

2015 SENATE EDUCATION

SCR 4011

2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SCR 4011
2/2/2015
Job # 22937(18:26)

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

INITIAL HEARING

Urging Congress to take a pro-education position, extricate the federal government from any role it has unconstitutionally usurped with respect to the education of our children, and eliminate the US Department of Education

Minutes:

1 Attachment

Chairman Flakoll called the committee to order at 8:30am with all committee members present.

Dwight Cook, District 34 Senator

Senator Cook: This is a simple resolution that asks the congress to eliminate the United States Department of Education. I have always been a strong proponent for state sovereign rights, and I firmly believe that education is a sovereign right given to the states. You will see that in the resolution, and that is the main reason I introduce the bill. When I graduated high school in 1969, there was no U.S. influence on the education I had. I have also watched my children and grandchildren go through the education system, and I have seen the differences. The US Department of Education does well, but I would argue that over the years in North Dakota, they have created more havoc than they have done good. I sat here when we debated "No Child Left Behind" and prior to that I remember "Outcome Base Education". When we dealt with these implementations, I soon became a strong proponent for the concept of stepping aside from the US Department of Education influence, have a link to their money in Washington, and we would fund education by ourselves.

Chairman Flakoll: You chair the finance and tax committee?

Senator Cook: Correct.

Chairman Flakoll: Do you have 250-300 million dollars to replace the school lunch program and special education programs to supplant what we currently receive federally?

Senator Cook: The resolution asks for the elimination of that. At that point, the money we send to Congress to fund that department can be kept in North Dakota. It would be our responsibility to find the money to fund it ourselves.

Chairman Flakoll: Aren't we a net receiver? We seem to get back more than we send to Washington.

Senator Cook: We would be in charge of what our educational cost is in this state.

Chairman Flakoll: In 1953 the Eisenhower Administration set up as part of the education department, later pulling over in 1979 as a standalone department. If we eliminate it on the federal level, would we send a message that education is less important?

Senator Cook: No. Our message would be that we are a sovereign state. Between the Legislative body and the school boards that we have in place, we would have a state of the art education system.

Chairman Flakoll: You don't have any pretense that this would actually work, do you?

Senator Cook: Am I optimistic that this resolution will motivate Congress to eliminate it? No I am not. I don't think it will happen. Ronald Reagan campaigned during his presidency for 8 years. Despite a gallant effort, he was never able to get that done. That doesn't diminish the importance of sending the message.

Chairman Flakoll: What has changed over the years?

Senator Cook: It was much more evasive with "No Child Left Behind". A lot of the debate with Common Core would end if this resolution were to be successful.

Chairman Flakoll: Where was the federal department of education involved in "no child left behind"? Were they carrying it out or initiating it?

Chairman Flakoll: I don't know who the initiator of that was. I would say it was President Bush as a Governor in Texas.

Senator Marcellais: Would you say that the Department of Public Instruction should send funding out to the reservations so they can control their own education?

Senator Cook: I haven't thought of that. Your money comes to the nation through the state of North Dakota, is that what you're saying?

Senator Marcellais: Correct.

Vice Chairman Rust: With most schools the amount of dollars we get from the federal government is in the single digit percentage wise. We get over 50% from the state depending on how you look at the formula. Would you say the amount of resources and effort spent on federal dollars is inordinate compared to the other dollars we receive?

Senator Cook: Yes, that is probably the case. You would know better than anyone.

Chairman Flakoll: Would we be better off being more prescriptive with what we don't like in terms of what they do? I don't think they will go away. During the interim, we can critique them. On one hand, we have encroachment issues and on the other there are issues where according to the resolution, that they are not spending their dollars effectively. Would we be better off including more things that we think should be done?

Senator Cook: This is my 19th year in the state Senate. It took me 5 years to realize that this public policy arena that we work in collides idealism and realism. I am idealistic with my support of state sovereign rights of state. There should be no Department of Education.

Senator Oban: Are there other departments in the federal government besides education that you would like to eliminate?

Senator Cook: There are many instances when Congress tramples on the sovereign rights of states, not necessarily with the department, but as much as simple policy they pass.

--OPPOSED --

(13:40) **Fern Pokorny**, North Dakota United (*see attachment #1*)

Pokorny: On the Department of Education's website, it does specifically mention that the states are responsible for providing the education to our children, but they are there to give us support.

Vice Chairman Rust: Have you ever seen all of the pages of assurances that we sign off on regarding the federal dollars we receive? I had often thought as a superintendent that if anyone ever came through and looked at them, I would be in trouble.

Pokorny: I have seen the documents, but I have not read them. Just like you want data to support the funding that you send out to districts, the federal government is looking for the same thing. I understand your frustration, but it's to keep us accountable. We shouldn't turn our back on the extra money we receive.

Chairman Flakoll: Would they have that option?

Pokorny: It probably depends on the program.

Chairman Flakoll ends the hearing on SCR 4011.

2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SCR 4011
2/11/2015
Job # 23661 (12:40)

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

COMMITTEE WORK

Minutes:

No attachments

Chairman Flakoll: Some committee work will be done for this resolution with a subcommittee. The one issue I have with the bill is that we get rid of the Department of Education. That is not realistic or productive, so instead we need to provide guidance for something that could or should be better. Both parties have been involved in so it is not a partisan issue. Senator Oban and Senator Davison will be working on this with a subcommittee.

Senator Schaible: Yes, that is too vast and unobtainable to eliminating the Department. More so would be how the Department contradicts the role of state involvement in education. We are sovereign to educate our kids and infringing on given right of our state to educate the students as we see fit.

Senator Oban: It is my understanding that they only want to encourage flexibility from the federal government and as much as I am against the elimination, I can understand the desire. I will work on this language.

Chairman Flakoll: Arguably they have some purposes. From a pro-education committee standpoint, if they were to get rid of that, there wouldn't be forced education dialogue. Another issue is how we would make up the difference for programs such as free and reduced and special education. The reality is the Department of Education is not going away any time soon, so it is a matter of trying to improve what they do now. We need to clarify what we want to collaborate and work separately with them on.

(7) **Senator Davison:** Is it true that we are a net gain when we get educational dollars for what we send to the federal government and the amount of dollars we get back? We should look at how that funding might come to us in a different way or what we may be losing.

Senator Schaible: We receive approximately 800 million dollars from the federal government. Some of the requirements we have from the federal government cost us 8:1 of those dollars we receive. Regardless of what we get, some of that is actually costing us

more than it is by the implication and what we have to do with them. Sometimes we get federal money and it seems like a good idea initially, but in the end it is not the net gain but actually quite a bit less if we were just to figure it out the best way to fund it as a state.

Chairman Flakoll: Special education would be something we would do regardless if we had federal funds or not.

Chairman Flakoll ends discussion on SCR 4011.

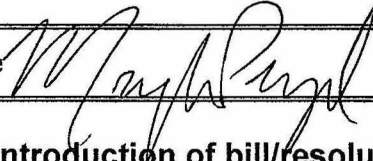
2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SCR 4011
2/17/2015
Job # 23952 (4:15)

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

COMMITTEE WORK

Minutes:

1 attachments

Chairman Flakoll called the committee to order at 9:00am with all committee members present.

(see attachment #1)

Chairman Flakoll: There is a handout from the intern relating to SCR 4011. It shows some growth in funds and clarifies budgets as far as what those dollars were spent on. How is the subcommittee doing?

Senator Oban: We are having something drafted.

Senator Davison: We're making progress.

Chairman Flakoll: When will it be ready?

Senator Oban: probably this afternoon.

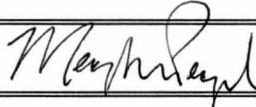
2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SCR 4011
2/18/2015
Job # 24064 (16:37)

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

COMMITTEE ACTION- Do Pass as amended

Minutes:

2 attachments

Chairman Flakoll called the committee to order at 10:00am with all committee members present.

(see attachments #1-2)

Senator Oban: After having discussions with Superintendent Baesler and Senator Poolman, there seemed to be some concern with the fact that the initial draft held stronger language than what they were comfortable with in calling for the elimination of the Department of Education. They wanted to make a point that they need things on the federal side to be more flexible and cooperative with the States. It's difficult to try to amend the language when all of the points have a firm hand while trying to change what the basic statement we are trying to make to Congress is. We took away some of the harsh language while trying to get a point across. Perhaps Senator Schaible has some comments since his name is on the resolution? Our intent is to make a point of encouraging greater flexibility and cooperation instead of calling for its elimination.

It looks like we need to have "between the United States Department of Education and the States" on lines 3-4 and 22-23.

Senator Davison: If the intent is to send a bill for the elimination of the Department of the Education in the concurrent resolution, perhaps Senator Oban and I were not the right two people to work on this. Tanya Spilovoy did a nice job in explaining some of the valuable things that the Department of Education is trying to do to streamline and work more closely with states trying to eliminate uncreditable colleges. The two of us were not comfortable with that language.

Vice Chairman Rust: Once you submit a bill, the bill is no longer yours. I am curious if the prime sponsor has been contacted because there is a significant change in the bill. One calls for the elimination of the Department and this mark up changes that. Has this information been given to him?

Senator Oban: It has not. These are the suggestions we came up with, and I would be comfortable discussing them with Senator Cook. I acknowledge this changes what his intent was.

Chairman Flakoll: I visited with him before the hearing and informed him I wasn't comfortable with the elimination of this agency.

Senator Schaible: The chance of this resolution of passing in its current language was wishful at best. The reason my name is on this resolution is from my frustration with the federal interference with the state rules of how we educate our kids. It's the statement that we are making to both the people in the state and at the national level of how we feel with how things are going. I am okay with the language we have now.

Chairman Flakoll: What are your thoughts on the amendments?

Senator Schaible: I have no problem with that.

Chairman Flakoll: I would have been okay with keeping lines 13 and 14. The Department is too costly and not efficient.

Senator Davison: We inferred this by leaving in that it has increased six fold during the past four decades, but it is not as direct.

Chairman Flakoll: What if they said the same thing about the North Dakota's Department of Public Instruction budget? Does that mean it is inefficient to what we are proposing this session?

Senator Davison: I wasn't bothered by that line. What concerned me was the elimination of the Department of Public Instruction.

Senator Oban: I was strongly opposed to having strong language in between yet softened language on both of the ends. I didn't know how to properly get the point across when we were softening up the beginning but having harsher language in between. I was trying to keep it consistent.

Senator Schaible: I have no preference on this matter.

Vice Chairman Rust: I would argue that the Department of Education is effective. They force us into a lot of things.

Senator Oban makes a motion to adopt amendment 15.3045.02000 with adding "and the states" after "the United States Department of Education" on lines 3 and 23.

Senator Davison seconds the motion.

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

The amendment is adopted.

Senator Davison makes a motion for a DO PASS as amended

Senator Schaible seconds the motion.

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

The motion passes.

Senator Davison will carry the bill.

PROPOSED AMENDMENTS TO SCR 4011

Page 1, line 1, after "a" insert "more" immediately thereafter

Page 1, line 1, remove "extricate the federal"

Page 1, line 1 after "position," insert "recognize states' rights in the roles of"

Page 1, line 2, remove "government from any role it has unconstitutionally usurped with respect to the"

Page 1, line 3, replace "eliminate" with "encourage greater flexibility and cooperation between"

Page 1, line 13, overstrike "has convinced many that the United States Department of Education is a costly,"

Page 1, line 14, remove "inefficient, and ineffective federal bureaucracy"

Page 1, line 14 remove the second "and"

Page 1, line 16 replace "threaten" with "interfere with"

Page 1, line 16 overstrike "our very future as a nation and to"

Page 1, line 17, overstrike "return the"

Page 1, line 21 after "a" insert "more"

Page 1, line 21, remove "extricate the federal government from any role it has unconstitutionally"

Page 1, line 21, after "position," insert "recognize states' rights in the roles of"

Page 1, line 22, overstrike "usurped with respect to"

Page 1, line 22, overstrike "eliminate"

Page 1, line 22, insert "encourage greater flexibility and cooperation between"

Renumber accordingly

February 18, 2015

NO
2/18/15

PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4011

Page 1, line 1, after "a" insert "more"

Page 1, line 1, remove "extricate the federal"

Page 1, line 2, replace "government from any role it has unconstitutionally usurped with respect to the" with "recognize states' rights in the role of"

Page 1, line 3, replace "eliminate" with "encourage greater flexibility and cooperation between"

Page 1, line 3, after "Education" insert "and the states"

Page 1, line 13, remove "has convinced many that the United States Department of Education is a costly,"

Page 1, line 14, remove "inefficient, and ineffective federal bureaucracy"

Page 1, line 14, remove the second "and"

Page 1, line 16, replace "threaten" with "interfere with"

Page 1, line 16, remove "very future as a nation and to"

Page 1, line 17, remove "return the"

Page 1, line 17, replace "to" with "by"

Page 1, line 21, after "a" insert "more"

Page 1, line 21, replace "extricate the federal government from any role it has unconstitutionally"

Page 1, line 22, replace "usurped with respect to" with "recognize states' rights in the role of"

Page 1, line 22, replace "eliminate" with "encourage greater flexibility and cooperation between"

Page 1, line 23, after "Education" insert "and the states"

Renumber accordingly

**2015 SENATE EDUCATION COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 4011**

Senate Education Committee

☐ Subcommittee

Amendment LC# or Description: **15.3045.02000**; also adding "and the states" after "the United States Department of Education" on lines 3 and 23.

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 Senator Oban Seconded By Senator Davison

Senators	Yes	No	Senators	Yes	No
Chairman Flakoll	X		Senator Marcellais	X	
Vice Chairman Rust	X		Senator Oban	X	
Senator Davison	X				
Senator Schaible	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:
Encouraging flexibility and cooperation between the Department of Education and the states instead of eliminating the department

**2015 SENATE EDUCATION COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 4011**

Senate 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 Senator Davison Seconded By Senator Schaible

Senators	Yes	No	Senators	Yes	No
Chairman Flakoll	X		Senator Marcellais	X	
Vice Chairman Rust	X		Senator Oban	X	
Senator Davison	X				
Senator Schaible	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Davison

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

REPORT OF STANDING COMMITTEE

SCR 4011: Education Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4011 was placed on the Sixth order on the calendar.

Page 1, line 1, after "a" insert "more"

Page 1, line 1, remove "extricate the federal"

Page 1, line 2, replace "government from any role it has unconstitutionally usurped with respect to the" with "recognize states' rights in the role of"

Page 1, line 3, replace "eliminate" with "encourage greater flexibility and cooperation between"

Page 1, line 3, after "Education" insert "and the states"

Page 1, line 13, remove "has convinced many that the United States Department of Education is a costly,"

Page 1, line 14, remove "inefficient, and ineffective federal bureaucracy"

Page 1, line 14, remove the second "and"

Page 1, line 16, replace "threaten" with "interfere with"

Page 1, line 16, remove "very future as a nation and to"

Page 1, line 17, remove "return the"

Page 1, line 17, replace "to" with "by"

Page 1, line 21, after "a" insert "more"

Page 1, line 21, replace "extricate the federal government from any role it has unconstitutionally"

Page 1, line 22, replace "usurped with respect to" with "recognize states' rights in the role of"

Page 1, line 22, replace "eliminate" with "encourage greater flexibility and cooperation between"

Page 1, line 23, after "Education" insert "and the states"

Renumber accordingly

2015 HOUSE EDUCATION

SCR 4011

2015 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Pioneer Room, State Capitol

SCR 4011
3/18/2015
25137

☒ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Donna W. Leatham

Explanation or reason for introduction of bill/resolution:

Urging Congress to take a more pro-education position, recognize states' rights in the role of education of our children, and encourage greater flexibility and cooperation between the United States Department of Education and the states.

Attachment # 1.

Minutes:

Chairman Nathe: opened the hearing on SCR 4011.

Senator Dwight Cook District 41 introduced SCR 4011. I ask for your favorable approval of it. This bill has been changed since I introduced it, I think I had it clearer what the message was, it was watered down a little bit and I liked it better the way I introduced. I am a firm believer that education is a responsibility of states and that there shouldn't be a U. S. Department of Education, I have felt that way all along we had a President Ronald Reagan that ran with that as part of his platform, unfortunately while he was president he couldn't get it accomplished. That doesn't mean it still shouldn't go. The resolution was introduced to send the message that they should eliminate the U. S. Department of Education. You can see now that they have backed off a little bit. I would answer any questions. **2:18**

Chairman Nathe: Any other support of SCR 4011? Any opposition to SCR 4011?
Closed the hearing on SCR 4011.

Vice Chairman Schatz: Moved Do Pass on SCR 4011.

Rep Rohr: Seconded.

Rep Hunskor: Give us an overview.

Chairman Nathe: If you look at lines 21 and 22 it just gives congress direction to take a look at state's rights in the role of education and I think that is the meaning of it.

Rep B. Koppelman: I agree with the bill sponsor and I would like to have the language return to the original and if they would withdraw the motion and second I would like to entertain an amendment to return it to that.

Vice Chairman Schatz: I will withdraw my motion on a do pass on SCR 4011.

Rep Rohr: I will withdraw my second.

Rep B. Koppelman: I move to amendment it to the original version (See attachment #1)

Rep Rohr: seconded.

Rep B. Koppelman: The original measure was 15.3045.02000 according to Laws.

Chairman Nathe: We will print those up for the committee. It is basically a hog house amendment. (See attachment # 1).

Chairman Nathe: There are a couple of differences between the version we have and the original version. Go to the 2000 version and on line 13 they took out "the United States Department of Education is a costly , inefficient, and ineffective federal bureaucracy". Can we put that back in. In the 2000 version Line 16 states "call for a reversal of the educational trends that threaten our very future as a nation and to return the control of education to the states, in the manner envisioned by our founding fathers. On line 21 the original version after pro-education "extricate the federal government from any role it has unconstitutionally usurped with respect to the education of our children, and eliminate the United States Department of Education". Any discussion on the amendment?

Rep B. Koppelman: I agree with it in its original form because a couple of the tenants the bill was built on were on lines 4 and 7 where they talk about the federal government not having a constitutional role in education. If you look at most of the federal laws that have been passed they have been done so through the spending clause. That is the inherent power of the purse. So congress can spend money on education because they can spend money on anything, however for them to have a supervisory role in how that is spent and then taking control is where they have gone too far. In the current form of the 2000 version if this were passed if the federal government would listen to us and do what this is urging them to do the ultimate result would be that congress could continue to send money to the states and say here's to help you with the education of your kids but they would no longer put a bureaucracy in place because we are technically above them in the hierarchy of the way the constitution has set things up.

Chairman Nathe: the 2000 version is the amendment. There has been a motion to adopt the amendment version 15.0345.02000 which is basically a hog house amendment. Any other discussion?

Rep Mock: We would be amending a resolution that encourages congress to take a more pro-education approach and recognize state's rights in education to instead say to the

federal government we want you to extricate your role from education entirely and to urge them to eliminate the Department of Education. So we went from a hearing of work with us better to shutting it down. Is that my understanding that we desire this? There was no hearing on that. That is a radical shift in message.

Rep B. Koppelman: In response on the other side they said to extricate and eliminate the Department of Education to let's play nice and there wasn't a hearing on that either and this is no less proper than what they did in the Senate.

Rep Mock: Right, I don't know what the hearing included because I wasn't in the Senate Education. But when you have strong language I would be willing to support something that is a little more cooperative. The language here, does anyone oppose urging congress to cooperate with states in the role of education. We want the federal government to work with the states in cooperation regarding education. We have not had the hearing on the original bill and this is serious language. I would love the opportunity who are tasked with education to weigh in before we make this statement.

Rep Hunskor: My only thought if we approve this we are saying we are completely cutting ourselves off from the federal Department of Education just like that if congress were to act on this. That is a huge step I agree with Representative Mock we can't just say we can do this without some more input into this. This is serious, serious business I think.

Rep Meier: I look at the 2000 version as a right to exercise stronger state's rights and that is the resolution I signed on to.

Rep. Olson: We did hear from the primary bill sponsor and that was his original intent. He wished it had not been changed. The modification to the original bill completely turns the bill on its head. We are speaking of two messages. Let's be more flexible and cooperate, we already do cooperate. The other that says this is not the business of the federal government, under the 10th amendment you have no authority to implement a Department of Education. If we have fidelity to the Constitution I don't see why the language is radical or dangerous, it is constitutional to have the federal government abide by the highest law of the land and it does not enumerate the right of Washington to create a Department of Education. The original language of this bill is perfectly reasonable.

Rep Kelsh: Section 8 of the Constitution did not say the power went, the state assumed it. When I started school the state was not involved. They had a county superintendent ran the schools and they did give the townships the 1st and 16th section of land to the school county superintendent. Then 20 mills were assessed on a county level. Nothing came from the state then. It was an evolution of things that happened. This is like what happened with the federal government. We could go back to the days of we can take care of ourselves, we could say to our local school districts we will not be able to do the STEM and all the things that have been good for us throughout the years. I will oppose the amendment

Rep Zubke: I do find it interesting that we resist and resent the United States government when it comes to education and then as a state government we want to control every little thing that happens. I would differ a little bit with Rep. Olson as far as reasonable language

in this resolution because it says eliminate the Department of Education and I think your definition of reasonable is different. I will be resisting the motion.

Rep B. Koppelman: Two points, number one, you say we have evolved, if you want the process in the constitution to evolve per say it is called the amendment process and there could be an amendment to the constitution that says the federal government has a role in education and the states could agree to give up that role or share that role. The constitution does not have provisions that evolve within itself. The second thing is the local control discussion. The state is the fundamental entity, the state created the federal government and the local government like the school districts. The state should be dictating up and dictating down within the confines of our state and federal constitution. It is not the same when we talk about us having a role in local government as the federal government having that role.

Rep. Olson: To respond to Representative Zubke's comments it is not that nobody should control education it is who has the right too. The states have the right to. The federal government has not been given the right too. The power was not delegated to the federal government by the states. 35 years ago the Department of Education was created and I maintain it was an unconstitutional delegation of power since the states did not delegate it.

Vice Chairman Schatz: I did research into this and I found out we were number one in education in the world in the 50's, 60's and 70's and then we created the Department of Education in 1979 and we are now 16th out of 32 industrialized countries in education. Obviously the Department of Education has not kept us number one. If you want something to fail just have the federal government take it over. I am supporting this amendment.

Rep Hunsakor: I think you were 5-10 years down the road we would want a connection with the Education board at the federal level. When you go back over the years there are many good things through the partnership with federal state and local. Sometimes we are so against the federal even in another arena that it just makes the whole federal business bad and that we that is not fair to education.

Rep Schreiber Beck: If the Department of Education goes away what does the state lose? Title one, Special Ed, we equate everything to dollars and cents. I would prefer a tapering instead of it being it dropped into the states lap.

Rep B. Koppelman: About the money, congress has appropriated funds to be used for certain programs and they still have the power to do this. Congress has the power to spend, but they have delegated the implementation of that to the Department of Education and if they choose to eliminate that they can reallocate that funding disbursement in another way. They could do it through a grant process. They would not lord control over the districts. Nothing in this would eliminate them from being able to send money to the states. They could choose not to do that because they do not have control. That could be a consequence but at least we would be constitutional in nature and we could discuss that under constitutional bounds of whether or not we want to amendment the constitution to allow them to have that authority.

Rep. Olson: We have to remember that any money the federal government does give us they first took from us.

Chairman Nathe: Any other discussion? Seeing none the clerk will take the roll on adopting the amendment 15.3045.02000 on SCR 4011.

A Roll Call Vote was taken. Yes: 7 No: 6 Absent: 0. Motion carried.

Chairman Nathe: We have the amended SCR 4011. What are your wishes?

Rep Meier: Do Pass as Amended on SCR 4011.

Rep Looyen: Seconded.

A Roll Call Vote was taken. Yes: 7 No: 6 Absent: 0. Motion carried.

Rep B. Koppelman: will carry the bill.

March 18, 2015

AC
3/18/15

PROPOSED AMENDMENTS TO ENGROSSED SENATE CONCURRENT RESOLUTION NO.
4011

Page 1, line 1, remove "more"

Page 1, line 1, remove "recognize"

Page 1, line 2, replace "states' rights in the role of" with "extricate the federal government from any role it has unconstitutionally usurped with respect to the "

Page 1, line 2, remove "encourage greater flexibility and"

Page 1, line 3, replace "cooperation between" with "eliminate"

Page 1, line 3, remove "and the states"

Page 1, line 13, after "decades" insert "has convinced many that the United States Department of Education is a costly, inefficient, and ineffective federal bureaucracy"

Page 1, line 15, replace "interfere with" with "threaten"

Page 1, line 15, after "our" insert "very future as a nation and to return the"

Page 1, line 15, replace "by" with "to"

Page 1, line 20, remove "more"

Page 1, line 20, replace "recognize states' rights in the role of" with "extricate the federal government from any role it has unconstitutionally usurped with respect to"

Page 1, line 21, replace "encourage greater flexibility and cooperation between" with "eliminate"

Page 1, line 22, remove "and the states"

Renumber accordingly

Date: 3/18/15
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 4011

House Education Committee

☐ Subcommittee

Amendment LC# or Description: amend to original form of the resolution

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. Koppelman Seconded By Rep. Rohr

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

Total (Yes) 7 No 6

Absent 0

Floor Assignment _____

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

major house amendment

Motion carried.

Date: 3/18/15
Roll Call Vote #: 2

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 4011

House Education Committee

☐ Subcommittee

Amendment LC# or Description: 15.3045.03001

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. Meier Seconded By Rep. Looyzen

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

Total (Yes) 7 No 6

Absent 0

Floor Assignment Rep. Koppelman

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

REPORT OF STANDING COMMITTEE

SCR 4011, as engrossed: Education Committee (Rep. Nathe, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4011 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "more"

Page 1, line 1, remove "recognize"

Page 1, line 2, replace "states' rights in the role of" with "extricate the federal government from any role it has unconstitutionally usurped with respect to the "

Page 1, line 2, remove "encourage greater flexibility and"

Page 1, line 3, replace "cooperation between" with "eliminate"

Page 1, line 3, remove "and the states"

Page 1, line 13, after "decades" insert "has convinced many that the United States Department of Education is a costly, inefficient, and ineffective federal bureaucracy"

Page 1, line 15, replace "interfere with" with "threaten"

Page 1, line 15, after "our" insert "very future as a nation and to return the"

Page 1, line 15, replace "by" with "to"

Page 1, line 20, remove "more"

Page 1, line 20, replace "recognize states' rights in the role of" with "extricate the federal government from any role it has unconstitutionally usurped with respect to"

Page 1, line 21, replace "encourage greater flexibility and cooperation between" with "eliminate"

Page 1, line 22, remove "and the states"

Renumber accordingly

2015 CONFERENCE COMMITTEE

SCR 4011

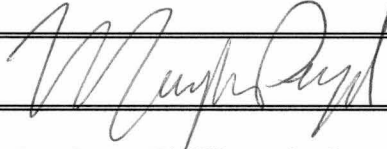
2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SCR 4011
4/2/2015
Job # 25732 (16:05)

☐ Subcommittee
☒ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

INITIAL Conference Committee

Minutes:

3 Attachments

Chairman Senator Davison called the committee to order at 8:30am with all conference committee members present: Senator Rust, Senator Marcellais, Representative Looyen, Representative Meier and Representative Nathe.

Representative Nathe: We were presented the engrossed bill from the Senate. There was a motion to approve the bill as it came over from the Senate, but it was noted during testimony that the main sponsor stated he wanted to see the bill back in its original form. Therefore we withdrew the do pass motion and had a lengthy discussion. The vote was 7-6, a close vote. The main point that we went back had to do with dealing with the U.S. Department of Education and addressing that in the resolution. It is addressed stronger in the original version than what was sent over from the Senate.

Representative Meier: Part of the reason was also to go back to when the constitution was enacted. It was originally for state rights. I think this speaks to state rights when talking about education. When the Department of Education was formed back in the 1970s, the United States in education was number one in the world and now we are 16th in the world.

Chairman Senator Davison: *(see attachment #1)* I want us to be on the same page with the same facts. This article is from 2012. On page 2 I have highlighted some sections. It talks about the history of testing in America. It gives some discussions about the evaluation of education achievement in 1965. The U.S. was last. It talks about other types of studies and that the U.S. has never really been on top in testing throughout the years. The person who wrote the article took all of the information that they had. In 1973 the U.S. high school students were 14 out of 14 in a Science assessment. The premise that we were number one at one time until the Department of Education was formed actually isn't factual based on these tests that were identified in this particular article. If there is other data that shows differently, I would appreciate to see it. However I could not find anything that ever

indicated that the U.S. was number one against other countries in testing. The article talks about U.S. innovation and how we do things. Other countries prepare students for the tests and not all take them. It talks about if we would eliminate the bottom and top 20% and take a medium average, we would do better.

The second handout is from the CATO institute (*see attachment #2*). It talks about the history of the Department of Education. In 1867 it highlights that for one year, the Department of Education was set up and a year later it was moved under the Office of Interior. Therefore we have always had an Office of Education; it was just under Interior from 1868-1979. Representative Meier I agree with you; we have had a lot of federal overreach from the federal government and we should take back some of those controls for our state government because we are a sovereign state. The Department of Education when it was formed in 1979 to a cabinet position under the Jimmy Carter administrations, it was already an established office. It was just moved to the cabinet level. Since the 1930s, we have always started putting dollars back into education from the federal government to balance states that were lower poverty and higher income. That is how it got started back in the 30s-60s. The words we amended in the bill weren't positive words towards the Department of Education. I wanted you to have that information so we can talk about the same level of facts and information as we try to find a common ground.

The third piece of information is for the federal grants received for the Department of Public Instruction (*see attachment #3*). We receive a total of over \$269M federal funds appropriated including Title 1.

Chairman Senator Davison: If we eliminated the Department of Education, how do you see the transition of those \$270M coming towards us? We would look at moving it back underneath the Office of Interior? How do you see us replacing those funds?

Representative Nathe: For us it is more of a state rights issue. I appreciate the information on the history as far as how the U.S. rates amongst the countries. That is all great information. It shows there has been a role with the federal government in K12, but I think from the House perspective, it is the state rights issues of the Department of Education digging their fingers in with strings attached. As I read this resolution, a lot of the discussion had to do with the Department of Education micromanaging the state's educational business. Also the prime sponsor wanted the original language back in there.

Senator Rust: The Senate's version keeps the pro-education position there. One says "recognize state rights" and the other says "extricate the federal government". One says "encourage greater flexibility" and the other says "eliminate the U.S. Department of Education". What would be our goal from the state of North Dakota in regard to helping get us on track? One, while makes a great statement, will be discounted while the other one might help us get some place.

Senator Oban: We need to be reasonable about this. I'm not sure calling for the elimination of a Department that sends us \$270M and has set the bar for the things that we need to require as a state is reasonable. A resolution to eliminate the Department would not be taken seriously.

Representative Meier: We'll have to look at the information provided and consider all of the thoughts that were brought forward this meeting.

Chairman Senator Davison adjourns the Conference Committee regarding SCR 4011.

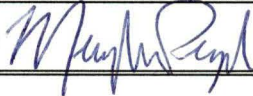
2015 SENATE STANDING COMMITTEE MINUTES

Education Committee
Missouri River Room, State Capitol

SCR 4011
4/6/2015
Job # 25836 (9:55)

☐ Subcommittee
☒ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

ACTION

Minutes:

1 Attachment

Chairman Davison called the committee to order at 3:30pm with all conference committee members present: Senator Rust, Senator Oban, Representative Looyen, Representative Nathe and Representative Meier.

(see attachment #1)

Representative Meier: This is a hog house amendment with softer language although it still makes a statement for state rights.

Senator Davison: I agree with you. You did a good job with these amendments.

Representative Meier: We do accept federal money and that is important to recognize; however it is also important to also recognize funding and efforts from the state.

Representative Meier moves to adopt the amendment.

Representative Looyen seconds the motion.

Representative Nathe: This is a nice balance for state rights and recognizing the mission of the U.S. Department of Education.

Representative Meier: Thank you. I had help from Anita Thomas.

A voice vote was taken and the motion passes.

Representative Meier makes a motion for the House to recede from House amendments and amend it as follows.

Representative Looyen seconds the motion.

A vote was taken: 6 yays, 0 nays, 0 absent

The motion passes 6-0.

1047
JN
4/6/15

PROPOSED AMENDMENTS TO ENGROSSED SENATE CONCURRENT RESOLUTION NO.
4011

That the House recede from its amendments as printed on page 904 of the Senate Journal and page 1053 of the House Journal and that Engrossed Senate Concurrent Resolution No. 4011 be amended as follows:

Page 1, line 1, after "A concurrent resolution" replace the remainder of the resolution with "urging Congress to redefine the role and mission of the United States Department of Education and to clarify the department's relationship with the states.

WHEREAS, while Section VIII of Article I of the United States Constitution sets forth the enumerated powers given to Congress, the power to control or direct the education of this nation's children is not included therein; and

WHEREAS, the Tenth Amendment to the United States Constitution states that any powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people; and

WHEREAS, neither the words "education" nor "school" nor any of their derivatives are found in the United States Constitution; and

WHEREAS, education is indisputably a pillar of a free society, it is incumbent upon the federal government to recognize that the states are constitutionally responsible for the provision of education and it is incumbent upon the states to recognize that the challenges of the 21st Century are not local, regional, or even national, but global in scope and therefore require that states and the United States Department of Education work in concert with each other to ensure that children from every state in the union and all walks of life have access to a world class curriculum, taught by world class teachers, in a safe and secure environment that allows them to challenge their imaginations, to explore the world of knowledge, and to reach higher and farther than they or their parents ever dreamed possible;

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

That the Sixty-fourth Legislative Assembly urges the Congress of the United States to redefine the role and mission of the United States Department of Education so that it will function as a collaborating partner with the states in order to harness the maximum fiscal resources and to ensure that those resources are used effectively and efficiently at the state and local levels for the provision of educational services and opportunities to all children, as envisioned by the founding fathers, as supported by the residents of this and the other states, and as required by circumstances so that this great country is once again and unequivocally the global leader in educational achievement; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Secretary of the United States

Department of Education, and to each member of the North Dakota Congressional
Delegation."

2012
4/6/15

Renumber accordingly

**2015 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES**

SCR 4011 as engrossed

Senate Education Committee

- Action Taken** ☐ **SENATE accede to House Amendments**
☐ **SENATE accede to House Amendments and further amend**
☐ **HOUSE recede from House amendments**
☒ **HOUSE recede from House amendments and amend as follows**
- ☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Representative Meier Seconded by: Representative Looyzen

Senators	4/2	4/6		Yes	No		Representatives	4/2	4/6		Yes	No
Chairman Davison	X	X		X			Representative Looyzen	X	X		X	
Senator Rust	X	X		X			Representative Nathe	X	X		X	
Senator Oban	X	X		X			Representative Meier	X	X		X	
Total Senate Vote				3			Total Rep. Vote				3	

Vote Count Yes: 6 No: 0 Absent: 0

Senate Carrier Senator Davison House Carrier Representative Looyzen

LC Number 15.3045.03003 . 05000 of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

SCR 4011, as engrossed: Your conference committee (Sens. Davison, Rust, Oban and Reps. Looyesen, Meier, Nathe) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 904, adopt amendments as follows, and place SCR 4011 on the Seventh order:

That the House recede from its amendments as printed on page 904 of the Senate Journal and page 1053 of the House Journal and that Engrossed Senate Concurrent Resolution No. 4011 be amended as follows:

Page 1, line 1, after "A concurrent resolution" replace the remainder of the resolution with "urging Congress to redefine the role and mission of the United States Department of Education and to clarify the department's relationship with the states.

WHEREAS, while Section VIII of Article I of the United States Constitution sets forth the enumerated powers given to Congress, the power to control or direct the education of this nation's children is not included therein; and

WHEREAS, the Tenth Amendment to the United States Constitution states that any powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people; and

WHEREAS, neither the words "education" nor "school" nor any of their derivatives are found in the United States Constitution; and

WHEREAS, education is indisputably a pillar of a free society, it is incumbent upon the federal government to recognize that the states are constitutionally responsible for the provision of education and it is incumbent upon the states to recognize that the challenges of the 21st Century are not local, regional, or even national, but global in scope and therefore require that states and the United States Department of Education work in concert with each other to ensure that children from every state in the union and all walks of life have access to a world class curriculum, taught by world class teachers, in a safe and secure environment that allows them to challenge their imaginations, to explore the world of knowledge, and to reach higher and farther than they or their parents ever dreamed possible;

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

That the Sixty-fourth Legislative Assembly urges the Congress of the United States to redefine the role and mission of the United States Department of Education so that it will function as a collaborating partner with the states in order to harness the maximum fiscal resources and to ensure that those resources are used effectively and efficiently at the state and local levels for the provision of educational services and opportunities to all children, as envisioned by the founding fathers, as supported by the residents of this and the other states, and as required by circumstances so that this great country is once again and unequivocally the global leader in educational achievement; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Secretary of the United States Department of Education, and to each member of the North Dakota Congressional Delegation."

Renumber accordingly

Engrossed SCR 4011 was placed on the Seventh order of business on the calendar.

2015 TESTIMONY

SCR 4011



*Great Public Schools**Great Public Service*

Testimony of Fern Pokorny
Opposition to SCR 4011
February 2, 2015

Good morning Mr. Chairman Flakoll and Members of the Senate Education Committee. For the record my name is Fern Pokorny, representing North Dakota United. I am here to voice NDU's opposition to SCR 4011.

We are concerned about the lost revenue North Dakota receives for our students through the United States Department of Education. Title I is the most noted program that the U.S. Department next would be IDEA or Special Education. Pell grants come through this Department. Other programs like: Reading First, Improving Teacher Quality, and 21st Century Community Learning Centers are also provided by the U. S. Department of Education and many more.

As I visited the website I also found research to support the programs like Early Childhood Education. They have data to help districts find the best programs available.

Let's not jeopardize the extra funding we receive in our state by passing this resolution.

#1
2/17/15
SCR 4011

Year	North Dakota	Grand Total	US Dept of Ag Budget
1980	\$42,813,860	\$10,870,028,859	not available
1885	\$57,835,033	\$13,055,858,654	not available
1990	\$76,469,614	\$17,874,990,169	not available
1995	\$84,139,933	\$22,810,497,282	not available
2000	\$117,810,518	\$32,611,859,000	not available
2005	\$128,158,644	\$35,174,213,946	\$112,867,000,000
2010	\$152,439,375	\$192,277,453,348	\$134,116,000,000
2015 (estimate)	\$192,774,744	\$176,514,927,678	\$146,000,000,000

DEPARTMENT OF EDUCATION

Allocations for State Formula Programs and Selected Student Aid Programs for
North Dakota

	1980	1981
ESEA Title I--Grants to Local Educational Agencies	9,190,532	8,722,735
Impact Aid--Basic Support Payments	7,455,280	7,316,082
Block Grant for Improving School Programs	0	1,951,219
Title IV, Part C, Improving Local Educational Practice	983,494	0
State Basic Skills Improvement Program	100,000	0
Career Education Incentive Grants to States and Outlying Areas	128,472	0
Emergency School Aid	100,000	0
Indian Education--Grants to Local Educational Agencies	978,403	978,745
Immigrant Education	0	0
Special Education--Grants to States	2,092,340	1,982,812
Special Education--Preschool Grants	65,187	53,930
Special Education--Chapter 1 Handicapped	0	252,203
Subtotal, Special Education	2,157,527	2,288,945
Vocational Rehabilitation State Grants	3,001,272	3,032,863
Vocational Education State Grants	1,951,015	1,734,535
Vocational Education State Planning Grants	17,401	12,531
Vocational Education Program Improvement and Supportive Services	439,636	317,365
Vocational Education Consumer and Homemaking Education	151,377	101,733
Vocational Education State Councils	94,000	94,000
Vocational Education Special Programs for the Disadvantaged	69,603	50,131
Adult Education State Grants	416,763	416,763
Subtotal, Vocational and Adult Education	3,139,795	2,727,058
Federal Pell Grants	9,909,725	9,668,004
Federal Supplemental Educational Opportunity Grants	2,087,079	2,144,969
Federal Work-Study	2,160,961	2,459,183
Federal Perkins Loans--Capital Contributions	1,079,059	649,169
Leveraging Educational Assistance Partnership	214,641	205,605
Educational Information Centers	50,000	0
University Community Services and Continuing Education	77,620	0
Total	42,813,860	42,144,577

DEPARTMENT OF EDUCATION

Allocations for State Formula Programs and Selected Student Aid Programs for
North Dakota

	1985	1986	1987
ESEA Title I--Grants to Local Educational Agencies	8,603,380	8,235,993	9,233,866
Impact Aid--Basic Support Payments	8,666,084	9,981,163	9,021,678
Eisenhower Mathematics and Science Education State Grants	445,500	193,758	360,000
Chapter 2 State Block Grants	2,473,405	2,366,706	2,473,533
Safe and Drug-Free Schools--State Grants	0	0	795,505
Refugee Education	0	0	21,300
Indian Education--Grants to Local Educational Agencies	984,045	1,109,101	770,916
Immigrant Education	0	0	0
Special Education--Grants to States	3,088,367	3,133,495	3,680,259
Special Education--Preschool Grants	105,976	115,668	302,400
Special Education--Grants for Infants and Families	0	0	244,444
Subtotal, Special Education	3,194,343	3,249,163	4,227,103
Vocational Rehabilitation State Grants	3,707,147	3,855,934	4,330,230
Client Assistance State Grants	0	50,000	55,000
Supported Employment State Grants	0	0	250,132
Independent Living State Grants	95,553	201,028	204,853
Subtotal, Rehabilitation Services and Disability Research	3,802,700	4,106,962	4,840,215
Vocational Education State Grants	3,226,555	3,086,858	4,038,399
Vocational Education Community-Based Organizations	0	35,890	29,937
Vocational Education Consumer and Homemaking Education	97,888	93,680	97,888
Vocational Education State Councils	116,350	112,113	120,000
Literacy Training for Homeless Adults	0	0	75,000
Adult Education State Grants	474,340	453,945	492,353
Subtotal, Vocational and Adult Education	3,915,133	3,782,486	4,853,577
Federal Pell Grants	19,618,167	19,444,897	19,841,524
Federal Supplemental Educational Opportunity Grants	2,405,082	2,296,965	2,408,035
Federal Work-Study	2,659,602	2,540,255	2,661,864
Federal Perkins Loans--Capital Contributions	864,125	642,299	669,062
Leveraging Educational Assistance Partnership	203,467	195,154	203,469
Byrd Honors Scholarships	0	0	32,050
Douglas Teacher Scholarships	0	28,539	45,814
Total	57,835,033	58,173,441	62,459,511

DEPARTMENT OF EDUCATION

Allocations for State Formula Programs and Selected Student Aid Programs for
North Dakota

	1988	1989	1990
ESEA Title I--Grants to Local Educational Agencies	9,621,733	10,330,429	9,791,008
ESEA Title I--Capital Expenses for Private School Children	0	0	68,334
ESEA Title I--Migrant	0	0	525,885
ESEA Title I--Neglected and Delinquent	0	0	38,035
ESEA Title I--State School Improvement Grants	0	0	90,000
ESEA Title I--State Administration	0	0	375,000
Subtotal, Education for the Disadvantaged	9,621,733	10,330,429	10,888,262
Impact Aid--Basic Support Payments	9,997,992	6,297,191	13,311,139
Eisenhower Mathematics and Science Education State Grants	538,536	635,333	627,404
Chapter 2 State Block Grants	2,368,078	2,295,857	2,261,509
Safe and Drug-Free Schools--State Grants	945,911	1,421,275	2,199,082
Education for Homeless Children and Youth	50,000	50,000	50,000
Indian Education--Grants to Local Educational Agencies	1,025,941	907,652	940,479
Immigrant Education	0	0	0
Special Education--Grants to States	3,920,978	4,003,657	4,169,503
Special Education--Preschool Grants	450,906	854,835	784,308
Special Education--Grants for Infants and Families	327,644	341,396	388,764
Chapter 1 Handicapped Program	0	0	319,975
Subtotal, Special Education	4,699,528	5,199,888	5,662,550
Vocational Rehabilitation State Grants	4,586,837	4,821,250	5,082,256
Client Assistance State Grants	55,000	75,000	47,500
Supported Employment State Grants	258,539	252,301	250,853
Independent Living State Grants	200,110	200,247	200,108
Subtotal, Rehabilitation Services and Disability Research	5,100,486	5,348,798	5,580,717
Vocational Education State Grants	3,984,291	4,120,963	4,214,921
Vocational Education Community-Based Organizations	34,172	44,391	54,164
Vocational Education Consumer and Homemaking Education	146,832	165,296	170,576
Vocational Education State Councils	120,000	120,000	120,000
Literacy Training for Homeless Adults	75,000	0	0
Adult Education State Grants	517,251	574,554	631,228
Adult Education English Literacy Grants	0	25,000	25,000
Subtotal, Vocational and Adult Education	4,877,546	5,050,204	5,215,889
Federal Pell Grants	23,975,935	25,674,365	23,824,772
Federal Supplemental Educational Opportunity Grants	2,326,804	2,364,243	2,408,945
Federal Work-Study	2,616,315	2,659,147	2,644,335
Federal Perkins Loans--Capital Contributions	796,955	782,610	624,128
Leveraging Educational Assistance Partnership	194,801	192,463	158,441
Byrd Honors Scholarships	30,701	32,046	32,050
Douglas Teacher Scholarships	41,953	41,455	39,912
Total	69,209,215	69,282,956	76,469,614

DEPARTMENT OF EDUCATION

Allocations for State Formula Programs and Selected Student Aid Programs for North Dakota

	1994	1995	1996
Goals 2000--State and Local Education Systemic Improvement	398,603	1,340,576	1,259,984
ESEA Title I--Grants to Local Educational Agencies	15,690,804	16,578,431	16,648,948
ESEA Title I--Capital Expenses for Private School Children	110,247	94,294	78,929
ESEA Title I--Even Start	302,795	472,614	477,614
ESEA Title I--Migrant	429,982	515,740	516,358
ESEA Title I--Neglected and Delinquent	24,898	56,362	50,790
ESEA Title I--State School Improvement Grants	180,000	68,686	0
ESEA Title I--State Administration	375,000	0	0
Subtotal, Education for the Disadvantaged	17,113,726	17,786,127	17,772,639
Impact Aid--Basic Support Payments	11,961,355	10,998,731	13,992,485
Impact Aid--Payments for Children with Disabilities	742,277	754,386	672,469
Subtotal, Impact Aid	12,703,632	11,753,117	14,664,954
Eisenhower Professional Development State Grants	1,243,473	1,243,473	1,357,612
Eisenhower Mathematics and Science Education State Grants	1,241,637	0	0
Innovative Education Program Strategies State Grants	0	1,724,096	1,365,375
Chapter 2 State Block Grants	1,833,145	0	0
Safe and Drug-Free Schools--State Grants	1,812,813	2,151,397	2,151,397
Christa McAuliffe Fellowships	25,230	25,967	0
Education for Homeless Children and Youth	62,974	100,000	100,000
Indian Education--Grants to Local Educational Agencies	1,043,609	1,031,876	859,193
Immigrant Education	15,755	23,251	20,752
Foreign Language Assistance	54,014	0	0
Special Education--Grants to States	4,944,816	5,116,958	5,044,365
Special Education--Preschool Grants	752,637	763,821	770,780
Special Education--Grants for Infants and Families	1,237,632	1,374,985	1,545,710
Chapter 1 Handicapped Program	163,616	0	0
Subtotal, Special Education	7,098,701	7,255,764	7,360,855
Vocational Rehabilitation State Grants	6,558,768	6,812,914	7,012,540
Client Assistance State Grants	100,000	102,800	105,678
Protection and Advocacy of Individual Rights	100,000	102,800	102,800
Supported Employment State Grants	300,000	300,000	300,000
Independent Living State Grants	283,800	291,746	291,746
Subtotal, Rehabilitation Services and Disability Research	7,342,568	7,610,260	7,812,764
Vocational Education State Grants	4,214,921	4,214,921	4,214,921
Vocational Education--Tech-Prep Education	304,839	316,974	291,590
Vocational Education Community-Based Organizations	54,164	0	0
Vocational Education Consumer and Homemaking Education	170,576	0	0
Vocational Education State Councils	150,000	150,000	0
Adult Education State Grants	788,690	783,641	772,673
State Literacy Resource Centers	24,356	0	0
Subtotal, Vocational and Adult Education	5,707,546	5,465,536	5,279,184
Federal Pell Grants	20,547,486	20,229,653	20,532,922
Federal Supplemental Educational Opportunity Grants	2,708,316	2,742,804	2,727,185
Federal Work-Study	2,696,318	2,686,001	2,689,546
Federal Perkins Loans--Capital Contributions	728,327	722,366	179,059
Leveraging Educational Assistance Partnership	193,965	169,669	85,482
State Postsecondary Review Program	99,609	0	0
Byrd Honors Scholarships	51,000	78,000	78,470
Douglas Teacher Scholarships	36,615	0	0
Total	84,759,062	84,139,933	86,297,373

Prepared by Budget Service on July 18, 2002

DEPARTMENT OF EDUCATION

Allocations for State Formula Programs and Selected Student Aid Programs for
North Dakota

	2000
Technology Literacy Challenge Fund	2,125,000
Goals 2000--State and Local Education Systemic Improvement	1,678,543
ESEA Title I--Grants to Local Educational Agencies	20,164,533
ESEA Title I--Capital Expenses for Private School Children	25,234
ESEA Title I--Even Start	697,500
ESEA Title I--Migrant	263,459
ESEA Title I--Neglected and Delinquent	43,619
ESEA Title I--Demonstrations of Comprehensive School Reform	416,500
Subtotal, Education for the Disadvantaged	21,610,845
Impact Aid--Basic Support Payments	16,823,058
Impact Aid--Payments for Children with Disabilities	787,218
Impact Aid--Construction	258,152
Impact Aid--Payments for Federal Property	0
Subtotal, Impact Aid	17,868,428
Eisenhower Professional Development State Grants	1,656,518
School Renovation Grants	0
Innovative Education Program Strategies State Grants	1,815,949
Class Size Reduction	6,094,043
Safe and Drug-Free Schools--State Grants	2,142,933
Education for Homeless Children and Youth	100,000
Indian Education--Grants to Local Educational Agencies	1,004,970
Immigrant Education	101,630
Special Education--Grants to States	10,686,617
Special Education--Preschool Grants	839,536
Special Education--Grants for Infants and Families	1,836,562
Subtotal, Special Education	13,362,715
Vocational Rehabilitation State Grants	7,718,624
Client Assistance State Grants	111,025
Protection and Advocacy of Individual Rights	127,186
Supported Employment State Grants	300,000
Independent Living State Grants	297,581
Services for Older Blind Individuals	225,000
Protection and Advocacy for Assistive Technology	50,000
Subtotal, Rehabilitation Services and Disability Research	8,829,416
Vocational Education State Grants	4,214,921
Vocational Education--Tech-Prep Education	370,742
Adult Education State Grants	1,110,596
English Literacy and Civics Education State Grants	0
State Grants for Incarcerated Youth Offenders	19,775
Subtotal, Vocational and Adult Education	5,716,034
Federal Pell Grants	27,200,000
Federal Supplemental Educational Opportunity Grants	2,612,367
Federal Work-Study	3,226,149
Federal Perkins Loans--Capital Contributions	450,841
Leveraging Educational Assistance Partnership	0
Byrd Honors Scholarships	100,500
Fund for the Improvement of Education--Demonstrations of Comprehensive School Reform	113,637
Total	117,810,518

Prepared by Budget Service on November 21, 2002

Funds for State Formula-Allocated and Selected Student Aid Programs
U.S. Department of Education Funding
North Dakota

	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Actual
ESEA Title I Grants to Local Educational Agencies	21,644,987	26,529,973	30,329,411	30,256,568	32,197,095	30,068,320	29,825,087	33,741,932
School Improvement Grants	0	0	0	0	0	0	284,321	1,169,896
Reading First State Grants	0	2,158,750	2,384,319	2,451,604	2,490,935	2,469,053	2,491,627	935,641
Even Start	1,122,500	1,127,500	1,120,106	1,113,439	1,014,181	455,400	378,501	311,030
State Agency Program--Migrant	270,374	226,854	228,193	449,949	224,212	231,563	227,837	226,940
State Agency Program--Neglected and Delinquent	51,624	56,057	63,296	67,808	63,035	74,187	84,432	83,568
Comprehensive School Reform (Title I)	514,500	558,125	554,418	559,831	464,165	0	0	0
Capital Expenses for Private School Children	12,579	0	0	0	0	0	0	0
Subtotal, Education for the Disadvantaged	23,616,564	30,657,259	34,679,743	34,899,199	36,453,623	33,298,523	33,291,805	36,469,007
Impact Aid Basic Support Payments	25,292,222	25,708,523	26,854,136	25,906,700	26,697,316	28,837,147	26,672,515	26,838,244
Impact Aid Payments for Children with Disabilities	989,856	1,005,494	1,036,009	996,592	958,822	770,840	780,385	834,424
Impact Aid Construction	237,034	744,214	662,007	727,356	675,226	638,859	506,281	0
Subtotal, Impact Aid	26,519,112	27,458,231	28,552,152	27,630,648	28,331,364	30,246,846	27,959,181	27,672,668
Improving Teacher Quality State Grants	0	13,567,163	13,965,246	13,961,804	13,895,209	13,751,559	13,751,559	13,987,032
Mathematics and Science Partnerships	0	0	499,218	741,850	888,336	906,246	906,246	890,414
Educational Technology State Grants	2,250,000	3,075,155	3,214,970	3,304,308	2,405,727	1,317,349	1,317,349	1,294,335
21st Century Community Learning Centers	0	1,522,706	2,755,958	4,895,445	4,856,279	4,807,715	4,807,715	5,313,082
State Grants for Innovative Programs	1,911,525	1,911,525	1,899,100	1,472,363	985,056	491,535	491,535	0
State Assessments	0	3,473,725	3,496,025	3,467,552	3,458,792	3,458,792	3,467,611	3,457,530
Rural and Low-income Schools Program	0	85,487	49,119	56,660	51,822	46,548	49,069	40,117
Small, Rural School Achievement Program	0	1,118,022	486,893	682,191	720,344	625,949	648,401	581,623
Indian Education--Grants to Local Educational Agencies	1,669,253	1,551,862	1,591,641	1,567,265	1,587,170	1,589,931	1,652,224	1,674,445
Safe and Drug-Free Schools and Communities State Grants	2,142,933	2,307,865	2,292,555	2,152,629	2,135,030	1,681,535	1,681,535	1,423,348
Language Acquisition State Grants	0	500,000	500,000	500,000	500,000	500,000	500,000	516,551
Fund for the Improvement of Education--Comprehensive School Reform	113,637	165,567	164,491	147,503	0	0	0	0
State Grants for Community Service for Expelled or Suspended Students	0	250,000	248,375	0	0	0	0	0
Eisenhower Professional Development State Grants	2,173,869	0	0	0	0	0	0	0
Class Size Reduction	7,615,200	0	0	0	0	0	0	0
Immigrant Education	74,450	0	0	0	0	0	0	0
Subtotal, All of the Above Programs, which constitute the No Child Left Behind Act of 2001	68,086,543	87,644,567	94,395,486	95,479,417	96,268,752	92,722,528	90,524,230	93,320,152
Education for Homeless Children and Youth	100,000	150,000	150,000	150,000	156,436	154,678	154,678	160,167
School Renovation Grants	5,483,750	0	0	0	0	0	0	0
Special Education--Grants to States	13,738,268	16,520,608	19,721,781	22,670,415	24,185,050	24,149,971	24,968,615	25,724,171
Special Education--Preschool Grants	839,536	839,536	831,821	839,359	829,154	816,499	816,499	794,614
Grants for Infants and Families	1,878,520	2,043,288	2,127,667	2,194,384	2,160,317	2,138,714	2,138,714	2,135,315
Subtotal, Special Education	16,456,324	19,403,432	22,681,269	25,704,158	27,174,521	27,105,184	27,923,828	28,654,100
Career and Technical Education State Grants	4,214,921	4,214,921	4,214,921	4,214,921	4,214,921	4,214,921	4,214,921	4,214,921
Tech-Prep Education State Grants	376,267	383,366	365,326	354,495	344,014	336,516	338,530	313,151
Subtotal, Vocational and Adult Education	4,591,188	4,598,287	4,580,247	4,569,416	4,558,935	4,551,437	4,553,451	4,528,072
Subtotal, All Elementary/Secondary Level Programs	94,717,805	111,796,286	121,807,002	125,902,991	128,158,644	124,533,827	123,156,187	126,662,491

b/t

Funds for State Formula-Allocated and Selected Student Aid Programs
U.S. Department of Education Funding
North Dakota

	2010	2011	2012	Change Fiscal Year 2011 to 2012	
	Actual	Estimate	Estimate	Amount	Percent
College- and Career-Ready Students (Title I, Grants to LEAs)	35,594,901	34,058,948	35,583,156	1,524,208	4.5%
School Turnaround Grants (School Improvement State Grants)	1,313,523	1,236,025	1,233,735	-2,290	-0.2%
Striving Readers Formula Grants	150,000	0	0	0	---
Even Start	305,688	0	0	0	---
State Agency Program--Migrant Student Education	242,902	242,404	241,933	-471	-0.2%
State Agency Program--Neglected and Delinquent Children and Youth Education	73,271	74,343	74,202	-141	-0.2%
Subtotal, Accelerating Achievement & Ensuring Equity	37,680,285	35,611,720	37,133,026	1,521,306	4.3%
Impact Aid Basic Support Payments	29,540,947	26,613,286	29,456,348	2,843,062	10.7%
Impact Aid Payments for Children with Disabilities	694,870	651,861	824,626	172,765	26.5%
Impact Aid Construction	493,643	451,224	0	-451,224	-100.0%
Subtotal, Impact Aid	30,729,460	27,716,371	30,280,974	2,564,603	9.3%
Improving Teacher Quality State Grants	14,023,601	11,547,087	11,493,668	-53,419	-0.5%
Mathematics and Science Partnerships	897,878	871,257	744,840	-126,417	-14.5%
Educational Technology State Grants	483,875	0	0	0	---
21st Century Community Learning Centers	5,714,213	5,653,883	5,643,199	-10,684	-0.2%
Assessing Achievement (State Assessments)	3,447,154	3,424,063	3,424,119	56	0.0%
Rural and Low-income Schools Program	60,482	36,241	37,209	968	2.7%
Small, Rural School Achievement Program	474,751	656,060	675,514	19,454	3.0%
Indian Student Education--Grants to Local Educational Agencies	1,869,922	1,856,024	1,888,094	32,070	1.7%
English Learner Education (English Language Acquisition)	505,946	500,000	507,000	7,000	1.4%
Homeless Children and Youth Education	163,568	163,241	162,931	-310	-0.2%
Subtotal, All of the Above Programs, which were or are proposed to be authorized by the <i>Elementary and Secondary Education Act</i>	96,051,135	88,035,947	91,990,574	3,954,627	4.5%
Special Education--Grants to States	27,394,883	27,294,331	27,970,106	675,775	2.5%
Special Education--Preschool Grants	794,613	792,151	789,830	-2,321	-0.3%
Grants for Infants and Families	2,152,956	2,153,794	2,170,499	16,705	0.8%
Subtotal, Special Education	30,342,452	30,240,276	30,930,435	690,159	2.3%
Career and Technical Education State Grants	4,214,921	4,214,921	4,214,921	0	0.0%
Tech Prep Education State Grants	313,151	0	0	0	---
Subtotal, Vocational and Adult Education	4,528,072	4,214,921	4,214,921	0	-6.9%
Education Jobs Fund	21,517,716	0	0	0	---
Subtotal, All Elementary/Secondary Level Programs	152,439,375	122,491,144	127,135,930	4,644,786	3.8%

8/9

Funds for State Formula-Allocated and Selected Student Aid Programs
U.S. Department of Education Funding
North Dakota

Program	2013 Actual	2014 Estimate	2015 Estimate	Amount Change FY 2014 to 2015	Percent Change FY 2014 to 2015
Federal Pell Grants	49,200,000	50,200,000	51,500,000	1,300,000	2.6%
Federal Supplemental Educational Opportunity Grants	2,653,901	2,653,901	2,653,901	0	0.0%
Federal Work-Study	3,157,681	3,156,455	3,156,455	0	0.0%
College Access Challenge Grant	1,423,500	1,392,000	0	-1,392,000	-100.0%
Subtotal, All Postsecondary Education Programs	56,435,082	57,402,356	57,310,356	-92,000	-0.2%
Vocational Rehabilitation State Grants	10,096,563	10,090,347	11,173,220	1,082,873	10.7%
Client Assistance State Grants	117,709	121,770	121,770	0	0.0%
Protection and Advocacy of Individual Rights	166,132	171,598	171,598	0	0.0%
Supported Employment State Grants	300,000	300,000	0	-300,000	-100.0%
Independent Living State Grants	295,459	305,350	305,350	0	0.0%
Centers for Independent Living	812,592	839,761	839,761	0	0.0%
Services for Older Blind Individuals	225,000	225,000	225,000	0	0.0%
Assistive Technology State Grant Program	346,405	362,336	362,497	161	0.0%
Protection and Advocacy for Assistive Technology	50,000	50,000	50,000	0	0.0%
Adult Basic and Literacy Education State Grants	914,175	900,422	913,802	13,380	1.5%
English Literacy and Civics Education State Grants	60,000	60,000	60,000	0	0.0%
Subtotal, All Other	13,384,035	13,426,584	14,222,998	796,414	5.9%
Total	187,847,420	191,416,776	192,774,744	1,357,968	0.7%
New Student Loan Volume:					
Federal Direct Student Loans	233,814,164	230,042,644	234,388,595	4,345,951	1.9%
Total, New Student Loan Volume	233,814,164	230,042,644	234,388,595	4,345,951	1.9%
Grand Total	421,661,584	421,459,420	427,163,339	5,703,919	1.4%

NOTES:

State allocations for fiscal years 2014 and 2015 are preliminary estimates based on currently available data. Allocations based on new data may result in significant changes from these preliminary estimates.

For 21st Century State allocations for fiscal year 2014 are preliminary estimates based on currently available data. Allocations based on new data may result in significant changes for these preliminary estimates. No allocations are shown for 2015 because the Administration's budget and Elementary and Secondary Act (ESEA) reauthorization proposal would change the program from a formula to a competitive grant program. If the ESEA is not reauthorized prior to enactment of fiscal year 2015 appropriations, allocations would continue to be based on the formula current law.

Special Education Grants to States 2013 and 2014 allocations assume enactment of the Administration's proposed appropriations language that authorizes the Department to calculate a State's allocation without regard to a reduction in funding in a prior year resulting from a failure to meet the maintenance of State financial support requirements in section 612 of the IDEA.

For Career and Technical Education State Grants, estimates for 2013 were calculated by ratably reducing States' 1998 allocations as required under the hold-harmless provision in the current statute. The Administration's reauthorization proposal will include revisions to the current allocation formula.

Amounts distributed from the fiscal years above are based on the Pell Grant program's estimated cost as of April 2014. All estimates include new appropriations plus the use of all or a portion of an accumulated surplus of unobligated balances.

The totals for Adult Basic and Literacy Education programs exclude amounts for the English Literacy and Civics Education State Grants program, which is displayed in a separate table.

For Vocational Rehabilitation State Grants, the FY 2014 amounts reflect the sequester reduction of 7.2 percent required for mandatory programs that went into effect October 1, 2013, pursuant to the Budget Control Act of 2011 (P.L. 112-25).

FY 2015 estimates reflect the Administration's proposal to distribute the increase requested for the VR program in a manner that would lessen the impact of its proposal to eliminate separate funding authorities for the smaller VR-related programs whose activities can be carried out under the larger VR program.

FY 2015 State estimates are illustrative and subject to change.

For Supported Employment State Grants, FY 2015 estimates reflect the Administration's proposal to eliminate separate funding authorities for the smaller VR-related programs under the Rehabilitation Act.

9/9

#1
2/18/2015

PROPOSED AMENDMENTS TO SCR 4011

Page 1, line 1, after "a" insert "more" immediately thereafter

Page 1, line 1, remove "extricate the federal"

Page 1, line 1 after "position," insert "recognize states' rights in the roles of"

Page 1, line 2, remove "government from any role it has unconstitutionally usurped with respect to the"

Page 1, line 3, replace "eliminate" with "encourage greater flexibility and cooperation between"

Page 1, line 13, overstrike "has convinced many that the United States Department of Education is a costly,"

Page 1, line 14, remove "inefficient, and ineffective federal bureaucracy"

Page 1, line 14 remove the second "and"

Page 1, line 16 replace "threaten" with "interfere with"

Page 1, line 16 overstrike "our very future as a nation and to"

Page 1, line 17, overstrike "return the"

Page 1, line 21 after "a" insert "more"

Page 1, line 21, remove "extricate the federal government from any role it has unconstitutionally"

Page 1, line 21, after "position," insert "recognize states' rights in the roles of"

Page 1, line 22, overstrike "usurped with respect to"

Page 1, line 22, overstrike "eliminate"

Page 1, line 22, insert "encourage greater flexibility and cooperation between"

Renumber accordingly

11

Sixty-fourth
Legislative Assembly
of North Dakota

SENATE CONCURRENT RESOLUTION NO. 4011

Introduced by

Senators Cook, Poolman, Schaible

Representatives Meier, Nathe, Toman

- 1 A concurrent resolution urging Congress to take a more pro-education position, ~~extricate the federal~~
2 ~~government from any role it has unconstitutionally usurped with respect to the~~ recognize states'
rights in the roles of education of our
3 children, and ~~eliminate~~ encourage greater flexibility and cooperation between the United States
Department of Education.

- 4 **WHEREAS**, while Section VIII of Article I of the United States Constitution sets forth the
5 enumerated powers given to Congress, the power to control or direct the education of this
6 nation's children is not included therein; and

- 7 **WHEREAS**, the Tenth Amendment to the United States Constitution states that any powers
8 not delegated to the United States by the Constitution, nor prohibited by it to the states, are
9 reserved to the states respectively, or to the people; and

- 10 **WHEREAS**, neither the words "education" nor "school" nor any of their derivatives are
11 found in the United States Constitution; and

- 12 **WHEREAS**, having a department budget that has increased six-fold during the past four
13 decades ~~has convinced many that the United States Department of Education is a costly,~~
14 ~~inefficient, and ineffective federal bureaucracy; and~~

- 15 **WHEREAS**, education is indisputably a pillar of a free society, it is incumbent upon us to
16 call for a reversal of the educational trends that ~~threaten~~ interfere with our ~~very future as a nation~~
~~and to~~

- 17 ~~return the~~ control of education to the states, in the manner envisioned by our founding fathers;

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

- 20 That the Sixty-fourth Legislative Assembly urges the Congress of the United States to take
21 a more pro-education position, ~~extricate the federal government from any role it has~~
~~unconstitutionally~~ recognize states' rights in the roles of

- 22 ~~usurped with respect to~~ the education of our children, and ~~eliminate~~ encourage greater flexibility and
cooperation between the United States
23 Department of Education; and

Sixty-fourth
Legislative Assembly

- 1 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
- 2 to the President of the United States, the Secretary of the United States Department of
- 3 Education, and to each member of the North Dakota Congressional Delegation.

#1 SCR 4011
3/18/15

15.3045.02000

Sixty-fourth
Legislative Assembly
of North Dakota

SENATE CONCURRENT RESOLUTION NO. 4011

Introduced by

Senators Cook, Poolman, Schaible

Representatives Meier, Nathe, Toman

1 A concurrent resolution urging Congress to take a pro-education position, extricate the federal
2 government from any role it has unconstitutionally usurped with respect to the education of our
3 children, and eliminate the United States Department of Education.

4 **WHEREAS**, while Section VIII of Article I of the United States Constitution sets forth the
5 enumerated powers given to Congress, the power to control or direct the education of this
6 nation's children is not included therein; and

7 **WHEREAS**, the Tenth Amendment to the United States Constitution states that any powers
8 not delegated to the United States by the Constitution, nor prohibited by it to the states, are
9 reserved to the states respectively, or to the people; and

10 **WHEREAS**, neither the words "education" nor "school" nor any of their derivatives are
11 found in the United States Constitution; and

12 **WHEREAS**, having a department budget that has increased six-fold during the past four
13 decades has convinced many that the United States Department of Education is a costly,
14 inefficient, and ineffective federal bureaucracy; and

15 **WHEREAS**, education is indisputably a pillar of a free society, it is incumbent upon us to
16 call for a reversal of the educational trends that threaten our very future as a nation and to
17 return the control of education to the states, in the manner envisioned by our founding fathers;

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

20 That the Sixty-fourth Legislative Assembly urges the Congress of the United States to take
21 a pro-education position, extricate the federal government from any role it has unconstitutionally
22 usurped with respect to the education of our children, and eliminate the United States
23 Department of Education; and

Sixty-fourth
Legislative Assembly

- 1 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
- 2 to the President of the United States, the Secretary of the United States Department of
- 3 Education, and to each member of the North Dakota Congressional Delegation.

Why are we providing paid personal time-off?



#1
4/2/15
SCR 4011
8 am
Mig.

Ad



The Answer Sheet

By Valerie Strauss

In-depth coverage: Education Page | Why Read The Answer Sheet? | RSS | Jay Mathews's Class Struggle »

FROM ABC TO PHD

"It is a miracle that curiosity survives formal education."
-- Einstein Learn what's really happening in the world of education with veteran education writer Valerie Strauss and her guests.

FAVORITE POSTS

- Texas GOP rejects 'critical thinking' skills. Really.
- Complete list of problems with standardized testing
- Take this 1931 8th grade test
- 6 common myths about hazing
- The truth about U.S. vs other nations
- Matt Damon's smart speech to teachers
- What Americans used to read
- Accomplished Americans on education
- Jon Stewart's hysterical defense of teachers

THINGS YOU NEED TO KNOW

- Major National Research Council report: Test-based incentives don't produce real student achievement
- When an adult took a standardized test
- Public education's problems just got worse

MORE TO READ

- Class Struggle
- D.C. Schools Insider
- Virginia Schools Insider
- Maryland Schools Insider
- College, Inc.
- Campus Overload

SUBSCRIBE

Select ...

SEARCH THIS BLOG

Go

Posted at 09:37 AM ET, 07/02/2012

Why U.S. can't get back to head of the class (because it was never there)

By Valerie Strauss

This was written by David E. Drew, who holds the Joseph B. Platt chair at the Claremont Graduate University. His most recent book is "STEM the Tide: Reforming Science, Technology, Engineering, and Math Education in America," published by the Johns Hopkins University Press. He can be reached at david.drew@cgu.edu.

By David E. Drew

Policy makers and politicians like to talk about "restoring America's leadership" in education. Our high school students rank low when tested in math and science compared with their counterparts in other countries, but, they say, we can move our students back into the top ranks with effective reforms.

Education Secretary Arne Duncan frequently gives speech about restoring America's leadership in education. Not to be outdone, the subtitle of the Romney education policy statement is "Mitt Romney's plan for restoring the promise of American education."

The slogan of the ExxonMobil National Math and Science Initiative is "Let's get back to the head of the class."

To be sure, effective educational reforms can significantly improve the academic performance of American students. But the idea that the United States once was a world leader in elementary and secondary education, while a compelling part of our belief system, is false. We never ranked #1. We can't get back to the head of the class because we never were the head of the class.

In fact, we always have scored at, or near, the bottom of the rankings.

There are, in fact, other misconceptions about math and science education, but this false belief is the most pervasive and deserves close examination.

America has always been, and remains, a world leader in higher education. That means comments about "restoring" America's leadership must refer to K-12 schools.

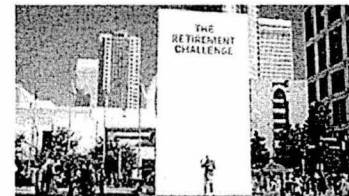
Fragmented evidence suggests that American schools demanded much more of their students in the 19th Century and early in the 20th Century. Examine, for example, these historic New York State Regents exams in mathematics. But we have no systematic comparative data about what other countries were requiring in those earlier eras.

The only rigorous data comparing national educational achievement were collected and reported after World War II, i.e., after digital computers became available to process and analyze the data.

America is an extraordinary country. I am optimistic about the potential of American students and American schools. But we should begin by facing reality squarely, not by living in a dream world about a mythical past.



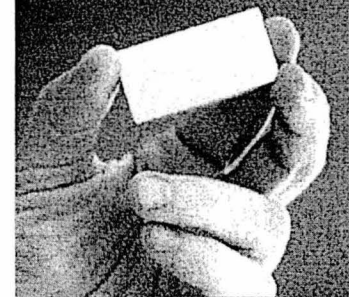
SMALL INVESTMENTS TODAY CAN MAKE A BIG DIFFERENCE TOMORROW.



SEE HOW THE MONEY IN YOUR POCKET CAN MAKE AN IMPACT ON YOUR RETIREMENT.

How much do you have?

Enter an amount



Get some advice

Find a financial professional.

Find now



Prudential
Bring Your Challenges

0255549 00001 00

Most Read: Local

1

Teen volleyball player takes her dispute to another kind of court



RECENT POSTS

- Well-connected applicants, legacies still hold advantage in college admissions, survey finds
- How students with top test scores actually hurt a teacher's evaluation
- Families are spending big bucks on 'promposals' (extravagant prom invitations), survey says
- 'Dear colleges, you are doing this wrong'
- Social studies education facing 'crisis' as class time is slashed, departments closed

Entries By Category

- Bullying
- College Admissions
- Guest Bloggers
- Matthew Di Carlo
- Teachers
- The Answer Sheet

Stories By Date

- Full Monthly Archive

I recently tracked down every international assessment of math and science achievement since these massive comparative projects began decades ago. Some of the early data were found in the stacks of our university library, since they have not, to my knowledge, been digitalized.

Twentieth Century Assessments of Math and Science Achievement

Let's examine math and science testing of high school students. American elementary and middle school students have sometimes placed better on these assessments. But high school performance is much more closely related to college and career achievement.

In 1965, the Association for the Evaluation of Educational Achievement (IEA) conducted a study of mathematical achievement in 12 countries. Students were asked to solve 70 problems. Among math students, the top scoring countries were Israel (a mean score of 36.4 correct items), England (35.2), Belgium (34.6), and France (33.4). U.S. students placed last, with a mean score of 13.8.

The IEA conducted an international assessment of mathematics during the 1981-82 school year. Twelfth-grade students were assessed on six topics: number systems, sets and relations, algebra, geometry, elementary functions and calculus, and probability and statistics. Hong Kong students scored best, Japan was second, and the United States ranked last among advanced industrial countries.

However, U.S. calculus students scored about average; note, though, fewer students were studying calculus in the US in the early 80s than in other nations. The authors commented that, "at the 12th grade level, the U.S. curriculum is much more like that of early years of secondary school elsewhere, while the curriculum of most other countries is more like that of beginning college level." In other words, our expectations for U.S. students were too low.

In 1989, a dozen countries and Canadian provinces participated in a mathematics assessment conducted by the Educational Testing Service. Korea, French Quebec, and British Columbia were the top three. The United States ranked last.

An international study in the 1990s tested 13 year olds in mathematics in 15 countries. The United States placed next to last, above Jordan.

Here are the results of science assessments of high school students: In 1973, the U.S. rank was 14 out of 14 countries. In the mid-1980s, the U.S. rank in biology was 13 out of 13 countries; the U.S. rank in chemistry was 11 out of 13 countries; the U.S. rank in physics was 9 out of 13 countries. In 1991, the U.S. rank in science was 13 out of 15.

At no time was the performance of U.S. students excellent or outstanding on these exams.

In contrast with the conventional wisdom that the U.S performance has declined in recent decades, our performance has actually improved slightly. The hard work of teachers, students, and parents has started to pay off.

Criticisms and Limitations of These Assessments

Three main criticisms have been leveled at these tests.

1. The United States has a higher poverty rate than most industrialized countries, and students in poverty tend to achieve less than their more affluent counterparts.
2. The tests tend to favor countries with a uniform, centralized curriculum, and the United States has a decentralized system.
3. Some question whether our nation could have become a world leader in technology and innovation if our schools really were weak.

It is unlikely that, if the United States were suddenly to adopt a uniform curriculum, we would then vault to the top ranks. The major explanation for our national technological leadership focuses on the aforementioned world-class colleges and universities. These institutions provide a superb undergraduate and graduate education and conduct innovative research.

- 2 FBI identifies man who died in NSA incident as Ricky Shawatza Hall



- 3 The First Church of Cannabis was approved after Indiana's religious fre...



- 4 Escaped prisoner apprehended in D.C. after hours-long manhunt



- 5 How students with top test scores actually hurt a teacher's evaluation

Unlimited Access to The Post. Just 99¢

CAPITAL BUSINESS

You think it. We cover it. The indispensable guide to doing business in Washington. Read our latest stories



Featured Advertiser Links

Looking to buy a home? Visit TWP Real Estate section for the latest open houses.

Wireless Is Changing US healthcare

Featured Advertiser Links

Sponsored Links

Travel Guard® Insurance
Travel More, Worry Less!
www.travelguard.com



LifeLock® Official Site
Has your data been breached? Get LifeLock today.
LifeLock.com



Extended Stay America
Free WiFi, Suites w/ full kitchens. Best rates guaranteed. Book here.
www.extendedstayamerica.com

Buy a link here

A Great Read

- How Kids Learn
- About Teachers
- Cool Chats on Kid Lit
- Testing the Tests
- Core Knowledge
- Websites for Kids
- Education Websites
- Book Lists for Kids
- Gerald Bracey
- Joanne Jacobs
- Financial Literacy
- Sleep for Teens More
- A Slew of Statistics
- About Teaching
- Learning Disabilities
- Bridging Differences
- Marion Brady
- Sleep for Kids
- Guys Read
- Learn Something New!
- Susan Ohanian
- For Fun!
- MegaSkills
- Kids And Mental Health

Poverty does significantly affect student achievement and the impact of poverty deserves a closer look.

Schools with High Poverty Rates

Some argue that if you remove the test scores of students in poverty from America's performance, our test scores are among the best in the world. Then, they say, you are comparing apples with apples, since we have a much higher poverty rate than most other countries.

Poverty rates in this country are disturbingly high, among the highest in the developed world. Children cannot learn when they are afraid to walk to school, when they are hungry all day, when they are in ugly, deteriorating school buildings, when they never encounter a gifted teacher. While there are extraordinary exceptions, the weakest teachers tend to be assigned to the highest poverty schools. Poverty is a major factor impeding school achievement in this country.

But discarding U.S. scores from high-poverty schools before making international comparisons is a flawed analysis design.

Some analysts have dropped the bottom 20% of American scores and then compared our students with all students in other nations. This is an unfair comparison that stacks the deck in favor of American students. In fact, this is comparing apples with bananas.

Last fall, the San Francisco 49ers had a record of 13 wins and 3 losses. If we drop the bottom 20% of their games (approximately 3 games), we could argue that they were the best team in the NFL. They would be unbeaten!

The appropriate educational comparison — apples with apples — would be to drop the bottom 20% from each nation. If this were done, I suspect the American ranking would improve somewhat, but we would not be at or near the top. This was the result when scores for the top 5% in each country were compared in an early international study.

America is an exceptional, vibrant, creative nation, the greatest democracy ever to grace this planet. We don't need to create fantasies about our educational history.

-0-

Follow The Answer Sheet every day by bookmarking www.washingtonpost.com/blogs/answer-sheet.

By [Valerie Strauss](#) | 09:37 AM ET, 07/02/2012

Recommend Tweet:

Next: Well-connected applicants, legacies still hold advantage in college admissions, survey finds

32 Comments

[Discussion Policy](#)

Sort: [Newest First](#)



educationlover54 wrote:

7/2/2012 7:17 PM CDT

Thank you for being a truth teller. If we had more truth tellers like David Drew, we would have a better chance of improving education.

Like Liked by 2 readers • Share • Report Abuse



JRock responds:

7/3/2012 1:03 PM CDT

I see it as people's perception in how they come to believe what they want to believe to improving education or anything else for that matter. But I do agree with you that his research could lead to improving education. He makes good points, because my interpretation from this



Internet Explorer cannot displa

What you can try:

- You are not connected to the Int
- Retype the address.
- Go back to the previous page.

Most likely causes:

K-12 Education Subsidies

By Neal McCluskey

May 2009

#2
4/2/15
SCR 4011

Overview

Origins of Federal Intervention

Rising Federal Intervention since the 1960s

Educational Outcomes Have Not Improved

Misallocation and Bureaucracy

Conclusions

Overview

Federal control over K-12 education has risen dramatically in recent decades. Congress has increased funding for the schools while imposing layers of rules and regulations on local school districts. Federal expenditures for K-12 education have soared from \$12.5 billion in 1965 to \$72.8 billion in 2008, measured in constant 2008 dollars.¹ The Department of Education funds about 150 aid programs, which come with an array of regulations that extend federal control over state education policy.²

While state and local governments have been happy to take federal funds, they have chafed at the mandates imposed by Washington. The No Child Left Behind Act of 2002, for example, provoked a backlash from the states because of its costly rules for state academic standards, student testing, and related regulations. An accumulation of federal rules has suppressed innovation and diversity in state education systems, while generating growing bureaucracies of school administrators.

Despite the near tripling of overall per pupil funding since 1965, national academic performance has not improved. Math and reading scores have largely gone flat, graduation rates have stagnated, and researchers have found serious shortcomings with many federal education programs. Experience has shown that federal funding and top-down intervention are not the way to create a high-quality K-12 education system in America.

Congress should begin eliminating funding for K-12 education, and ending all the related regulations. The states need to recognize that federal aid is ultimately funded

by the taxpayers who live in the 50 states, and thus it provides no free lunch. There is no compelling policy reason for the federal government to be involved in K-12 education, and in the long-run America's schools would be better without it.

Origins of Federal Intervention

The first precursor to American public schooling was instituted in the 1640s, when the Old Deluder Satan Act created a partial public education system in Massachusetts.³ The act—which required all settlements having at least 50 families to employ a teacher of reading and writing, and settlements of 100 or more families to establish a grammar school—sought to ensure that all residents were sufficiently literate to read the Bible so they could fend off the inducements of Satan.⁴ Money to pay for teachers and schools could be raised either through tuition paid by parents or through public funds.⁵ However, even this system was more centralized than many New England colonists cared for, and over the decades towns stopped abiding by the law.

Outside of New England, education was even more decentralized. In the South it was almost entirely a family affair; children were either taught in their homes or in a variety of private or community schools. In the ethnically and religiously diverse middle colonies, a wide variety of schools appeared, generally to serve the needs of the region's numerous religious denominations and largely free of government interference.⁶

The traditions established during the colonial period were little changed for nearly two centuries after passage of the Old Deluder Satan Act, despite the fact that in the intervening period the United States declared independence and established a new government under the Constitution.⁷ In the American constitutional system, education is not a federal responsibility, and it is not included among the federal government's enumerated powers.

For more than a century after 1789, American elementary and secondary education evolved almost entirely within state boundaries. Within the states, however, there was increasing centralization in school administration and funding. By the early 1800s, the "common school" movement began to emerge. Supporters of the movement argued that mandatory attendance at free, government schools should be used to integrate America's increasingly heterogeneous peoples. By 1890 a majority of the states had compulsory schooling, and by 1918 all did.⁸

Over time, these schools began to be called "public" schools, and advocates pushed for greater centralization and bureaucratic control.⁹ Consolidation of education continues today, with smaller districts being consolidated into larger ones, and states and the federal government seizing control from local governments for everything from

teacher certification to curricula.

In 1867, Congress appropriated \$15,000 for the creation of the Department of Education, largely in response to lobbying by the new National Teachers Association, later the National Education Association.¹⁰ However, the following year Congress downgraded the department to an Office of Education within the Department of Interior. The agency would not regain its departmental status until 1979.

In the early 20th century, the Office of Education was mainly tasked with collecting information about schools and teaching methods. The federal government funded very few grant programs of any type for state and local governments. That started changing with the New Deal in the 1930s. The federal government launched an array of temporary funding initiatives, such as programs for school construction and repair, the hiring of unemployed teachers, loans to school districts, and aid to rural schools.

There was substantial resistance to these "temporary" measures from policymakers who worried that New Deal precedents would ultimately lead to the creation of permanent federal education subsidies.¹¹ A 1934 article on education in *Congressional Quarterly* noted that "federal subsidies have been opposed on the ground that they stifle local initiative, and are paternalistic, economically unsound, and unconstitutional."¹²

All those criticisms were valid, but education groups, such as the NEA, pushed decade after decade for new subsidies and the creation of a cabinet-level education department, and those goals were ultimately achieved.¹³ Many bills were introduced in Congress between the 1930s and the 1960s to make permanent grants to state and local governments for K-12 schools. Advocates of subsidies pointed to unequal spending on schools in high- and low-income states, and they argued that the federal government could raise taxes more easily than the states.¹⁴

World War II and its aftermath provided another impetus for increased federal intervention. The Lanham Act of 1941 and a 1950 law authorized "impact aid" to compensate school districts for tax revenue lost because of the presence of federal facilities. Also, dozens of bills were introduced in Congress in the post-war years to finance local school construction in response to the post-war baby boom.¹⁵

Then the 1957 launch of the Soviet satellite *Sputnik* scared Americans into thinking that the Soviets were ahead in science, and it inspired an obsession to "fix" America's schools. For the first time, the federal government initiated curriculum and goal-setting policies, leading to passage of the 1958 National Defense Education Act aimed at increasing funding for mathematics, science, and foreign language programs.¹⁶

Rising Federal Intervention since the 1960s

The federal government's expansion into education grew by leaps and bounds during the 1960s. Federal education funding became a part of President Lyndon Johnson's "Great Society," which focused on anti-poverty and civil rights measures to ensure equal access to education. The 1965 Elementary and Secondary Education Act was landmark legislation, and it remains the nucleus of federal K-12 policy today.

The law's Title I was supposed to provide grants to schools in high-poverty areas, but it rapidly morphed into a broad-based subsidy program. From an initial focus on poor districts, Title I had expanded so much by the 1968–69 school year that it was subsidizing 60 percent of the nation's school districts. Today, Title I is the largest K-12 program, costing taxpayers more than \$15 billion annually.

The 1965 act also created subsidies for teacher training, educational research, school libraries, textbooks, student literacy, school technology, and other items. The act even helped beef up state school bureaucracies directly with new "grants to strengthen state departments of education." A 1972 law created a slew of new federal education subsidy programs, as well as new education bureaus, institutes, and councils.

In 1975, the Individuals with Disabilities Education Act required states to ensure free public education to all disabled students, and it spelled out in great detail what services school districts are required to provide. The result has been massive bureaucratic costs and a "lawyers' playground" of legal battles between school districts and parents regarding what services schools must provide to meet federal mandates. Today, special education is the second largest K-12 program, costing federal taxpayers nearly \$12 billion annually.

In 1976, the National Education Association endorsed Jimmy Carter for president, partly because of Carter's promise to create a Department of Education.¹⁷ It was the first time the NEA had endorsed a presidential candidate in the more than a century of its existence, but the NEA had long supported the creation of a federal department. Indeed, NEA's website says that in 1867 it "won its first major legislative victory when it successfully lobbied Congress to establish a federal Department of Education."¹⁸ In 1979, after a lobbying push by the NEA, the American Federation of Teachers, and other groups, Congress narrowly passed legislation to split a new Department of Education off from the existing Department Health, Education, and Welfare.

In 1980 Ronald Reagan was elected president promising to abolish the new Department of Education, calling it Jimmy Carter's boondoggle. In 1982, Reagan crafted a proposal to eliminate the department, but the proposal went nowhere on Capitol Hill. Reagan's efforts were further set back by the influential 1983 study, *A Nation at Risk*, written by a federal blue ribbon commission.¹⁹ As *Congressional Quarterly* noted: "A *Nation at Risk* was such a hit that Reagan political strategists began using its call for higher education standards as an issue for the 1984 campaign. This new enthusiasm helped [Secretary of Education] Terrel Bell and others block

efforts to abolish the Education Department."²⁰

A Nation at Risk criticized the mediocre state of America's public school system, famously intoning that "if an unfriendly power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war."²¹ The report produced a bout of national alarm on par with *Sputnik*, and it similarly resulted in spurring greater federal involvement. In 1984, the Republican Party dropped the elimination of the department from its platform.²²

After Reagan, presidents vigorously promoted an expanded role for the federal government in K-12 education. President George H.W. Bush promoted the creation of "national goals" for the schools. Building on those ideas, President Bill Clinton signed into law the Goals 2000: Educate America Act to promote "national education goals." He also signed the Improving America's Schools Act, which required states to develop federally approved education plans coordinated with Goals 2000, and to adopt a regime of tests to ensure that students made yearly progress. If states did not comply with these and other mandates, they would lose some of their federal education subsidies.

President George W. Bush greatly increased federal involvement with his 650-page No Child Left Behind Act of 2002.²³ State, local, and school officials have complained bitterly about the onerous new dictates of NCLB with respect to such items as statewide testing, annual progress measurements, teacher qualifications, public-school choice, and after-school tutoring.

Federal K-12 education spending—including spending in the Department of Education and other departments—has increased rapidly. Spending jumped from \$12.5 billion in 1965 to \$72.8 billion in 2008—a more than five-fold increase.²⁴ Between 2000 and 2008, real spending rose 34 percent. Measured another way, federal spending on K-12 education increased from 0.27 percent of gross domestic product in 1965 to 0.57 percent today.

Much of this spending is for the major state grant programs operated by the Department of Education. Here are the largest grant programs with outlay amounts for fiscal 2009 (excluding funding in the 2009 stimulus legislation):

- *Title I.* This is a \$15 billion collection of programs, which includes general grants to school districts based on complex formulas, as well as funds for Reading First and Early Reading First. Title I is the main leverage the federal government uses to impose regulations on the states for standardized testing, teacher qualifications, reading curricula, and other items.
- *Special Education.* Special education programs authorized under the Individuals with Disabilities Education Act account for the second largest part of the department's budget at more than \$12 billion.

- *Title II—Improving Teacher Quality State Grants.* These grants, which cost about \$2.9 billion annually, are intended to improve the quality of the teaching force and principals.
- *21st Century Community Learning Centers.* A number of studies have found that this \$1 billion program to fund enrichment activities is ineffective.

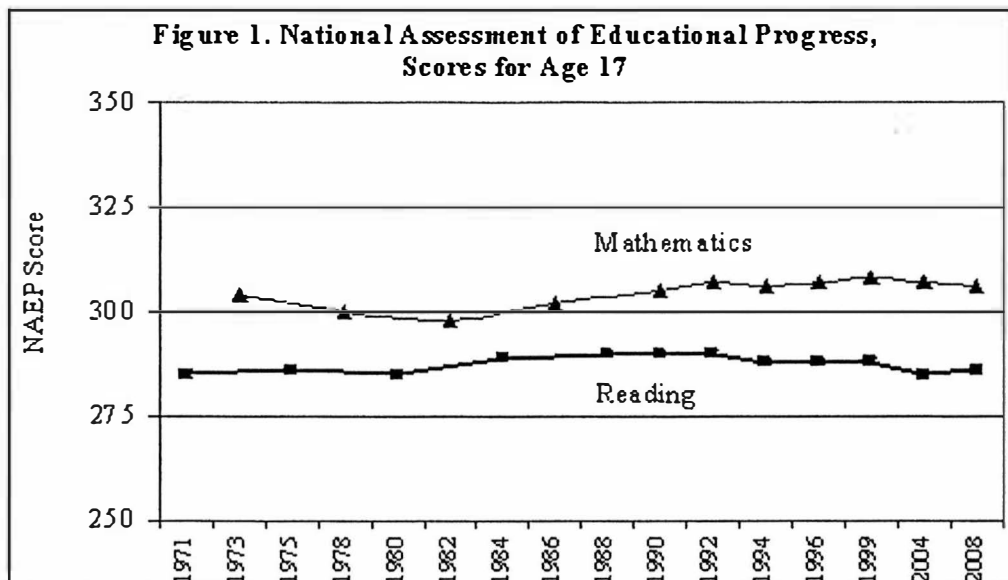
Some of the large federal K-12 programs outside of the Department of Education include Head Start in the Department of Health and Human Services, Indian education programs in the Department of the Interior, and various programs in the Department of Defense.²⁵

Looking at overall K-12 spending by federal, state, and local governments, there have been large increases in recent decades. Total per-pupil expenditures have roughly doubled over the last three decades on a real, or constant-dollar, basis.²⁶ Those increases in resources, however, have not lead to substantial improvements in educational outcomes, as explored next.

Educational Outcomes Have Not Improved

Despite large increases in federal intervention since the 1960s, combined with large increases in funding by all levels of government, K-12 educational achievement has improved little. The most widely used measures of school achievement are scores from the National Assessment of Educational Progress, which are available back to the early 1970s.

Figure 1 shows average NAEP scores for 17-year-olds—who are the "final products" of the public schools. The average NAEP mathematics score rose just two points to 306 in 2008 from 304 in 1973.²⁷ The average NAEP reading score rose just one point to 286 in 2008 from 285 in 1971.²⁸ These scores are on a 500-point scale.



Source: U.S. Department of Education. The test was adjusted in 2004, which very slightly altered scores for 2004 and 2008.

Other measures show similarly poor achievement, or at least a lack of improvement. For example, the percentage of students who had completed high school within four years of entering ninth grade is 75 percent today, about the same as it was in the mid-1970s.²⁹

How have things fared under the 2002 No Child Left Behind Act? It is difficult to isolate the effects of the law because numerous other changes might have affected recent school results, and no results with start and end dates closely reflecting the period during which NCLB has been in effect are available. With those caveats in mind, NAEP subject test (as opposed to long-term-trend data) and long-term data do not paint a particularly positive picture.

On subject tests, there have been very small gains in fourth-grade mathematics, with the average score rising from 235 to 240 (on a 500-point scale) between 2003 and 2007. However, the average score on this test increased much faster in the period *before* NCLB was fully implemented, rising from 226 to 235 between 2000 and 2003. In reading, the average score dropped slightly in eighth grade, from 264 in 2002 to 263 in 2007.

On the long-term-trends test, the closest start date to NCLB's 2002 enactment is 1999, so it is very hard to gauge changes for NCLB's time frame, much less the law's effect on those results. The greatest improvements between 1999 and 2008 were for 9-year-olds in mathematics, where scores rose from 232 to 243. Reading scores for that age also rose significantly, from 212 to 220. The final appreciable improvements were for 13-year-olds in mathematics, where scores rose from 276 to 281. For 13-year-olds in reading, in contrast, scores only rose a point, and for 17-year-olds reading and mathematics scores both dropped two points.

Aside from looking at overall test scores, an examination of the effectiveness of particular federal programs indicates generally poor results. Consider Title I, the core federal education subsidy program. In a recent book, education policy experts Marvin Kusters and Brent Mast concluded the following:

After more than thirty-five years of experience and numerous careful efforts to evaluate its performance, the evidence has failed to demonstrate that Title I programs have been systematically and significantly contributing to reducing disparities in achievement by improving the performance of its beneficiaries . . . Experiments by federal, state, and local authorities and major shifts in the emphasis of federal policy have all failed to bring systematic improvement.³⁰

Or consider the Department of Education's Office of Innovation and Improvement, which has a budget of about \$1 billion. OII claims to be "a nimble, entrepreneurial arm of the U.S. Department of Education" making "strategic investments in innovative educational practices."³¹ But experience shows that the department hasn't been very innovative, notes Diane Ravitch, who headed up the OII's predecessor office in the 1990s:

We were always on the lookout for the latest thing, the newest innovation that would set the world of education on fire. Yet, in retrospect, it is hard to think of a single program that the department funded during that time that actually made a lasting contribution to the advancement of education . . . When I first heard the Department of Education had created an Office of Innovation and Improvement, I was less than enthusiastic. It is not because I oppose innovation, but because I have strong doubts about whether the federal government has the capacity to nurture effective practices. My impression, based on the last 30 years, is that the federal government is likely to be hoodwinked, to be taken in by fads, to fund the status quo with a new name, or to impose a heavy regulatory burden on those who seek its largesse.³²

Misallocation and Bureaucracy

A basic effect of all federal programs is to redistribute income from taxpayers to the beneficiaries of programs. The more than \$70 billion spent on K-12 education programs could have otherwise been retained by families and used for education or other private purposes. The higher are taxes, the less income families have to spend on private schools, tutors, or saving for college. Without federal involvement, each state and local government could decide the best use of public education dollars, whether reducing class sizes or implementing choice programs to incorporate private schools.

Federal intervention has long been supported on "equity" grounds, or redistributing funds toward less-advantaged schools. But studies have found that the federal

government is not very successful at such redistribution, even if it were a good idea. When you compare a ranking of the states based on poverty rates with a ranking of per pupil federal K-12 financing, it reveals only a weak correlation.³³ In other words, states with high poverty rates typically get only slightly more federal funds than wealthier states.

Perhaps more importantly, federal funds are often offset at the state and local levels by reduced state and local funding. A statistical analysis by Nora Gordon of the University of California, San Diego, found that while Title I is supposed to steer money to poor school districts, the actual effect is quite different.³⁴ She found that within a few years of a grant being given, state and local governments used the federal funds to displace their own funding of poor schools. Thus, poor schools may be no further ahead despite the federal grant money directed at them. Other studies have concluded that Title I has not reduced the education funding gap between higher- and lower-income states.³⁵

Aside from redistribution, the theory behind educational aid to the states is that federal policymakers can design programs in the national interest to efficiently solve local problems.³⁶ But involving the federal government focuses the educational policy discussion on spending levels and regulations, not on delivering quality services. By involving all levels of government in just about every policy area, the aid system creates a lack of accountability—when every government is responsible for education, no government is responsible.

The Department of Education has no teachers and runs no schools. Its purpose is to oversee 146 education grant programs, which are described in a massive department guidebook that is 490 pages long.³⁷ In 2008, the number of different grant and subsidy programs operated by the department included 34 for special education, 46 in its Office of Elementary and Secondary Education, and 8 in its Office of Educational Research.³⁸ As discussed elsewhere on this website, the department also runs dozens of expensive grant and subsidy programs for higher education.

All these programs create intense bureaucracy at the federal, state, and local levels. One can look at budget data for particular programs to get an estimate of federal administrative costs. For example, the Safe and Drug-Free Schools program has administrative costs equal to about 8 percent of the value of grants handed out.³⁹ Those costs stay in Washington, and do not help school students.

The larger educational bureaucracies are in the state and local agencies that comply with all the federal regulations. For example, in 2008 the Department of Education estimated that 7.8 million hours of work would be needed for state and local education agencies to comply just with regulations governing Title I grants. That figure had increased from 2.9 million hours in 2003, mainly as a result of the No Child Left Behind legislation.⁴⁰ In many states, a majority of state-level education department

workers are those administering federally funded programs.⁴¹

Federal education programs have also generated large lobbying and litigation activities, which are a drag on the U.S. economy. Consider, for example, that the National Education Association has a staff of 555 and a budget of more than \$300 million.⁴² The NEA influences federal policy through publications, conferences, meetings with legislators, and contributions to candidates.

Aside from the broad-based groups that lobby for overall spending increases, there are many lobby groups focused on particular education programs in the federal budget, such as the National Head Start Association.⁴³ This organization, which as an annual budget of more than \$5 million, pushes for increased Head Start spending every way it can, such as publishing a 16-page "Voter Participation and Lobbying Guide for Head Start Staff, Parents, and Friends."⁴⁴ The association even has its own Legal Advisory Service to provide legal training and legal guidance for the recipients of Head Start subsidies.⁴⁵

Conclusions

Over the decades, policymakers have argued that various state, local, and private activities need federal intervention because they are "national priorities." A fact sheet from the Secretary of Education in 2005 begins: "The responsibility for K-12 education rests with the states under the Constitution. There is also a compelling national interest in the quality of the nation's public schools. Therefore, the federal government . . . provides assistance to the states and schools in an effort to supplement, not supplant, state support."⁴⁶

This logic is flawed because there are few activities that the federal government performs that are not also priorities of individuals and state and local governments. One can call education a "national" priority, but that does not mean that the federal government has to get involved. That's because education is also a high priority of local governments and families. The states are free to learn new schooling techniques from each other, but there is no need for top-down control from Washington.

President Ronald Reagan made the following observation in a 1987 executive order on federalism:

It is important to recognize the distinction between problems of national scope (which may justify federal action) and problems that are merely common to the states (which will not justify federal action because individual states, acting individually or together, can effectively deal with them).⁴⁷

Having high quality K-12 education is a concern of many Americans, but that does not justify having a federal Department of Education. Canada provides an interesting comparison. Like the United States, Canada is a high-income federation with an advanced economy, yet it has no federal department of education. Public education in Canada is of sole concern to provincial and local governments. Interestingly, that decentralized approach has resulted in substantial experimentation and innovation, including school vouchers, charter schools, and competing public schools. International education achievement data suggest that children in several Canadian provinces, and the nation as a whole, outperform U.S. students in reading, mathematics, and science.⁴⁸

In the United States, the federal government has expended hundreds of billions of dollars on the schools, yet all it has to show for it is stagnant test scores, huge bureaucracies, and masses of federal regulations that smother local innovation. The federal government's poor track record proves how wise the Constitution's framers were to leave such local activities to the states. Federal meddling in education should be scaled down and phased out, and control should be returned to the states and, ultimately to the people.

¹ U.S. Department of Education, *Digest of Education Statistics, 2008*, Table 373, <http://nces.ed.gov/pubs2009/2009020.pdf>.

² Chris Edwards, "Number of Federal Subsidy Programs Tops 1,800," Cato Institute Tax and Budget Bulletin no. 56, April 2009.

³ C. J. Lucas, *Our Western Educational Heritage* (New York: Macmillan, 1972), pp. 474–480.

⁴ N. Ray Hiner, "The Cry of Sodom Enquired Into: Educational Analysis in Seventeenth-Century New England" in *The Social History of American Education*, ed. B. Edward McClellan and William J. Reese, (Urbana, IL: University of Illinois, 1988), p. 3.

⁵ *Old Deluder Satan Act*, <http://personal.pitnet.net/primarysources/deluder.html>.

⁶ Wayne J. Urban and Jennings L. Wagoner Jr. *American Education: A History*, 3rd ed. (Boston: McGraw-Hill, 2004), pp. 53–54.

⁷ John C. Teafor, "The Transformation of Massachusetts Education 1670–1780," in *The Social History of American Education*, eds. B. Edward McClellan and William J. Reese, (Urbana, IL: University of Illinois, 1988) pp. 25–31.

⁸ Wayne J. Urban and Jennings L. Wagoner Jr., *American Education: A History*,

#3
4/2/15
SCR 4011

16.9385.01000

Prepared for the Budget Section

ANALYSIS OF FEDERAL FUNDS FOR BIENNIUMS ENDING JUNE 30, 2015, AND JUNE 30, 2017

Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	2013-16 Biennium							2015-17 Biennium					
			Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort
GENERAL GOVERNMENT															
Secretary of State	108														
39.011 Federal Election Funds/Title I															
90.401 Federal Election Funds/Title II			\$4,344,508	\$4,344,508	\$0						\$1,500,000				
93.617 HHS - HAVA			275,000	275,000	0						200,000				
90.401 Title II - Post 1-1-07 HAVA Funds															
Total Secretary of State			\$4,619,508	\$4,619,508	\$0	\$0	\$0	\$0	\$0	\$0	\$1,700,000	\$0	\$0	\$0	\$0
Office of Management and Budget	110														
Information Technology Department	112														
16.740 Statewide Automated Victim Information Notifications (SAVIN) Program			\$10,000	\$10,000				\$600,000							
93.710 ND Health Information Exchange			4,500,000	1,721,955	(\$2,778,045)	\$372,269	\$4,413,722								
11.558 State Broadband Data and Development Grant Program			2,300,000	500,000	(1,800,000)										
11.549 ND State and Local Implementation Grant Program (ND SLIGP)			2,000,000	603,910	(1,396,090)		27,600				\$603,910	\$29,300			
Bureau of Justice Assistance under the Global Justice Information Sharing Implementation Project (SEARCH)			48,980	48,980	0										
Total Information Technology Department			\$8,858,980	\$2,884,845	(\$5,974,135)	\$372,269	\$4,441,322	\$600,000	\$0	\$0	\$603,910	\$29,300	\$0	\$0	\$0
State Auditor	117														
15.427 Fed. Oil and Gas Royalty Audit Program			\$1,203,650	\$1,203,650							\$1,403,607	N/A			
Attorney General	125														
16.607 Bulletproof Vest Partnership Program - Bulletproof vests for various law enforcement staff			\$5,000	\$2,500	(\$2,500)	\$5,000					\$5,000	\$5,000			
16.710 Community Policing Services (COPS) - To help combat unique methamphetamine issues facing rural communities.			570,000	259,258	(310,742)						212,000				
16.579 Justice Assistance Grant - Drug Control and System Improvement - Fund state and local drug enforcement and innovative crime prevention, domestic violence, drug awareness, narcotics treatment, alternatives to detention, and justice information systems programs			2,563,640	1,635,377	(928,263)	177,450					1,948,498	227,450	\$50,000		
93.908 High Intensity Drug Trafficking Area (HIDTA) - Criminal Investigations and Crime Lab, funding for high rural drug areas			1,300,000	1,300,000	0						1,451,482				
16.550 National Criminal History Information System - Modify existing criminal history programs			255,000	50,779	(195,221)						0				
16.600 Project Safe Neighborhoods - Nationwide commitment to reduce gun crime in America by networking existing local programs that target gun crime and to assist those programs to carryout innovative and effective projects.			197,000	0	(197,000)						0				
16.543 Internet Crimes Against Children - Develop effective response to cyber enticement and child pornography cases			459,000	611,286	152,286						505,000				
16.593 Residential Substance Abuse Treatment for State Prisoners - Assist political subdivisions in developing and implementing residential substance abuse treatment programs within state and local correctional and detention facilities			250,000	139,884	(110,116)						150,000				
16.750 Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) - Assist political subdivisions to implement the Sex Offender Registration and Notification Act and Adam Walsh Act			662,000	460,235	(201,765)						662,000				
97.074 State Domestic Preparedness - Domestic Terrorism		DES	413,012	331,579	(81,433)						413,012				

Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	2013-16 Biennium							2015-17 Biennium						
			Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed
20.601 DOT Traffic Safety - Purchase of Secure Continuous Remote Alcohol Monitors		DOT	150,000		(150,000)						75,000					
16.710 COPS - Child Sexual Predator Program			244,200	79,882	(164,318)						144,200					
16.813 National Instant Check System - Background checks			167,338	167,338	0						100,000					
16.751 Prison Rape Elimination Act - Justice Assistance Grant Reduction 5 percent - New				7,500	7,500						30,000					
16.751 Justice Information Sharing				113,450	113,450						155,000					
16.741 Forensic DNA Capacity Enhancement			484,000	781,888	297,888						922,436					
16.748 Convicted Offender or Arrestee Backlog Reduction Program			500,691	89,670	(411,021)						0					
16.742 Paul Coverdell Act - Accreditation of the Crime Lab/Increasing Lab productivity			560,175	287,811	(272,364)						157,118					
20.600 State and Community Highway Safety - DUI blood testing		DOT	206,650	814,498	517,848						599,300					
16.307 Crime Lab Improvement: Combined Offender DNA			200,000		(200,000)						0					
Total Attorney General			\$9,277,706	\$7,141,953	(\$2,135,753)	\$162,450	\$0	\$0	\$0	\$0	\$7,530,044	\$232,450	\$50,000	\$0	\$0	\$0
Office of State Tax Commissioner	127															
2000 Midwest Region Motor Fuel			\$5,000	\$5,000	\$0											
2010 Midwest Region Motor Fuel			5,000	5,000	0											
2011 Midwest Region Motor Fuel			115,000	100,000	(15,000)						\$100,000					
Total Office of Tax Commissioner			\$125,000	\$110,000	(\$15,000)	\$0	\$0	\$0	\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0
Judicial Branch	180															
93.563 Child Support		DHS	\$1,222,940	\$1,222,940							\$1,352,881					
93.568 Court Improvement - Basic			107,648	107,648		\$65,883					191,630	\$63,876				
93.568 Court Improvement - Training			103,160	103,160		64,384					187,200	62,400				
93.568 Court Improvement - Data collection			104,342	104,342		64,781					187,200	62,400				
Total Judicial Branch			\$1,608,090	\$1,608,090	\$0	\$195,048	\$0	\$0	\$0	\$0	\$1,918,911	\$188,676	\$0	\$0	\$0	\$0
TOTAL GENERAL GOVERNMENT			\$25,892,934	\$17,768,046	(\$8,124,888)	\$749,787	\$4,441,322	\$800,000	\$0	\$0	\$13,258,472	\$450,428	\$50,000	\$0	\$0	\$0
EDUCATION																
Department of Public Instruction	201															
84.027 Individuals with Disabilities Education Act			\$56,120,611	\$54,387,344	(\$1,742,267)			\$156,704,705		\$681,000	\$50,642,111			\$156,704,705		\$693,000
84.173 Individuals with Disabilities Education Act - Preschool			1,619,156	1,451,952	(167,204)					11,480	1,488,253					13,191
84.323 State Personnel Development Grant			1,500,000	1,118,545	(381,455)					38,900	1,125,282					42,971
84.287 21st Century			11,286,398	10,980,578	(305,820)					71,660	11,263,828					82,000
84.305 Title II - English Language Acquisition			1,039,350	1,217,485	178,135					38,900	1,362,985					42,900
93.576 Refugee Impact Grant			329,888	315,282	(14,606)					1,120	315,282					6,435
84.372 Statewide Longitudinal Data System			5,763,873	3,943,898	(1,819,975)					358,400	1,300,000					429,000
10.590 State Administrative Expense (SAE)			1,500,000	1,762,233	262,233			145,182		195,000	1,615,000			145,182		200,950
10.555 School Food Program			46,732,084	45,738,802	(993,282)	\$1,380,000					51,935,557	\$1,380,000				
10.558 Child and Adult Care Food Program			23,102,448	20,558,886	(2,543,562)					46,461	24,505,749					49,283
10.559 Summer Food Service Program			1,236,385	1,124,221	(112,164)					11,180	1,345,000					13,624
10.562 Fresh Fruit and Vegetable Program			4,174,832	3,762,725	(412,107)					22,767	4,100,000					41,325
10.568 Temporary Emergency Federal Aid Program			213,136	198,358	(14,780)			5,000		4,580	194,000			5,000		4,169
10.574 Team Nutrition			244,742	281,461	36,719					26,022	800,000					89,250
10.555 Direct Certification				75,050	75,050					6,097	1,000,000					70,400
10.567 Food Distribution Program on Indian Reservations			2,235,981	2,221,098	(14,883)					41,622	2,252,000					45,040
10.565 Commodity Supplemental Food Program			365,000	306,726	(58,274)					7,110	298,000					5,980
84.002 Adult Education			2,039,658	1,934,697	(104,961)	3,110,411		2,020,990		34,000	2,032,000	3,110,411		2,020,990		37,000
84.011 Migrant Program			800,000	700,697	(99,303)					27,200	737,000					29,000
84.196 McKinney-Vento Homeless Program			325,000	317,033	(7,967)					23,000	341,000					18,000
93.293 Centers for Disease Control			1,137,400	130,000	(1,007,400)					13,500	130,000					14,000
93.945 CDC School Health		H		109,270	109,270					9,200	229,000					9,400
84.010 Title I, Part A			76,680,276	67,938,709	(8,741,567)					58,400	75,231,206					58,400
84.013 Neglected and Delinquent			154,422	202,595	48,173						160,000					
84.368 Title IIB, Math and Science Partnership			1,785,203	1,450,806	(334,397)					10,590	1,497,982					10,590
84.307 Title IIA, Teacher Quality			20,786,725	21,737,978	951,253					63,225	20,820,208					63,220
84.360 Assessing Achievement			7,639,227	6,839,227	(800,000)	2,200,000				218,612	8,820,722	2,200,000				235,500
84.358 Rural, Low Income Schools			50,500	66,142	15,642					483	50,952					483
0.000 NAEP Coordinator			178,104	178,104	0					28,003	75,001					12,055
Total Department of Public Instruction			\$269,040,193	\$251,049,706	(\$17,990,397)	\$6,600,411	\$0	\$156,875,877	\$0	\$2,045,432	\$271,473,096	\$6,600,411	\$0	\$156,875,877	\$0	\$2,336,036
North Dakota University System	215															
84.367B Title 11 Part A Teacher and Principal Training and Recruiting Fund			\$1,008,472	\$695,600	(\$310,872)						\$695,600					
64.127 State Approving Agency - Provide benefits for veterans attending school in ND			288,698	288,698	0											
Total University System			\$1,297,170	\$984,298	(\$312,872)	\$0	\$0	\$0	\$0	\$0	\$695,600	\$0	\$0	\$0	\$0	\$0
North Dakota Legislative Council																

2013-16 Biennium											2015-17 Biennium					
Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed
State Library	250		\$2,302,293	\$2,302,293	\$0	\$972,525	\$0	\$4,903,463	\$0	\$0	\$2,302,293	\$972,525	\$0	\$4,903,463	\$0	\$0
45.310 Library Services and Technology Act																
School for the Deaf	252															
School Lunch Program		DPI	\$24,200	\$24,200	\$0						\$22,000					
84.326t Dual Sensory Program		DPI	130,000	130,000	0						130,000					
84.027 Dual Sensory Program		DPI	80,000	80,000	0						80,000					
84.027a IDEA B		DPI	52,000	52,000	0						52,000					
84.173a IDEA Preschool		DPI	2,022	2,022	0						2,000					
Total School for the Deaf			\$268,222	\$268,222	\$0	\$0	\$0	\$0	\$0	\$0	\$266,000	\$0	\$0	\$0	\$0	\$0
State Board for Career and Technical Education	270															
84 Carl D. Perkins			\$9,832,821	\$8,429,842	(\$1,402,979)	\$500,000		\$60,500,000			\$8,500,000	\$500,000		\$60,500,000		
18 Mine Safety			133,218	70,289	(\$3,920)						130,000					
Total State Board for Career and Technical Education			\$9,966,039	\$8,500,131	(\$1,456,908)	\$500,000	\$0	\$60,500,000	\$0	\$0	\$8,630,000	\$500,000	\$0	\$60,500,000	\$0	\$0
TOTAL EDUCATION			\$282,900,915	\$283,133,738	(\$19,767,177)	\$8,162,936	\$0	\$224,279,340	\$0	\$2,045,432	\$283,388,989	\$8,162,936	\$0	\$224,279,340	\$0	\$2,336,036
HEALTH AND WELFARE																
State Department of Health	301															
10.557 WIC			\$32,128,058	\$28,771,050	(\$3,357,008)					\$41,050	\$28,510,274					\$93,386
10.578 WIC - EBT			640,063	640,063	0						1,873,700					4,840
10.017 Sexual Assault Service Grant Program			461,208	461,208	0					950	540,894					1,944
10.588 STOP Violence Against Women Formula Grants			1,612,426	1,612,426	0	\$140,796				15,946	1,065,242	\$157,800				17,048
10.500 Community Defined Solutions to Violence (GTEA)			906,877	355,136	(611,741)											
20.610 EMS DOT Traffic Analyst		DOT	162,252	162,252	0											
06.034 PM 2.5 Monitoring Grant			359,239	261,267	(97,972)					11,160	157,697					13,334
06.040 Clean Diesel			633,200	247,347	(385,853)					10,000	290,000					5,099
06.410 Water Quality			1,710,000	1,710,000	0						1,650,000					24,239
06.454 Water Quality Management Planning			251,919	251,919	0					4,997	250,000					15,757
06.458 Clean Water State Revolving Fund Admin			570,289	570,289	0					67,550	548,240					60,401
06.460 EPA Non Point			11,403,492	11,353,393	(140,099)	586,074	\$215,700			26,479	10,727,651	884,798				45,680
06.468 Drinking Water			2,212,980	2,212,980	0						2,221,880					188,207
06.005 EPA Block PPG			9,098,828	9,098,828	0	2,574,084	448,854	\$377,888			9,518,955	3,172,318		\$377,888		748,950
06.008 ND Environ. Inform. Exchange State Grants			405,925	300,000	(105,925)					10,000	280,000					6,490
06.805 Leaking Underground Storage Tank (LUST)			1,811,718	1,811,718	0	254,891	111,111			29,000	1,877,000	135,222	\$133,333			80,324
06.817 Targeted Brownfields Response Grant			232,000	232,000	0						150,000					6,450
03.069 Public Health Emergency Preparedness (PHEP)			9,272,021	8,227,429	(1,044,592)	938,000			\$0	205,550	9,471,079	947,198				192,588
03.110 Title V SSDI Maternal and Child Health Federal Consolidated Programs			340,854	252,106	(88,748)					20,690	220,000					17,464
03.116 Tuberculosis Control/Elimination Prog			326,211	326,211	0					13,671	324,349					17,482
03.127 EMSC Partnership Grants			265,000	265,000	0					19,300	280,000					15,343
03.130 Primary Care Services Resource Coordination and Development			370,616	324,392	(46,224)					16,897	341,472					518
03.136 Sexual Violence Prevention and Education (RPE)			180,000	327,847	147,847					3,079	351,802					3,584
03.165 Federal Physician Loan Program Grants			440,000	440,000	0						1,100,000					
03.217 Family Planning Services			2,316,556	2,316,556	0					21,598	2,130,672					35,277
03.235 Abstinence Education Grant				45,175	45,175	15,309					120,000	34,204				2,400
03.236 HRSA Oral Health Workforce Activities			122,439	185,677	63,238					6,424	558,514					10,148
03.243 Garrett Lee Smith Suicide			0	0	0						1,454,385					12,346
03.262 University of MN Occupational Health				13,835	13,835						15,113					218
03.268 Immunization Base			3,252,074	3,252,074	0					86,146	4,680,017					130,531
03.283 Comprehensive Cancer CDC and Prevention Investigations and Technical Assistance			7,069,716	6,155,287	(934,429)					242,058	5,542,983					190,293
03.296 Health Disparities			289,463	41,465	(247,998)					20,746	87,075					
03.311 HRSA Oral Health Mobilization				0	0						936,250					11,895
03.414 Primary Care Services - ARRA			25,000	0	(25,000)						-					
03.521 Epidemiology and Lab Capacity Supplemental			1,680,029	1,680,029	0					45,835	1,396,677					65,897
03.531 Community Transformation Grant			1,556,403	478,661	(1,077,742)					8,555	-					
03.539 Immunization Capacity Building			400,000	400,000	0						140,698					
03.544 Coordinated Chronic Disease			1,248,525	168,851	(1,079,674)					24,000	-					
03.671 Family Violence and Prevention Services/Grants for Battered Women's Shelters/Grants to States and Indian Tribes			1,453,824	1,453,824	0					6,350	1,471,984					6,643
03.712 Immunization - ARRA			130,000	130,683	683						-					
03.733 Immunization Infrastructure and Performance			688,099	701,761	13,662					10,936	253,000					6,203
03.777 State Health Care Providers Certification T-18 State Survey and Certification of Health Care Providers and Suppliers			3,720,232	3,720,232	0					213,168	3,556,546					256,030

Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	2013-16 Biennium							2016-17 Biennium						
			Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed
03.880 Hospital Preparedness Program			2,403,723	2,284,230	(116,493)	234,300				28,600	2,350,226	235,000				28,600
03.917 Ryan White			3,032,688	3,032,688	0					7,206	3,555,000					15,683
03.919 Breast and Cervical Cancer CDC and Prevention Investigations and Technical Assistance			3,160,352	3,067,030	(93,322)		400,500			37,302	2,956,152					60,767
03.940 AIDS Prevention Activities			1,526,497	1,526,497	0					49,511	1,533,790					51,388
03.944 AIDS Surveillance			289,602	270,926	(17,676)					9,929	232,919					11,749
03.945 State Public Health Actions to Prevent and Control Diabetes, Heart Disease, Obesity and Assoc. Risk Factors and Promote School Health (DHDOSH)				943,371	943,371						1,991,542					73,361
03.977 Sexually Transmitted Diseases			504,124	504,124	0					32,244	451,481					33,469
03.991 Preventive Health Block Grant			379,415	650,590	280,184					8,555	756,578					5,892
03.994 Maternal and Child Health Services Block Grant			4,905,297	4,795,688	(109,609)	2,134,278				94,805	4,811,597	2,230,552				162,477
03.999 CSTE - HSP			90,225	58,807	(33,418)					2,270	78,454					1,088
20.600 PT Child Safety Program - DOT State and Community Highway Safety		DOT	300,000	300,000	0					4,284	300,000					5,011
03.500 PT DHS Parent Newsletter		DHS	20,000	20,000	0						7,500					
03.778 PT Medicaid Title XIX - Medical Assistance Program		DHS	2,315,112	2,315,112	0	659,666	275,725			131,504	2,381,399	683,708	207,227			151,204
03.038 PT School Health - DPI Cooperative Agreement		DPI	756,492	20,686	(735,776)					14,568	96,000					
PO CDC Nat Center for Health Statistics/Social Sec			391,050	391,050	0					51,300	425,256					36,373
PO Express Grant for SIDS			10,000	0	(10,000)											
PO Consumer Product Safety			1,700	1,700	0						1,700					
PO FDA - Radiation and Mammography			165,660	165,660	0					6,000	150,000					5,543
PT DES Hazardous Mat. Prep. Training		DES	48,000	18,600	(29,400)	12,000										
03.241 PT FLEX		UND	10,500	10,500	0						8,000					
Total State Department of Health			\$120,309,143	\$111,334,839	(\$8,974,304)	\$7,555,398	\$1,451,690	\$377,868	\$0	\$2,401,790	\$116,763,623	\$8,480,978	\$340,560	\$377,868	\$0	\$2,918,902
Veterans' Home	313															
04.014 Veterans' State Domiciliary Care			\$2,514,120	\$2,400,000	(\$114,120)						\$2,248,400					
04.015 Veterans' State Nursing Home Care			3,416,400	3,100,000	(\$316,400)						3,100,000					
Total Veterans' Home			\$5,930,520.00	\$5,500,000.00	-\$430,520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,348,400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Department of Human Services	325															
10.551 Food Stamp EBT Benefits		DPI	\$201,778,850	\$153,541,588	(\$48,237,062)						\$164,923,407					
10.555 DPI - National School Lunch (NEHSC)			25,060	28,800	3,720						28,800					
10.561 Food Stamp Program			9,179,251	8,630,233	(549,048)	\$2,968,787	\$784,162			\$15,814	7,289,384	\$3,517,046	\$766,305			\$16,778
10.570 Nutrition Services Incentive Program			1,612,864	1,423,864	(189,000)						1,602,532					
16.727 Combatting Underage Drinking			201,201	200,000	(1,201)						100,000					
17.235 Senior Employment			1,073,766	1,071,888	(1,878)						1,010,943	1,208				
84.126 Vocational Rehab. Basic Supp.			24,022,121	20,837,702	(3,184,419)	5,310,212		\$6,031,199			22,896,256	5,386,356	12,000	\$5,498,210		
84.161 Client Assistance			228,309	244,278	15,969						237,010					
84.169 Vocational Rehabilitation Independent Living Part B			839,830	591,122	(248,708)	1,748,987					610,890	1,766,487				
84.177 Vocational Rehabilitation Independent Living Older Blind			673,213	459,972	(213,241)	166,711					520,111	330,335				
84.181 Developmental Disabilities Part C			5,002,531	6,026,379	1,023,748						3,695,676					
84.187 Supported Employment VI-C			677,527	611,133	(66,394)						676,308					
84.224 Interagency Program for Assistive Technology (TEC Grant)			888,504	605,800	(282,704)						724,672					
84.265 Vocational Rehabilitation In-Service Training			40,905	33,840	(7,065)	4,545					46,521	5,169				
03.041 Elder Abuse Prevention			50,098	50,011	(87)						97,202					
03.042 Ombudsman Activity			169,412	159,697	(10,715)						131,137					
03.043 AOA Preventive Health			209,840	184,840	(25,000)						199,498					
03.044 Title III B			3,265,740	3,498,330	202,590	74,609		4,554,348			3,563,202	1,015,811		4,548,797		
03.045 Aging Admin			6,468,345	6,360,059	(82,286)	2,548,744					6,710,546	2,194,133				
03.048 Aging Disability Resource Center			280,148		(280,148)	6										
03.052 Title III E - Family Caregiver			1,532,864	1,516,068	(16,796)	248,399					1,568,450	235,788				
03.104 Trauma Informed System of Care				64,545	64,545						77,213					
03.150 Project for Homeless - PATH			597,494	503,473	(4,021)						594,149					
03.230 Mental Health Data Infrastructure			51,647	57,285	5,638	78,900					47,656	195,500				
03.243 Strategic Prevention Framework			9,350,000	9,127,027	(222,973)						4,804,980					
03.525 Center for Consumer Information and Insurance Oversight Grant				630,423	630,423											
03.558 Promoting Safe and Stable Families			676,288	744,194	67,906	116,993					808,118	249,725				
03.558 Temporary Assistance for Needy Families Block Grant			61,088,380	50,268,260	(10,820,120)			450,137	\$13,648,363		57,142,482			1,235,772	\$12,868,728	
03.563 Child Support Enforce			21,802,293	21,231,368	(570,925)	10,185,828		2,654,978		263,201	23,280,676	10,752,462		2,654,978		279,229
03.566 Refugee Assistance CMA			2,958,014	3,178,557	220,543						4,306,331					
03.568 Low Income Home Energy Assistance Program			42,483,077	46,386,001	3,902,924						42,170,475					
03.575 Child Care Development Fund - Discretionary Funds			9,470,070	10,282,919	803,849						10,282,919					
03.590 Child Abuse - Challenge Grant			407,330	383,905	(23,425)	108,026					405,474	69,421				
03.596 Child Care Development Fund			10,359,403	9,582,054	(777,349)	276,448	6,917,975		2,034,072		9,772,361	10,781,003	6,546,272		2,034,072	
03.597 Access and Visitation Program			200,000	200,000	0						200,000					
03.599 Education and Training Vouchers			235,030	164,000	(71,030)						148,402	37,100				

Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	2013-16 Biennium							2015-17 Biennium						
			Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed
03.000 Head Start Collaboration			202,120	289,045	87,516	172,327					284,642	118,576				
03.003 Adoption Incentive Funds			10,834	132,000	115,166											
03.030 Develop. Disabilities Council			908,572	778,615	(100,957)						939,778					
03.043 Child Abuse - Justice Act			138,188	132,726	(5,462)						148,020					
03.045 Child Welfare Services			1,336,577	629,920	(500,657)	492,191					1,154,534	405,284				
03.058 Foster Care IV-E			24,095,763	25,911,734	1,815,951	9,227,918	4,012,240			10,645	28,448,155	12,500,481	3,892,590			11,293
03.059 FC Adoption Assist.			11,949,510	10,713,490	(1,236,020)	9,183,943	2,419,645				11,698,067	9,079,148	2,312,895			
03.067 Social Service Block Grant			7,370,831	7,380,878	847						6,937,941					
03.069 Child Abuse - Basic Grant			209,061	200,471	(8,590)						203,211					
03.074 Independent Living IV-E			1,104,424	1,030,707	(124,627)	93,726					1,013,659	162,517				
03.767 Children's Health Insurance Program			37,142,684	30,104,730	(7,037,954)	10,532,123					24,161,116	12,921,287				
03.777 Medicaid Survey and Cert			3,090,991	3,076,475	(14,516)	22					3,008,955					
03.778 Medicaid			1,168,236,834	1,152,711,502	(15,525,332)	934,967,993	64,930,010			217,630	1,556,599,558	988,157,489	67,454,268			230,884
03.779 Mental Health Oimstead Project			7,816	942	(6,874)											
03.791 Money Follows the Person			5,716,275	7,129,073	1,412,798	1,307,724	175,598				3,803,842	167,066	150,000			
03.958 Mental Health Block Grant			1,578,806	2,035,910	457,104			30,000,410	6,520,887		2,977,852			30,355,974	6,447,278	
03.959 Substance Abuse Prevention Treatment Block Grant			10,867,887	10,099,156	(768,731)			10,401,991	6,811,812		10,840,345			19,320,399	6,723,753	
03.994 Maternal and Child Health Services Block Grant			205,744	282,494	76,750	7,657					208,719	735				
04.011 NEHSC Foster Grandparent			589,770	580,524	(9,246)						572,631					
06.001 Disability Determination Services			7,763,860	7,623,939	(139,921)						7,675,662					
06.006 Epidemiological Outcomes Workgroup			183,778	(397)	(184,175)						35,461					
Total Department of Human Services			\$1,700,732,059	\$1,620,018,639	(\$71,713,220)	\$908,822,819	\$79,210,628	\$72,789,063	\$29,015,114	\$507,290	\$2,030,831,027	\$1,060,051,927	\$81,134,330	\$72,614,130	\$28,073,831	\$538,184
Protection and Advocacy Project	380															
03.630 Developmental Disabilities			\$834,872	\$834,872	\$0						\$863,570					
03.138 Mental Health Program			1,000,000	1,000,000	0						981,043					
84.240 PAIR Program			415,000	415,000	0						428,400					
84.343 Assistive Technology Program			95,000	95,000	0						117,251					
06.009 PABSS Program			175,000	175,000	0						258,853					
03.234D TBI Program			110,000	110,000	0						120,098					
03.628 HAVA Program			275,000	275,000	0						231,060					
Medicaid Title 19			85,000	85,000	0	\$85,000					87,032	\$87,032				
Client Assistance Program			243,740	243,740	0						248,428					
Total Protection and Advocacy Project			\$3,233,612	\$3,233,612	\$0	\$85,000	\$0	\$0	\$0	\$0	\$3,346,625	\$87,032	\$0	\$0	\$0	\$0
Job Service North Dakota	380															
17.002; 17.207 Labor Statistics			\$1,587,396	\$1,069,037	\$361,641					\$185,438	\$1,956,150					\$185,438
03.656 Department of Human Services			2,872,115	2,614,498	(257,617)					246,226	3,254,821					246,226
17.273; 10.561; Other Federal Grants			3,063,730	1,659,957	(1,203,773)					175,165	710,138					175,165
17.207; 81.041																
17.245 Trade Assistance			2,921,271	1,825,730	(1,095,541)					171,942	831,773					171,942
17.225 Unemployment Insurance			29,137,298	25,700,027	(3,437,271)					2,428,828	23,271,096					2,428,828
17.801; 17.804; Veterans' Program			1,282,120	1,207,543	(74,577)					113,723	1,463,217					113,723
17.807																
17.258-17.260; Workforce Investment Act			11,488,952	11,932,103	443,151					1,123,730	13,342,800					1,123,730
17.278																
17.207 Wagner Peyser			11,950,094	11,854,853	(95,241)					1,116,455	10,512,576					1,116,455
17.225 Reed Act Distribution			12,407,000	12,407,000	0					1,168,454						
17.225 UI Special Admin - Reed Act ARRA			499,496	135,971	(360,525)					12,805						
Total Job Service North Dakota			\$77,206,472	\$71,596,719	(\$5,609,753)	\$0	\$0	\$0	\$0	\$6,742,766	\$55,342,571	\$0	\$0	\$0	\$0	\$5,561,507
TOTAL HEALTH AND WELFARE			\$1,907,411,806	\$1,820,684,009	(\$86,727,797)	\$1,006,483,217	\$80,871,618	\$73,166,931	\$29,015,114	\$9,651,848	\$2,211,832,246	\$1,068,620,837	\$81,474,890	\$72,991,998	\$28,073,831	\$9,018,883
REGULATORY																
Insurance Department	401															
03.779 State Health Insurance Assistance Program			\$721,025	\$538,112	(\$182,913)						\$507,000					
03.511 Grants to States Health Insurance Premium Review Cycle 1			660,000		(660,000)											
Total Insurance Department			\$1,381,025	\$538,112	(\$842,913)	\$0	\$0	\$0	\$0	\$0	\$507,000	\$0	\$0	\$0	\$0	\$0
Industrial Commission	405															
15.250 Coal Exploration/Reclamation			\$14,000	\$20,000	\$6,000	\$7,875					\$20,000	\$11,250				
15.619 NCRDS Coal Program			30,000	14,700	(15,300)	30,000					10,000	10,000				
15.808 Geo Formations CO2 Program																
06.433 EPA/UIC			227,000	210,000	(17,000)	75,667					210,000	70,000				
15.810 USGS Statemap			14,000		(14,000)	14,000										
Total Industrial Commission			\$285,000	\$244,700	(\$40,300)	\$127,542	\$0	\$0	\$0	\$0	\$240,000	\$91,250	\$0	\$0	\$0	\$0

			2013-16 Biennium							2015-17 Biennium						
Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed
Department of Labor and Human Rights	406															
16.101 Equal Employment Opportunity (EEO) - Investigates employment discrimination			\$176,500	\$160,450	(\$16,050)						\$188,500					
14.101 Fair Housing - Investigates housing discrimination			261,428	277,478	16,050						249,428					
Total Labor Department			\$437,928	\$437,928	\$0	\$0	\$0	\$0	\$0	\$0	\$437,928	\$0	\$0	\$0	\$0	\$0
Public Service Commission	408															
15.250 Regulation of Surface Coal Mining and Surface Effects of Underground Coal Mining			\$2,210,322	\$1,850,000	(\$360,322)	\$708,011				\$325,000	\$1,850,000	\$666,000				\$325,000
15.252 Abandoned Mine Land Reclamation (AMLR) Program			9,754,238	7,000,000	(2,754,238)					300,000	7,000,000					300,000
20.700 Pipeline Safety Program Base Grants			397,909	350,000	(47,909)	298,909					490,000	400,000				80,000
Total Public Service Commission			\$12,362,469	\$9,200,000	(\$3,162,469)	\$1,006,920	\$0	\$0	\$0	\$705,000	\$9,250,000	\$1,066,000	\$0	\$0	\$0	\$705,000
Aeronautics Commission	412															
20.106 SASP - Air Service			\$360,000	\$360,000	\$0		\$40,000									
20.106 Aviation Economic Impact Study			270,000	270,000	0		30,000				\$360,000		\$40,000			
20.106 Pavement Condition Index Study			360,000	64,460	(295,540)		40,000				540,000		60,000			
20.106 Statewide Wildlife Hazard Assess.			270,000		(270,000)		30,000				270,000		30,000			
20.106 Statewide Seal Coat			720,000		(720,000)		80,000				720,000		80,000			
20.106 5010 Airport Inspections			35,000	35,000	0						35,000					
Total Aeronautics Commission			\$2,015,000	\$729,460	(\$1,285,540)	\$0	\$220,000	\$0	\$0	\$0	\$1,925,000	\$0	\$210,000	\$0	\$0	\$0
Housing Finance Agency	473															
14.230 HUD - Home Investment Partnership Act		DOC	\$800,000	\$540,813	(\$259,187)						\$600,000					
14.856 HUD Section 8 Program Housing Rehabilitation			1,440,600	1,294,676	(145,924)						1,438,666					
14.140 HUD Section 8 Program Contract Administration			22,357,375	21,753,377	(603,998)						22,950,620					
14.160 Housing Counseling Assistance Plan			250,000	246,768	(3,212)						238,000					
14.228 Neighborhood Stabilization Program		DOC	285,000	282,820	(2,180)											
14.228 Neighborhood Stabilization Program			1,045,000	1,044,499	(501)											
Total Housing Finance Agency			\$26,177,975	\$25,162,973	(\$1,015,002)	\$0	\$0	\$0	\$0	\$0	\$25,227,760	\$0	\$0	\$0	\$0	\$0
TOTAL REGULATORY			\$42,659,395	\$36,313,171	(\$6,346,224)	\$1,134,462	\$220,000	\$0	\$0	\$705,000	\$37,587,708	\$1,157,260	\$210,000	\$0	\$0	\$705,000
PUBLIC SAFETY																
Highway Patrol	504															
20.218 Motor Carrier Safety Assistance			\$3,271,476	\$3,271,476	\$0	\$716,000	\$101,869				\$3,271,476	\$716,000	\$101,869			
20.218 Motor Carrier Safety Assistance			570,000	570,000	0						570,000					
20.218 Motor Carrier Safety Assistance			100,000	100,000	0						100,000					
20.233 Motor Carrier Safety Assistance			600,000	600,000	0						600,000					
20.600 State/Community Highway Safety		DOT	1,660,000	1,460,000	(200,000)						1,360,000					
97.074 Fusion Center		DES	250,000	250,000	0						250,000					
16.007 Bulletproof Vest Partnership Program			100,000	100,000	0						100,000					
Total Highway Patrol			\$6,551,476	\$6,351,476	(\$200,000)	\$716,000	\$101,869	\$0	\$0	\$0	\$6,251,476	\$716,000	\$101,869	\$0	\$0	\$0
Department of Corrections and Rehabilitation	530															
Adult Services Division																
16.575 VOCA - Victim's of Crime Act			\$647,915	\$647,915	\$0						\$425,000					
16.576 CVC - Crime Victim's Comp			2,677,586	2,629,586	(48,000)						2,500,000					
16.606 SCAAP - State Criminal Alien Assistance Program				15,929	15,929						10,000					
16.812 DOJ - Second Chance Act Prisoner Reentry Initiative				145,316	145,316											
84.002 Adult Education and Family Literacy		DPI	143,988	225,510	81,522						170,000					
84.353 Automotive Technology		CTE			0											
84.331 Incarcerated Individuals (formerly Youth Ed Training) - DOE				22,149	22,149											
Total Adult Services Division			\$3,469,489	\$3,686,405	\$216,916	\$0	\$0	\$0	\$0	\$0	\$3,105,000	\$0	\$0	\$0	\$0	\$0
Juvenile Services Division																
16.540 Title II Formula - OJJDP			\$800,000	\$803,808	\$3,808						\$700,000					
16.546 Title V Delinquency and Prevention - OJJDP			26,000		(26,000)											
Carl Perkins		CTE	14,100	18,470	4,370						14,100					
84.048 Technology Education - Incarcerated		CTE	85,905	40,000	(45,905)						40,000					
84.013 Title I Funds - Youth Education		DPI	148,862	202,595	53,733						160,000					
Title IVE Reimbursements		H	634,622	515,083	(119,539)						520,000					
Institutional Care - YCC			137,612	236,497	100,885						138,000					
School Lunch - YCC		DPI	192,000	284,784	92,784						240,000					
16.523 JABG - Juvenile Accountability Block Grant			313,600	298,438	(15,062)						228,000					
Total Juvenile Services Division			\$2,352,301	\$2,401,645	\$49,344	\$0	\$0	\$0	\$0	\$0	\$2,040,100	\$0	\$0	\$0	\$0	\$0
Total Department of Corrections and Rehabilitation			\$5,821,790	\$6,088,050	\$266,260	\$0	\$0	\$0	\$0	\$0	\$5,145,100	\$0	\$0	\$0	\$0	\$0

2013-16 Biennium										2015-17 Biennium						
Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed
Adjutant General	540															
20.703 Interagency Hazardous Materials Public Sector Training and Planning			\$394,959	\$394,959	\$0		\$19,748				\$394,959		\$19,748			
07.030 Disaster Assistance - Public Assistance			101,737,725	65,612,316	(36,125,409)		8,130,018			\$210,000	30,080,696		5,420,146			\$100,000
07.030 Hazard Mitigation Grant			44,855,097	31,506,875	(13,348,222)		3,864,577			6,000	37,243,717		6,175,979			5,000
07.042 Emergency Management Performance Grants			5,779,281	5,723,427	(55,854)	\$1,430,857				4,400	6,128,254	\$1,532,064				4,400
07.007 State Homeland Security Program			10,911,982	10,647,964	(263,998)					10,000	9,066,538					10,000
12.401 Air/Army Guard Contracts			67,948,319	66,668,319	(1,278,000)	1,065,126	1,270,655			26,000	64,538,319	1,065,126				26,000
Total Adjutant General			\$231,625,343	\$180,553,860	(\$51,071,483)	\$3,305,983	\$13,293,968	\$0	\$0	\$256,400	\$147,452,483	\$3,497,190	\$11,624,873	\$0	\$0	\$237,400
TOTAL PUBLIC SAFETY			\$243,998,609	\$192,993,388	(\$51,005,223)	\$4,111,983	\$13,395,887	\$0	\$0	\$256,400	\$158,849,059	\$4,213,190	\$11,726,742	\$0	\$0	\$237,400
AGRICULTURE AND ECONOMIC DEVELOPMENT																
Department of Commerce	601															
14.228 Community Development Block Grant/State's Program			\$13,243,281	\$8,697,824	(\$4,345,457)	\$213,431				\$67,382	\$8,317,192	\$292,688				\$67,382
14.228 Community Development Block Grant/State's Program - Disaster			18,358,866	5,870,701	(12,488,165)					58,710	7,700,000					58,710
14.231 Emergency Shelter Grants Program			1,080,759	968,510	(112,249)	240,000				22,730	832,228					22,730
14.238 Shelter Plus Care (Special Needs Assistance)			500,000	471,168	(28,832)						500,000					
14.239 HOME Investment Partnership Program			7,271,468	4,564,532	(2,706,936)					137,540	6,035,774					137,540
81.041 State Energy Program			443,497	755,005	311,508	114,832					28,534	572,360	114,472			28,534
81.042 Weatherization Assistance for Low-Income Persons			2,000,000	3,314,344	1,314,344					51,669	4,000,000					51,669
93.568 LIHEAP		DHS	12,193,457	12,696,065	502,608					103,938	12,696,065					103,938
93.569 Community Services Block Grant			7,050,744	6,540,370	(510,374)					75,852	6,434,418					75,852
99.001 SHOPP			6,064	800	(5,264)	6,064				376	6,064	6,064				376
14.228 Neighborhood Stabilization Program			99,133	166,747	67,614					12,568	250,000					12,568
10.769 Rural Business Enterprise Grants			300,000		(300,000)											
17.255 Workforce Investment Act		JS			0											
94.003 State Commission			359,459	191,072	(168,387)						326,120					
94.006 AmeriCorps			1,200,000	1,200,000	0						1,500,000					
94.007 Prog Dev and Innov. Grant - Disability Incl.			24,936		(24,936)						24,936					
94.009 Training and Technical Assistance			6,850	5,039	(1,811)						1,811					
Total Department of Commerce			\$64,138,514	\$45,642,177	(\$18,496,337)	\$574,327	\$0	\$0	\$0	\$557,299	\$40,196,068	\$413,224	\$0	\$0	\$0	\$557,299
Department of Agriculture	602															
66.605 Performance Partnership Grants			\$1,029,271	\$1,029,271	\$0		\$181,636				\$799,570		\$141,101			
10.435 State Mediation Grants			468,328	468,328	0	\$130,848	69,864				289,171	\$104,740	19,190			
10.025 CAPS/PCN			440,961	440,961	0						513,844					
66.460 ND Livestock Pollution Prev Prog		H	1,130,000	1,130,000	0						1,138,281					
10.153; 10.162 Market News/Dairy			80,000	80,000	0						30,000					
93.XXX Medicated Feed/Tissue Residue			240,000	240,000	0						170,809					
10.475; 10.163; Meat Inspection/COOL/Title V			1,603,462	1,603,462	0	1,475,951	127,511				1,540,066	1,515,755	24,341			
10.477																
10.170 Specialty Crop Block Grants			2,411,684	2,811,684	400,000						6,272,237					
10.025 Animal Health Umbrella/NAI			150,000	150,000	0						227,722					
10.025 ADT/FAD/Johnes/Scrapie/Cattle Health			300,684	300,684	0						209,331					
10.664/10.680 Cooperative Weed Mgmt			290,000	290,000	0						292,621					
Total Department of Agriculture			\$8,144,390	\$8,544,390	\$400,000	\$1,606,799	\$379,011	\$0	\$0	\$0	\$11,393,982	\$1,620,495	\$184,632	\$0	\$0	\$0
Upper Great Plains Transportation Institute	627															
Small Urban and Rural Transit Center			\$1,400,000	\$1,619,074	\$219,074	\$728,583	\$890,491				\$1,700,000	\$765,000	\$748,000			\$190,915
UTCP - Mountain Plains Consortium			7,000,000	5,185,000	(1,815,000)	570,350	3,318,400				1,972,600	216,988	1,262,464			677,807
Transportation Safety Systems Center			3,450,157	2,472,638	(977,519)						3,609,401					
Advanced Traffic Analysis Center			1,938,663	2,094,238	155,575						1,886,994					
Rural Transportation Safety/Security Center			150,000	0	(150,000)						0					
UGPTI Other Grants and Contracts			5,068,863	3,154,688	(1,914,175)						2,531,200					
Total Upper Great Plains Transportation Institute			\$10,007,683.00	\$14,525,938.25	-\$4,482,044.75	\$1,298,933.00	\$4,208,891.00	\$0.00	\$0.00	\$808,651.00	\$11,700,195.00	\$981,988.00	\$2,010,464.00	\$0.00	\$0.00	\$1,038,722.00
TOTAL AGRICULTURE AND ECONOMIC DEVELOPMENT			\$91,290,587.00	\$68,712,205.25	-\$22,578,381.75	\$3,480,059.00	\$4,587,902.00	\$0.00	\$0.00	\$1,385,950.36	\$72,291,145.00	\$3,016,705.00	\$2,195,098.00	\$0.00	\$0.00	\$1,696,021.38
NATURAL RESOURCES																
State Historical Society	701															
15.929 Beacon Island (SAT)			\$21,351	\$21,351	\$0						\$21,351					
15.604 BOR (Collections Curation Project)			39,375	39,375	0						39,375					
15.929 TE Funds (DOT) Buford		DOT	8,600	8,600	0						8,600					
15.224 BLM 7/05 - GIS Project			48,927	48,927	0						48,927					
North Dakota Legislative Council																

2013-16 Biennium										2015-17 Biennium						
Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed
Curation Project - USDA			2,000	2,000	0						2,000					
Corps of Eng - Curation Project			4,717	4,717	0						4,717					
15.224 BLM - GIS Data Share Project			27,650	27,650	0						27,650					
15.020 Aber Interpretive Ctr (TE Funds)		DOT	2,435	2,435	0						2,435					
15.020 Cold War Site (SAT Funds)			4,207	4,207	0						4,207					
15.224 BLM - Cultural Resource Mgmt Plan			6,927	6,927	0						6,927					
89.003 NHPRC 10-11, Advisory Board			403	403	0						403					
15.020 NPS - Amer Battlefield			4,340	4,340	0						4,340					
Highway Hub of History			10,268	10,268	0						10,268					
15.020 Double Ditch Trail (TE Funds)		DOT	28,620	28,620	0						28,620					
FEMA Chateau 2011			18,597	18,597	0						18,597					
ND Space Grant (SEND and Exhibit)			14,279	14,279	0						14,279					
15.020 Camp Hancock Train (DOT)		DOT	8,505	8,505	0						8,505					
Newspaper Digitization			55,284	55,284	0						55,284					
45.312 IMLS Grant - Conservator			83,860	83,860	0						83,860					
45.120 NDHC (Civil War in ND)		NDHC	9,580	9,580	0											
89.003 NHPRC 2013 SNAP Grant			9,480	9,480	0											
ND Suit Case Exhibit			678	678	0											
L&C Hist Trail Dev			7,479	7,479	0											
Energy Send Truck Project		DOT	20,000	20,000	0											
89.003 NHPRC SNAP Grant			12,282	12,282	0					12,282						
15.004 Historic Preservation Program			1,772,119	1,772,119	0	\$1,181,413					1,772,119	\$1,181,413				
15.004 Historic Preservation Grants			1,000,000	600,000	(400,000)						600,000					
Total State Historical Society			\$3,221,064	\$2,621,064	(\$400,000)	\$1,181,413	\$0	\$0	\$0	\$0	\$2,774,747	\$1,181,413	\$0	\$0	\$0	\$0
Council on the Arts	709															
45.025 State Partnership Grant			\$1,681,402	\$1,363,000	(\$318,402)	\$1,516,884	\$63,515				\$1,681,950	\$1,618,435	\$63,515			
Game and Fish Department	720															
15.005 Sportfish Restoration			\$9,000,000	\$8,878,710	(\$121,290)		\$2,250,000			\$1,467,219	\$7,500,000		\$1,875,000			\$1,230,000
15.011 Wildlife Restoration			15,937,965	15,005,380	(932,605)		3,984,491				10,000,000		4,750,000			3,045,700
93.006 Bureau of Reclamation - Lone tree			1,935,636	1,935,636	0					347,818	1,788,724					343,088
20.005 Boating Safety - Coast Guard			1,300,000	1,260,585	(39,415)		650,000				1,300,000		650,000			326,170
15.634 State Wildlife Grants Program			1,000,000	862,229	(137,771)		400,000			119,144	1,000,000		400,000			138,100
10.093 Open Fields			250,000	250,000	0						unknown					
Misc Federal Funds			300,000	288,875	(31,425)		0				300,000					
Total Game and Fish Department			\$20,723,601	\$28,461,065	(\$1,262,506)	\$0	\$7,284,491	\$0	\$0	\$4,660,211	\$30,889,724	\$0	\$7,675,000	\$0	\$0	\$5,092,058
Parks and Recreation Department	750															
20 Recreational Trails Program (RTP)			\$2,527,105	\$1,640,091	(\$887,014)					\$160,000	\$2,672,500					\$160,000
16 Land and Water Conservation Fund (LWCF)				744,870	744,870					14,000	1,278,361					14,000
20 Transportation Enhancement (TE) Scenic Byways		DOT		64,000	64,000				\$81,000	66,000	150,000					68,000
16 Cooperative Endangered Species Conservation Fund			19,000	19,000	0	\$6,344					20,000	\$7,668				
11 Cooperative Forestry Assistance		SFS	10,000	10,000	0	10,000										
93 Centers for Disease Control and Prevention: Investigations and Technical Assistance		H	2,100	2,100	0											
81 Solar Lighting - Turtle River State Park		DOC	2,400	2,400	0				600							
81 Solar Vents - Fort Ransom State Park		DOC	2,640	2,640	0				660							
Early Warning Sirens - Turtle River State Park		DES	17,883	17,883	0	2,384	3,577									
86 FEMA - Icelandic State Park and Little Missouri State Park		DES	12,427	12,427	0		4,142									
16 Protecting the Mandan Earthlodges at Fort Abraham Lincoln State Park			7,200	7,200	0											
Total Parks and Recreation Department			\$2,600,755	\$2,522,611	(\$78,144)	\$18,728	\$89,979	\$0	\$0	\$240,000	\$4,320,861	\$7,668	\$0	\$0	\$0	\$242,000
State Water Commission	770															
97.023 Community Assistance Program - DHS			\$246,768	\$246,768	\$0		\$82,256			\$46,161	\$240,000		\$80,000			\$45,000
15.518 MRI Administration - DOI		Garrison Diversion Unit	167,751	167,751	0		55,917			39,844	170,000		56,666			40,000
15.518 Northwest Area Water Supply - DOI		Garrison Diversion Unit	15,000,000		(15,000,000)		0				4,000,000		2,153,811			
15.518 Southwest Pipeline - DOI		Garrison Diversion Unit	16,000,000	510,000	(15,490,000)		170,000				4,000,000		1,333,333			
10.760 Southwest Pipeline - USDA				231,378	231,378						0					
66.460 Wet Non-Point Source		H	213,692	213,692	0		142,465				220,000		146,666			
11.448 Federal/State Cooperative Program in Atmospheric Modification Research			1,500,000		(1,500,000)						1,500,000					
97.041 National Dam Safety Grant - DHS			184,471	184,471	0					15,646	175,000					16,000
97.045 Risk Map Program - DHS			271,602	218,672	(52,930)					40,460	220,000					35,000
97.070 Map Modernization Program - DHS			3,616,157	852,796	(2,663,361)						850,000					
Total State Water Commission			\$37,080,441	\$2,605,528	(\$34,474,913)	\$0	\$450,638	\$0	\$0	\$142,111	\$11,375,000	\$0	\$3,770,476	\$0	\$0	\$136,000
TOTAL NATURAL RESOURCES			\$74,308,163	\$37,774,198	(\$36,533,965)	\$2,717,025	\$7,888,623	\$0	\$0	\$4,842,322	\$51,039,282	\$2,807,516	\$11,608,991	\$0	\$0	\$5,470,058

Agency Name/Program Name	Budget Number	Funds Received From Another State Agency	2013-16 Biennium							2015-17 Biennium						
			Federal Funds Appropriated	Current Estimated Federal Funds to Be Received ¹	Variance	Appropriated General Fund Matching Funds	Appropriated Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed	Estimated Federal Funds to Be Received ¹	Required General Fund Matching Funds	Required Other Funds Matching Funds	Required General Fund Maintenance of Effort	Required Other Funds Maintenance of Effort	Estimated Amount of Indirect Costs Reimbursed
TRANSPORTATION																
Department of Transportation	801															
20.205 FHWA			\$649,000,000	\$649,000,000	\$0		\$102,070,000				\$588,700,000		\$97,800,000			
20.301 Federal Rail			8,400,000	8,400,000	0						4,000,000					
20.505 Federal Translt			14,800,000	14,800,000	0						15,300,000					
20.600 NHTSA			9,300,000	9,300,000	0						9,500,000					
20.033 TIGER Discretionary Grants			10,000,000	10,000,000	0	\$10,000,000					0					
Total Department of Transportation			\$691,500,000	\$691,500,000	\$0	\$10,000,000	\$102,070,000	\$0	\$0	\$0	\$617,500,000	\$0	\$97,800,000	\$0	\$0	
TOTAL TRANSPORTATION			\$691,500,000	\$691,500,000	\$0	\$10,000,000	\$102,070,000	\$0	\$0	\$0	\$617,500,000	\$0	\$97,800,000	\$0	\$0	
TOTAL ALL AGENCIES			\$3,359,892,409	\$3,128,878,753	(\$231,013,656)	\$1,038,819,448	\$213,275,232	\$288,048,271	\$29,015,114	\$18,988,950	\$3,445,842,899	\$1,088,427,860	\$204,886,719	\$287,271,338	\$28,073,631	\$19,353,198

¹The amounts shown for estimated federal funds to be received are based on agency estimates as of August 2014 and are subject change.

AG Attorney General
 CTE State Board for Career and Technical Education
 BCI Bureau of Criminal Investigation
 DES Department of Emergency Services
 DHS Department of Human Services
 DOC Department of Commerce
 DOCR Department of Corrections and Rehabilitation
 DOT Department of Transportation
 DPI Department of Public Instruction
 G&F Game and Fish Department
 H State Department of Health
 HC Humanities Council
 JS Job Service North Dakota
 NDHC North Dakota Humanities Council
 PSC Public Service Commission
 SFS State Forest Service
 WSI Workforce Safety and Insurance

PROPOSED AMENDMENTS TO ENGROSSED SENATE CONCURRENT RESOLUTION NO.
4011

That the House recede from its amendments as printed on page 904 of the Senate Journal and page 1053 of the House Journal and that Engrossed Senate Concurrent Resolution No. 4011 be amended as follows:

Page 1, line 1, after "A concurrent resolution" replace the remainder of the resolution with "urging Congress to redefine the role and mission of the United States Department of Education and to clarify the department's relationship with the states.

WHEREAS, while Section VIII of Article I of the United States Constitution sets forth the enumerated powers given to Congress, the power to control or direct the education of this nation's children is not included therein; and

WHEREAS, the Tenth Amendment to the United States Constitution states that any powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people; and

WHEREAS, neither the words "education" nor "school" nor any of their derivatives are found in the United States Constitution; and

WHEREAS, education is indisputably a pillar of a free society, it is incumbent upon the federal government to recognize that the states are constitutionally responsible for the provision of education and it is incumbent upon the states to recognize that the challenges of the 21st Century are not local, regional, or even national, but global in scope and therefore require that states and the United States Department of Education work in concert with each other to ensure that children from every state in the union and all walks of life have access to a world class curriculum, taught by world class teachers, in a safe and secure environment that allows them to challenge their imaginations, to explore the world of knowledge, and to reach higher and farther than they or their parents ever dreamed possible;

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

That the Sixty-fourth Legislative Assembly urges the Congress of the United States to redefine the role and mission of the United States Department of Education so that it will function as a collaborating partner with the states in order to harness the maximum fiscal resources and to ensure that those resources are used effectively and efficiently at the state and local levels for the provision of educational services and opportunities to all children, as envisioned by the founding fathers, as supported by the residents of this and the other states, and as required by circumstances so that this great country is once again and unequivocally the global leader in educational achievement; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Secretary of the United States

Department of Education, and to each member of the North Dakota Congressional Delegation."

Renumber accordingly