

FISCAL NOTE
Requested by Legislative Council
12/19/2014

Bill/Resolution No.: SB 2089

- 1 A. **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.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 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

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

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties	\$0	\$0	\$0
Cities	\$0	\$0	\$0
School Districts	\$0	\$0	\$0
Townships	\$0	\$0	\$0

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

No fiscal impact noted. Dual credit and AP (Advanced Placement) courses are currently available to students. This bill provides another option for students to have access and/or qualify for the academic scholarship.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

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.*
- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Dr. Sherry Houdek

Agency: Public Instruction

Telephone: 328-2755

Date Prepared: 12/29/2014

2015 SENATE EDUCATION

SB 2089

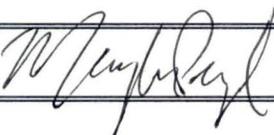
2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SB 2089
1/14/2015
Job # 21935 (14:45)

Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

(Initial hearing)
relating to eligibility for a ND academic scholarship

Minutes:

Attachments #1

Chairman Flakoll called the committee to order at 9am with all committee members present.

(1:40) **Michele Burian**, Assistant Director of Teacher and School Effectiveness for the Department of Public Instruction (see attachment #1)

(3:55) **Chairman Flakoll**: Give me an example of a class taken that may have qualified.

Burian: They may take a college course such as college algebra, but the high school can't offer college algebra because the algebra teacher isn't qualified for teaching a college course.

Chairman Flakoll: Smaller schools aren't in close proximity to campuses, how would that reconcile?

Burian: We are using Dickenson state, but now they require master's degrees to teach dual credit courses, and the teachers don't have them.

Chairman Flakoll: would the students have to be physically present in classes or a distance delivery method?

Burian: It would be in their high school as a dual credit class. The issue is the teachers' credibility.

Chairman Flakoll: The Distance of Continuing Education would be outside the purview of the bill since it specifically says "in institutions of higher education", correct?

Burian: Correct.

(6:05) **Vice Chairman Rust**: Wouldn't an online course from an accredited institution qualify?

Burian: That is what this is about. The high school may not count it as a dual credit, yet they would get college credit. If this bill would pass, they can use that college algebra for

the eligibility for their scholarship. The issue is high schools not putting it in their transcripts since they are not offered in the high schools.

Chairman Flakoll: On Page 3 line 5, it references an "accredited institution of higher education in the state". Therefore it would be the 11 campuses in the North Dakota University System; however would it also include such campuses as Jamestown, University of Mary and Rasmussen?

Burian: I believe it would.

Chairman Flakoll: would it also include such campuses that are accredited and have a presence in the state through the organization of SARA such as Phoenix or Capella?

Burian: it would only be North Dakota accredited Universities. It wouldn't be taking credits from out of state.

Chairman Flakoll: But could a student in Bismarck take a course through Capella and have it count?

Burian: that was not the intention of this bill, but may be amended.

Chairman Flakoll: As you read the bill, do you think it would qualify? Is it a physical presence in the state or that they meet the qualifications of accreditation in the state?

Burian: It would be one of our North Dakota Universities.

Chairman Flakoll: What about tribal colleges?

Burian: I would assume so.

(9:20) **Senator Davison:** Is it required to take a dual credit or AP class for the state scholarship?

Burian: for the North Dakota academic scholarship, yes.

Senator Davison: It's disappointing that high schools need the 5 units per semester to get the full foundation aid, but if somebody decides to take the 6 class that they wouldn't include it in the high school transcript. I've never heard of that. Is not the cost a greater challenge for dual credit classes as opposed to access?

Burian: The biggest concern addressed with me in my work has been access to dual credit classes. It is a small percentage, but still leaving out some of our students.

(12:15) **Chairman Flakoll:** What is to prevent students in taking remedial courses in college which would in essence defeat the purpose of taking a dual credit or AP class?

Burian: The high school would have to agree to code it as a high school course.

Chairman Flakoll: That would lead to inconsistencies.

Senator Davison makes a request to see history on the growth and use of the academic scholarship by numbers and appropriations with dollars each year.

Chairman Flakoll closes the hearing on SB 2089.

2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SB 2089
1/14/2015
Job #21990 (8:42)

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Committee Work

Minutes:

No attachments

Chairman Flakoll: It seems like you can simply take any college course, but I'm concerned individuals would take remedial college courses. It should be actual college credits.

Thomas: On page 3 it says the student has to fulfill any one year requirement set forth in subsections 1-7 by completion in an early entrance program of a post-secondary course offered for credit. It would be an English course offered at the post-secondary level, and if you wanted me to add non-remedial to make sure...

Chairman Flakoll: From my standpoint, these requirements we put in place are for them to start transitioning into college and have them fully prepared. If we allow them to take high school equivalent classes, it's not beneficial.

Thomas: remedial courses aren't usually offered for credit.

Chairman Flakoll: not always however sometimes the student gets credits just not necessarily for graduation or towards their major.

Thomas: If there is grey area then it can and should be amended.

Senator Davison: you can take an online PE class at NDSCS. This section is too broad and there needs to be clarification.

Chairman Flakoll: I want it to be a gateway into college, specifically focusing on the core academics.

Thomas: I will work with the language along those thoughts

Senator Oban: we talked about clarifying the language about "in the state". Perhaps we can say an accredited "North Dakota" institution of higher ed. I'm not sure if it changes it, but some clarification is needed.

Chairman Flakoll: We want to specify that it is an institution with a physical presence in ND.

Senator Davison: With the other bills we listened to this morning, all the other scholarships had brought to our attention the number of students who have been impacted, but this one fails to do so.

Chairman Flakoll: Perhaps it is indeterminable.

Chairman Flakoll ends the discussion of SB 2089.

2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SB 2089
1/21/2015
Job # 22313 (19:17)

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

COMMITTEE WORK

Minutes:

No attachments

Chairman Flakoll: I would note that this one has no fiscal note.

Vice Chairman Rust: This is not that much different than a dual credit class.

Chairman Flakoll: I wonder if we should consider having Superintendent Baesler give additional testimony.

Senator Davison: I agree. This allows a lot of freedom within this scope. There is enough current access to fulfill the requirement as the law reads already without "b" in there.

Chairman Flakoll: The testimony wasn't compelling.

Senator Oban: I'm trying to come up with a scenario based on where I grew up and what was available in a very small school. Could I go up to Williston State College as a high school student and take college courses?

Vice Chairman Rust: Now days you can.

Senator Oban: Would this not count as an example they are talking about?

Chairman Flakoll: It would seem so.

Vice Chairman Rust: If you have a school that doesn't have a dual credit and part of the qualifications require you to do so, you can't take it at your school but you could drive to Williston to take a college credit course. There's no difference.

Chairman Flakoll: There is no provision that if you can't get it locally, you can go to another place. What's to prevent professor shopping?

Vice Chairman Rust: In order to qualify for these scholarships, you must complete many steps. This is one of the steps to satisfy in order to get the scholarship. I don't see it as being professor shopping, at least not in our area of the country. If a school has problems and can't get a dual credit class and in that manner fulfill the requirement of being able to get this scholarship, why would we want to prevent that? Why not allow one college credit class?

Chairman Flakoll: It's one unit, and one unit is different in high school then it is in college. What may be a calculus class in high school may be one unit but in college it is 3 credits.

Vice Chairman Rust: What's the difference between taking, say college algebra, in Williston versus taking it in Tioga?

Chairman Flakoll: The state would be paying twice for the same credit through the K12 funding formula.

(9:37) **Senator Davison:** What if there are 10 kids who want to take that class and Tioga is already offering that dual credit course? We start losing control of where and when students go, and it's difficult to structure your work. If they are only getting credit with the college, are you making them take enough credits back here so you get your full ADM and how is that working? There are many things that could happen based on this new wording. Secondly, I had NDSCS email me their guidelines for college dual credits offered. We were having a discussion about dual credit contracts. Their wording says any North Dakota student in grades 10-12 who have received permission from the high school administrator and has met the entry level requirements of NDSCS, is eligible for a dual credit course. Therefore all that matters is that the high school administrator approves. To take it further, anyone in North Dakota can take a dual credit course at NDSCS with approval, but there is no agreement to say that those are the only dual credit classes. Dual credit simply says you're recording it in the high school and college.

Senator Oban: This point leads us back to the testimony saying that they don't record these credits onto the high school transcript.

Senator Davison: Yes. If the high school administrator doesn't agree with it, it doesn't get recorded on the transcript. However the student can still take the class, it just simply wouldn't be recorded.

Vice Chairman Rust: That may go back to some problems within the school. There are situations where schools will create rules. Many schools had a policy that if a school offered a class, you weren't allowed to take it anywhere else but the school.

Chairman Flakoll: In Tri College they can't take a class outside of their home college if it is offered at the home campus unless you petition.

Senator Oban: Can we add that contingent language?

Chairman Flakoll: There is logic in that. We want convenience for students, but at the same time we do not want to take all of the students out of the high school.

Senator Schaible: This is a situation that if the superintendent would sign off these, they are all acceptable now. Most small schools will find a way to make it work to benefit the student. I can't imagine there being a scenario that if the school agrees a student needs a class, wants to take it and there is a vehicle to do so, they won't sign off for it. Why would you not do that for your students? It seems like we are micromanaging. The scholarship should be relatively simple.

Chairman Flakoll closes the committee work on SB 2089.

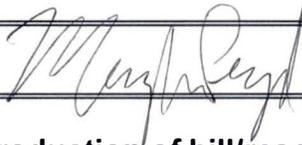
2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SB 2089
1/21/2015
Job # 22317 (6:20)

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

COMMITTEE ACTION

Minutes:

1 attachment

Chairman Flakoll: The amendments before you start page 3 line 3. The major adjustments are that the credits cannot be remedial classes that they take in college and also there must be a physical presence instead of simply being a state institution. *(see attachment #1)*

Senator Schaible moved that the amendments be adopted.

Vice Chairman Rust seconds the motion.

A vote was taken: Yes: 6, No: 0, Absent: 0

Vice Chairman Rust moved a do pass as amended.

Senator Oban seconds the motion

Chairman Flakoll: I would like to note that it shows zero fiscal notes, so it wouldn't be brought to appropriations.

A vote was taken: Yes: 5, No: 1, Absent: 0

Senator Davison opposed the motion.

Senator Oban will carry.

January 19, 2015

70
1/21/15

PROPOSED AMENDMENTS TO SENATE BILL NO. 2089

Page 3, line 3, replace "7" with "4 or 6"

Page 3, line 4, after "a" insert "nonremedial"

Page 3, line 5, after "education" insert "which has a physical presence"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2089, as amended: Education Committee (Sen. Flakoll, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2089, as amended, was placed on the Sixth order on the calendar.

Page 3, line 3, replace "7" with "4 or 6"

Page 3, line 4, after "a" insert "nonremedial"

Page 3, line 5, after "education" insert "which has a physical presence"

Renumber accordingly

2015 HOUSE EDUCATION

SB 2089

2015 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Pioneer Room, State Capitol

SB 2089

3/4/2015

24309

Subcommittee

Conference Committee

Committee Clerk Signature

Anna Whetham

Explanation or reason for introduction of bill/resolution:

Relating to eligibility for a North Dakota academic scholarship.

Attachment #1.

Minutes:

Chairman Nathe: Opened the hearing on SB 2089.

Michele Burian: Assistant Director of Teacher and School Effectiveness for Department of Public Instruction. Introduced and in support of SB 2089. (1:50- 3:20) (See Attachment # 1).

Rep Kelsh: Would that allow them to use them to use this as a high school credit or not?

Michele Burian: No, they would not be able to use it as a high school credit.

Chairman Nathe: Any other support of SB 2089? None. Any opposition? Seeing none. Closed the hearing on SB 2089.

Rep Looyen: Moved Do Pass on SB 2089.

Rep Zubke: Seconded.

Rep Schreiber Beck: Was there a fiscal note with this?

Chairman Nathe: No.

A Roll Call Vote was taken. Yes: 12 No: 0 Absent: 1.

Rep Looyen: will carry the bill.

Date: 3/4/15
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2089**

House Education Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Looyzen Seconded By Rep. Zubke

Representatives	Yes	No	Representatives	Yes	No
Chairman Nathe	✓		Rep. Hunskor	✓	
Vice Chairman Schatz	✓		Rep. Kelsh	✓	
Rep. Dennis Johnson	✓		Rep. Mock	✓	
Rep. B. Koppelman	A				
Rep. Looyzen	✓				
Rep. Meier	✓				
Rep. Olson	✓				
Rep. Rohr	✓				
Rep. Schreiber Beck	✓				
Rep. Zubke	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Looyzen

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

REPORT OF STANDING COMMITTEE

SB 2089, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2089 was placed on the Fourteenth order on the calendar.

2015 TESTIMONY

SB 2089

TESTIMONY ON SB 2089
SENATE EDUCATION COMMITTEE
January 14, 2015
By Michele Burian, Teacher and School Effectiveness
701-328-2244
Department of Public Instruction

Mr. Chairman and members of the committee:

My name is Michele Burian and I am the Assistant Director of Teacher and School Effectiveness for the Department of Public Instruction. I am here to speak in favor of Senate Bill 2089, regarding eligibility of the North Dakota Academic Scholarship.

Provisions in this bill, found on page 3, letter b, would allow students to qualify for the Academic Scholarship by taking a postsecondary course through an early entrance program. The course would be offered for credit at an accredited institution of higher education in the state of North Dakota. Under the current eligibility requirements, students must take at least ½ unit of a dual credit course or one unit of an Advanced Placement course, along with completion of the exam.

It has happened that a student has taken college courses, but because the high school doesn't offer that course, they do not put it on the high school transcript to be counted as a dual credit course. I also have heard concerns from some of the smaller schools in the state. These schools are having difficulty offering dual credit courses

as their teachers are not qualified to teach a dual credit course because they do not meet the qualifications required from the college. Because of the shortage of teachers in our state, this makes offering dual credit courses more difficult, and sometimes impossible in some of our schools. This is unfortunate, as students may not be eligible to receive the scholarship for this reason.

With the passage of this bill, students would be allowed to use college courses they have taken for credit but are not offered as dual credit from their local high school. The college would simply provide us with the student's college transcript, which could then be used to qualify them for the scholarship. The purpose of this bill is to encourage students to pursue college credit.

This concludes my testimony in favor of Senate Bill 2089. Are there any questions?

15.8002.01001
Title.

Prepared by the Legislative Council staff for
Senator Flakoll

January 19, 2015

#1

1/21/15

PROPOSED AMENDMENTS TO SENATE BILL NO. 2089

Page 3, line 3, replace "7" with "4 or 6"

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Renumber accordingly

#1
SB 2089
3/4/15

TESTIMONY ON SB 2089
SENATE EDUCATION COMMITTEE
March 4, 2015
By Michele Burian, Teacher and School Effectiveness
701-328-2244
Department of Public Instruction

Mr. Chairman and members of the committee:

My name is Michele Burian and I am the Assistant Director of Teacher and School Effectiveness for the Department of Public Instruction. I am here to speak in favor of Senate Bill 2089, regarding eligibility of the North Dakota Academic Scholarship.

Provision in this bill, found on page 3, letter b, would allow students to qualify for the Academic Scholarship by taking a postsecondary course through an early entrance program. The course would be offered for credit at an accredited institution of higher education in the state of North Dakota. Under the current eligibility requirements, students must take ½ unit of a dual credit course or one unit of an Advanced Placement course, along with completion of the exam.

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With the passage of this bill, students would be allowed to use college courses they have taken for credit but are not offered as dual credit from their local high school. The college would simply provide us with the student's college transcript, which could then be used to qualify them for the scholarship. The purpose of this bill is to encourage students to pursue college credit.

This concludes my testimony on Senate Bill 2089. I am asking you to vote in favor of this bill.