana Payment / ANB (State ANB & SpEd pmt / ANB) (347489.01 / #4)	_____
7 Remaining Cost (#5 - #6)	_____
Converting ANB #7 to per Student cost (#7 x 187/180)	_____
8 Total Cost #7 per student cost x Yellowstone SD ADM (___)	_____

The estimated current year budget/maximum cost column will be completed by the admitting district before the tuition agreement is signed by both districts.

The actual column will be filled out by the admitting district following the current year and sent to the Yellowstone School District Business Manager by July 31st.

Payments to the admitting district will continue as in the current year.

ADMITTING DISTRICT

RESIDENT DISTRICT

Chairman of the Board

Scott Rudman

Chairman of the Board

Business Manager

Ann Ochs

Business Manager

Date

7-11-00

The Board of Education of Yellowstone School District, offers the following proposal concerning expenditures by Fairview Public Schools Board of Education.

1. Yellowstone School district will pay \$100.00 per student ADM for students in grades 9-12 residing in Yellowstone School District attending Fairview Public School.
 - ✓ a. These expenditures will be based on expenditures by Fairview Public Schools in the area of technology.
 - b. The expenditure encumbered by Yellowstone School District will begin on September 1998 and ensue for ten consecutive years at the rate of \$100.00 per student ADM for grades 9-12 of Yellowstone School District students attending Fairview Public Schools.
2. At the close of the third year of this agreement, representative committees' from the Boards of Education shall meet to discuss changes deemed necessary. Such changes shall be accepted upon Board action of both parties.
3. Yellowstone School District shall receive itemized expenditure disclosures from Fairview Public Schools for technology expenditures for grades 9-12 for each year of this agreement.
4. Yellowstone School District would like the opportunity to have one of our technology committee members present at your technology committee meetings to pick up information to help us stay abreast with your advancements and give us knowledge in purchasing technology equipment for our school and students.

Fairview Public School

Dennis Trudell
Chairman of the Board

Barbara Ypelson
Business Manager

December 17, 1997
Date

Yellowstone School Dist. 14

James E. Paulson
Chairman of the Board

Ann Ochs
Business Manager

December 2, 1997
Date

2000-2001

Fairview Junior High & High School Schedule

M-Th Schedule	8:30-9:20	9:22-10:13	10:16-11:06	11:09-12:00	12:34-1:26	1:29-2:22	2:25-3:18
Fri Schedule	8:30-9:15	9:18-10:02	10:05-10:51	10:54-11:40	12:16-1:01	1:52-2:35	1:04-1:49
Saari	JH Music	Prep	Music Appreciation Music Appreciation	Choir	Study Hall	Beginning Band	Band
Taylor	Physical Science	Env. Science Zoology	Science 8	Science 6	Prep	Science 7	Human Anatomy Biology 2
Bills	Physical Science	Physics	Chemistry	Astronomy Geology	Biology	Biology	Prep
Bouchard	English 3	Amer Short Story World Literature	English 2	English 1	English 3	English 4	Prep
Holland	English 4 Lit App & Applied Comp	Prep	English 2	English 1	History 7	College Prep Language 8	Montana History
Falman	JH Study Hall	Language 6	Prep	A&Cr 8/A&Cr 7	Math 8	Social Studies 6	Math 6
Flynn	Title 1	Title 1	Reading 6	Title 1	Prep	Title 1	Language 7
McConnell	Calculus	Advance Math	Study Hall	Business Math	Algebra 1	Algebra 2 / Trig	Prep
Newhall	Prep	Algebra 1	Math 7	Software Excel	Geometry	Geometry	Applied Math Math Concepts
Kimbrell	Geography	General Business	Civics	Prep	Office	Computerized	Study Hall
Sander	Geography				Procedures	Accounting	
	American History	World History	Prep	Business Law	American History	Drivers Ed	World History
Selvig	PE 10	Elementary	Elementary	PE 7	PE 6	Drivers Ed	History
	PE 10			PE 8	PE 6	PE 9	Elementary
Clark	Prep	Keyboarding 7	Keyboarding 9	Tech Coordinator	K-5 Art	PE 9	
Fink	Prep	Keyboarding 8	Keyboarding 9			Advanced Art	Intro to Art
(CAD by Arr)		Applied Science in Ag & Technology	Intro Ag Tech	Vo-Ag 8	Ag Power	Advanced Ag	Intro to Art
Weber	Career Exploration	Buzz on Business	Intro Ag Tech	Study Hall	Mechanics		Ag Woods
	Fiber Crafts	Marriage & Fam	Child Develop	Study Hall			
Taylor, R			Begin Foods	FCS 7			
Shaide, K	Accelerated Reader and Library Practicum by arrangement					Advanced PE	
Spanish ITV		Spanish 8				Spanish 1	
		Spanish 7					

9:08-9:59

JH students will be released from 1st pd class at 9:05 for Spanish
On Fri. pds 6 & 7 will be switched to allow for Spanish classes

1:40-2:31

Students will be released from 5th pd class at 1:37 for Spanish 1

Senator Freborg, Committee Members:

I am Lois Anderson, County Superintendent of Schools in Slope and Bowman Counties. In Slope County, I directly supervise three elementary school districts. Each school provides the best possible education and their students learn to work and study individually as well as in group situations. Although teachers have multiple grade levels, they provide a great deal of individual attention to each student and are familiar with, and knowledgeable about, each student's abilities and needs and can fit the instructional program to each student. These students are generally honor students when they get to high school. Should they be missing some area of study when they begin high school, they are able to "catch up" quickly because they have learned to be responsible and study.

Cost of education per pupil is high in these districts. Due to the thirty-two mill deduct requirement for foundation aid, most receive very little, and sometimes no, state payments. Patrons of these districts do pay for educating their children. Although open enrollment has allowed students to attend another district without tuition, these districts are required to pay high school tuition to that other district when the students reach that level.

I believe that no elementary district wishes to provide high school level education. It would not be feasible due to the low enrollments, most likely impossibility of finding teachers for each field of study, and costs associated with such an endeavor. I also believe that these elementary districts wish to provide quality education for the younger children in their areas and that their patrons would rather have their children closer to home during the early grade years rather than have a bus route which would involve much time away from home early mornings and late afternoons.

Eventually these districts may have to join another district due to decreased enrollment or to having no more students. That should be their decision and they should not be forced to make it.

I respectfully request that you do not pass Senate Bill 2270.

Lois J. Anderson

SB2270

Senate Education Committee Hearing: February 5, 2001 10:15 A.M.

Mark and Katie Luther

3355 County Road 139, Mandan, ND 58554

663-2720

My husband and I are opposed to this bill because our children would be so deeply affected by it. Our local school, Sweet Briar, would be closed if this bill becomes law simply because we don't have a high school in our district. We have had our children at Sweet Briar school for a total of seven years and have been extremely happy with the education and environment that the school provides. Our daughter, Megan, graduated from Sweet Briar with excellent preparation both academically and socially for high school. She is now a Sophomore at Mandan High School and the change from 16 students to 1300 students was a positive, exciting and challenging transition. Megan has never failed to be on the honor roll and had no trouble fitting in and making friends. The preparation she had at Sweet Briar is a large part of the reason. She learned how to interact with kids of a large variety of ages, how to learn independently when necessary, how to concentrate and be productive with a certain level of noise and distraction. The particular environment of the school is one where the students hear the curriculum of the other grades over and over again as they go through their own work. She also had the opportunity to strengthen her understanding of certain subjects while helping some of the younger students that were having difficulty. We also have a son, Jed, who is a 5th grader at Sweet Briar and a 2 year old, Sam, that we hope will also attend there when the time comes.

My husband and I both earned masters degrees at the University of North Dakota. We are able to evaluate what is the best educational environment for our children. We both moved here from out of state to attend graduate school and have stayed for 20 years because of the quality of life we have found here. Our friends across the country are actually jealous of the school situation we have here. In fact when we tell people from other states about life in North Dakota our rural school is probably the thing they admire most.

Districts like ours are necessary in North Dakota and becoming more necessary as time passes. A bill like this is introduced nearly every session and has thus far been defeated each time. For a while each time this type of bill was introduced there were fewer schools affected. Until now. Because decreasing population of some of our smaller cities in North Dakota has forced them to close their high schools, there are actually more graded elementary districts now than there were four years ago. Parents in these districts are choosing to keep their young children close by and allowing their older students travel the great distances to high schools in neighboring cities. It makes sense to do this. The young ones should be kept closer to home. If these towns are forced to lose their local schools there is one less reason for people to live there, thereby weakening already faltering communities.

Some of you may have children in school, some of you may have grandchildren in school. Please consider the following as if you were a parent concerned about the well being of your children and your community.

If you live in a school district with a high school you probably can send your kids to a neighborhood school.
So can we.

Your kids probably don't have to ride the bus an hour and twenty minutes each way to and from school.

Neither do ours.

You know the families of their friends.

So do we.

Events at school define and enrich your community.

So also for us.

You don't have to travel far when your child gets sick.

Neither do we.

You can go a short distance to volunteer at the school or attend a Parent-Teacher conference.

So can we.

Your kids get an excellent education and excel in High School.

So do ours.

The school in your neighborhood is probably meeting your needs in an affordable way.

So is ours.

(In fact Sweet Briar School had the lowest cost per student in the state according to the most recent Department of Public Instruction (DPI) School Finance Facts report. This fact should promote the creation of more schools like ours instead of seeking their destruction.)

In one way however we are very different:

You don't have to continually defend your right to have a local school for your children.

But we do.

If SB2270 passes our kids will have to ride the bus nearly three hours a day, their neighborhood friends will not necessarily be in their classes. Volunteering at school, fetching an ill child, attending meetings, and monitoring the progress of a child will become much more difficult if these kids are all forced into the bigger city schools. The community of Sweet Briar is defined by the school district and if there were no school activities there would be little reason for the people living there to even see each other. The school makes us a community. It defines us as a community.

The people living in these smaller districts and paying the taxes should be the ones to decide whether or not to keep their school open, not the government of the state of North Dakota. The mechanism is already in place to close these schools and consolidate with larger districts if the people living there choose to. This country is built on freedom of choice. The freedom of local districts should be protected and not attacked

by the state government intended to serve them. In light of President Bush's push to allow school choice in America, Senate Bill 2270 is a strong step in the opposite direction. It is appropriate to continue to allow parents to decide what is best for their children and not the state government.

That our DPI is trying to crush something that is the envy of the rest of the country is incredibly inappropriate. The sense of community and neighborhood created by the existence of the schools that this bill will take away is something that is sorely lacking in modern America.

We are tired of revisiting this issue and having to rescue our school from this type of bill every two to four years. There seems a disdain by the DPI for the small schools in this state that is unfathomable to us, unless the people behind this bill have never spent any time at all finding out what is really happening at these schools. Perhaps someone in the DPI had a bad experience at a small school in the past but let me assure you, my personal experience suggests this is the exception not the rule.

We don't appreciate DPI's efforts at top down centralized planning of what they think is best for our children

We can all name several countries where it has been discovered the hard way, that top down, centralized management doesn't work. It doesn't work here either.

This is a local control issue. The parents who pay the taxes, paint the school, install the carpet, maintain all aspects of the school, volunteer their time, and contribute to their community are your constituents and should be the ones to decide whether to have a public school in their area, not the DPI.

Please vote "do not pass" on Senate Bill 2270.

Thank you.

SHELDON PUBLIC SCHOOL

23 Grand Avenue North
Sheldon, ND 58068-4009

Phone: 701.882.3221 Phone & FAX: 701.882.3434

Sandy Bartholomay/Board President

Tammy Boeder, Business Manager

Susan Dopp, Superintendent/Elementary Principal
sdopp@sendit.nodak.edu

To: Senate Education Committee

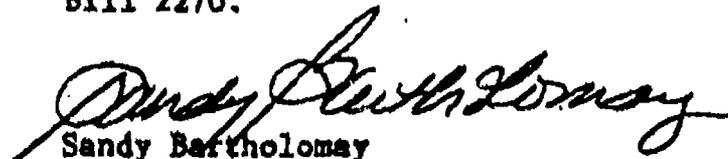
From: Sheldon Public School Board

Subject: Opposition to Senate Bill 2270

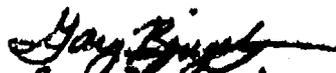
We, the undersigned, would like to voice our strong opposition to Senate Bill 2270.

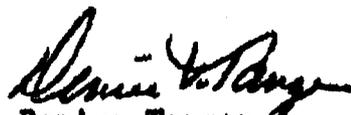
The Sheldon Public School offers a quality education for grades K-6. There is strong community support for our school and we are fiscally sound.

We, the members of the Sheldon School Board, ask for a no vote on Senate Bill 2270.


Sandy Bartholomay


Cindy Bartholomay


Gary Bjugstad


Denise Tangen


Matthew Bartholomay

Chairman Freborg and Members of the Committee, I'm Nancy Grosulak, a school board member from Billings County, and I'm here in opposition to SB 2270.

Every school district in this state is unique and has its own unique problems and situations.

It is for this reason I feel that any decisions in regard to reorganizations, annexations, etc. should be made by the local school districts, and not by the State. They are the best qualified to know if and when this process is right for their district.

Perhaps it is not to every high school district's advantage to have a nearby elementary district attached to their district, and perhaps it will not be in the best interest of every elementary district. Bigger is not always better.

Most importantly, this bill has the potential to have a profound impact on the children involved. Small schools in remote areas are necessary, but expensive to operate. There are no guarantees that the new district would not close them eventually, if not immediately, and the students would need to travel even longer distances to school.

By giving this bill a "do not pass" recommendation, you would be giving a vote of confidence that the local school districts are capable of making the decisions effecting the welfare of their children. I don't believe that confidence would be misplaced.

Thank you.

HORSE CREEK SCHOOL

DISTRICT #32

HC 2 Box 8
Cartwright, ND 58838
(701) 565-2252

February 5, 2001

Senate Education Committee
600 East Boulevard Ave.
Bismarck, ND 58505

RE: Senate Bill 2270

Dear Senate Committee Member Christenson,

Horse Creek School District #32 opposes Senate Bill 2270. We are a rural elementary school district, which encompasses 300 square miles and borders Montana. Our nearest towns are Sidney and Fairview Montana. Most of the high school age students in our district go to high school in Sidney and Fairview. A lot of the parents in our district work in Sidney or Fairview because they are by far the closest towns to our district. It would be an unreasonable burden for these students and parents to have to travel to Alexander and Watford City, North Dakota. The transportation expenses for these North Dakota high schools would be high to transport our students because of the distance, 34 miles and 58 miles respectively, from the center

of our district. It would be unreasonable to ask our students to ride a bus for hours each direction.

We believe that our students are receiving a solid education. Our students consistently excel in the high schools that they choose to attend. Larger schools are using Federal money to reduce the size of their classes to give children more attention. We are already doing this without the aid of grant money. Combining districts would only complicate this issue.

The Horse Creek School District has a large amount of Federal Land within its boundaries, which decreases the taxable acres within the district. There would be more expense than monetary gain involved with the absorption of our district by another district.

We ask that you don't force us into a situation that we feel is not in the best interest of our students. Being part of a Democratic Society means that we should have the freedom to decide what situation is best for our students.

We want to do what is best for the students in our district. We ask that you leave the control at the local level for us to decide.

Greg Pennington
Horse Creek School Board President

Greg Pennington

To: Education Subcommittee Chair - Layton Freborg

Members of the committee, I am John Winter, currently a school board member at Horse Creek rural elementary school district, located on the North Dakota-Montana state line. I fully support Mr. Buxbaum's testimony for Yellowstone, Horse Creek, and Earl school districts, and urge a NO vote on SB 2270. The following issues, which I will briefly discuss, also support a NO vote:

- 1.) Quality of education at our rural elementary school is very good.
- 2.) The needs of families living next to state lines must be considered.
- 3.) If funding is equalized, then programs must also be equalized
- 4.) If something is not broken, there doesn't need to be a solution.

I, my four brothers and sisters, and many of our neighbors are products of our rural elementary school. Under whatever standards the graduates of our school would be measured- achievement test scores, success in high school, success in college, etc- we are well above average in our state.

Someone has to live next to the North Dakota-Montana state line. The lay of the land placed the towns of Sidney and Fairview right on the state line but with the high schools in Montana. Due to distances involved, many North Dakotans work in these towns and depend upon many services, (including emergency), from these towns. That is why the area is called Mon-Dak.. Passing this bill would cause hardships on these families and undo the very necessary relationships that have been worked out over many years.

Our school district pays fully for the high school education. The admitting high school district sets the amount through the tuition agreement. We are very satisfied with the current arrangement and do not want any changes. This clumsy attempt at equalizing funding does not discuss the accompanying issues of equalizing programs, time spent on buses, and many other issues which all support a NO vote.

Finally, the major flaw in this bill is that the needs of the families with children in our area are not considered, nor were they even consulted. This bill will not result in better education for our students, but will cause hardships in our area.

John Winter

Earl School District #18

HC 56 Box 0082 ♦ Sidney, MT 58270
Phone 701-565-2249

February 5, 2001

Dear Chairman Freborg and Members of the Senate Education Committee,

As persons involved in the North Dakota education system we are faced with the challenge of finding solutions to deal with the issues of declining enrollment and school finance as well as providing the best education we can for our young people. We at Earl School District #18 are very aware of how great of an undertaking this is and appreciate your efforts on behalf of the students in North Dakota schools.

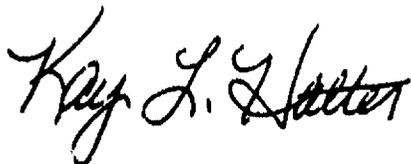
Senate Bill #2270 requiring school districts to include grades 1-12 within their boundaries is a concern to Earl District #18. We are a large district located in the southwest corner of McKenzie County, between the badlands and the Montana state line. The boundaries of Earl School District encompass an area in excess of 260 square miles, however, less than 30% of the property in this area is privately owned and has a taxable valuation. We would be a financial burden to any high school district if this district were to provide the services to our students that they provide for their own. The taxes would have to be increased to cover the cost of educating our students and theirs. If the tax rate was not increased the quality of education would suffer. In the past, students from our district have chosen to attend high school in Beach and Watford City in North Dakota and Sidney, Montana which are 45, 60, and 25 miles respectively from our school. Our students have been accepted and excel in the high schools they have chosen to attend. In consideration of distance, family togetherness, curriculum, and extra curricular activities, the local board has made necessary financial arrangements to support the host district. Our current arrangement with Sidney High School district requires that we compensate them with their "Total cost of education" per pupil. This arrangement has been very satisfactory to both parties and did not require that we be annexed into a high school district. We would be willing to

enter into a similar arrangement with any high school district our students choose to attend. If you allow us to maintain local control, we can continue to provide quality education to our students in this manner. We currently have 10 students enrolled in our district and our census shows 9 additional students in the future.

Our district is made up of family ranching operations. Senate Bill #2270 would have a devastating effect on property values in our area. Education of children is a major concern of young families considering the purchase of a ranch in our area. The prospect of bussing children in excess of 50 miles one way to attend school is not a strong selling point considering the child would be putting in a 12 hour day just to go to school. However, this is quite likely a reality under Senate Bill #2270. Our district has been able to work with families to attend a school that is oriented to their ranch location. In the best interest of the children's education, the provisions are already in place for us, the local board, who best knows our unique situation, to consolidate or annex or take whatever steps are necessary to give our children the best education with the least family disruption. Let us keep the local control of our districts and continue to run it in the prudent manner we have been and not have our decisions made by someone 60 miles away or in Bismarck.

Chairman Freborg and members of the Senate Education Committee, we ask that you do not support Senate Bill #2270. Thank you for your consideration of this matter.

Sincerely,



Kay Hatter
President of Earl School Board

Dean Bard



North Dakota Small Organized Schools

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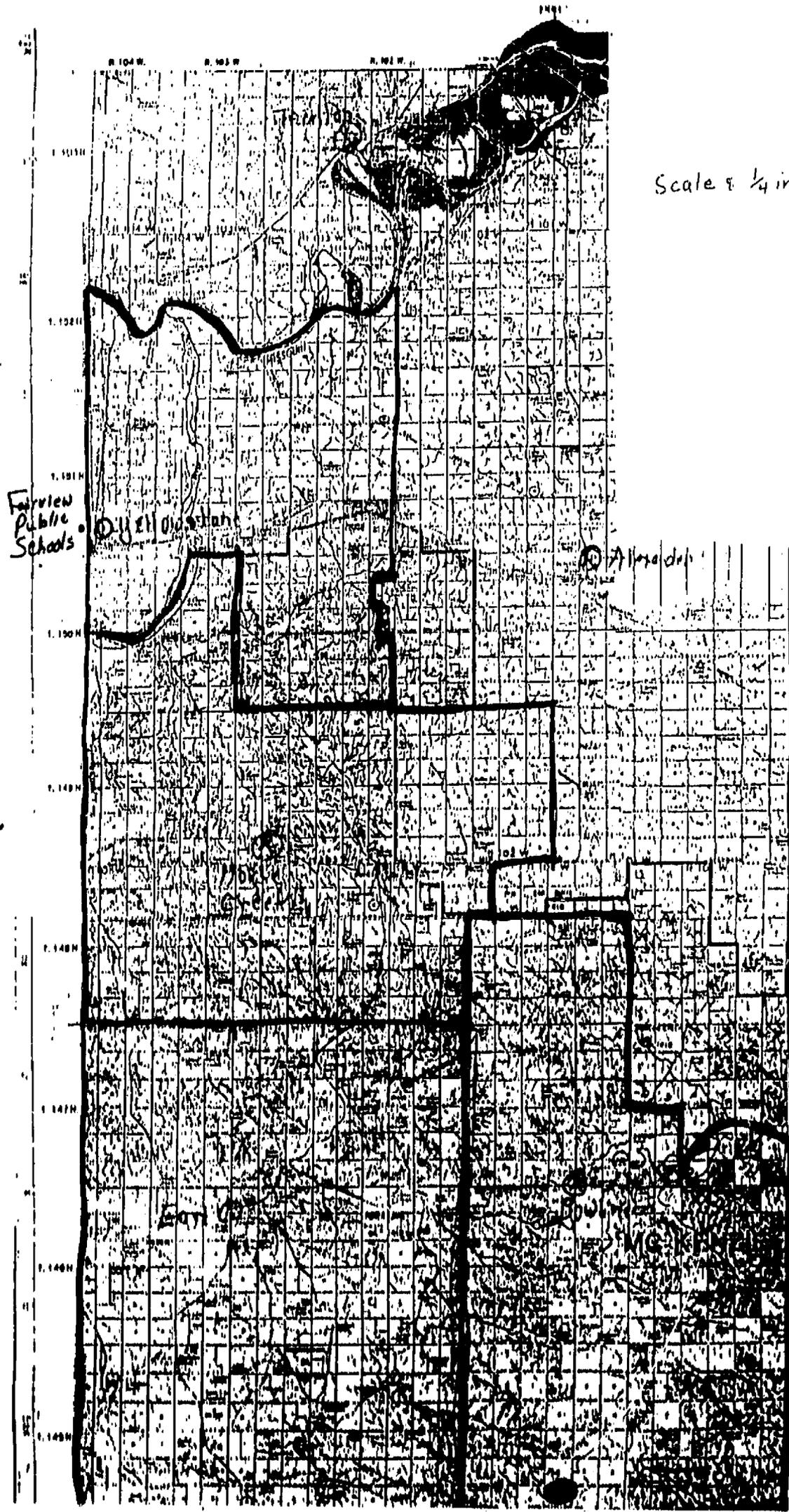
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**North Dakota
Small Organized
Schools**

**Legislative
Program
2001**

LEGISLATIVE PROGRAM

1. The 90% cap on state transportation costs should be eliminated and districts should be reimbursed for 100% of cost. Reimbursement for busses with a capacity of transporting 10 or more students should be increased from 67 cents to 75 cents per mile for transporting students living outside the incorporated limits of a city. Transportation services for special and vocational education should continue to be funded.
2. All schools should have access to improved distance learning technology for instructional purposes and this program should continue to be funded. School boards should have the authority to levy up to 5 mills to meet funding costs. In addition, school building fund tax monies should be allowed to be used for the purchase and maintenance of educational technology equipment for student instruction.
3. Each school district's interim fund has been established and managed to meet local conditions and needs and therefore should not be subjected to additional state-mandated restraints or controls.
4. Teacher salaries are a matter of paramount importance and it is the responsibility of each local school district to determine such salaries, in accordance with local conditions and needs, so as to attract and retain quality professional instructional personnel.
5. NDSOS supports legislation that funds special education in an adequate and equitable manner and at a level that enables school districts to meet the needs of special education students. The state should have a responsibility to fund at least 70% of the cost of special education.
6. The establishment of each school's calendar is a matter of local control. The legislative assembly should permit schools to have more flexibility to determine the length of a school day. Schools should also be given the authority to provide an additional two days of state-funded professional staff inservice training.
7. NDSOS supports legislation that would allow school boards to increase property taxes by a maximum of three percent each year after reaching the millage cap. The cap should not be less than the average statewide school district tax levy. State foundation aid should be founded on a broad-based, stable state supported system which insures basic education standards for all students no matter where they may live. These elements should be a part of any plan:
 - 70% of the cost of education should be met by the state foundation aid program.
 - There should be no increase in the millage deduct until the state reaches a level of funding that equals or exceeds 70% of the statewide average cost of education. The value of all local tax-abated real property should be included in the calculation for state foundation aid entitlements.
 - All sources of wealth should be included in the calculation for state foundation aid entitlements.
8. The association continues to believe that the changing of school district boundaries is a matter for local determination. Therefore, any legislation that permits a reorganization to be effective without a favorable vote of the patrons of the district or districts that are affected, will be opposed.
9. It is recognized that mandated educational requirements issuing from the state are necessary for the comprehensive delivery of educational services. However, it is also believed that the state should fund at 100% any new mandate that it requires, and, if no funding is made available, then school districts should not be required to comply with the mandate. Interim committees of the North Dakota Legislative Council should continue to review current practices to determine which educational mandates are no longer current or necessary and should be deleted.
10. While recognizing the importance of the Americans with Disabilities Act, handicapped access requirements, fire and life safety codes and other state and federal mandates, schools should be given a reasonable time to comply with these provisions in areas that are not inordinately hazardous. School districts should be able to obtain loan funds from state construction fund and other sources on a long-term, low-interest rate basis to meet these costs.
11. NDSOS opposes legislation that establishes charter schools or voucher systems or tax credits for private schools.



Scale $\frac{1}{4}$ inch = 1 mile

Fairview
Public
Schools

Almaden

Yosemite