

2023 HOUSE EDUCATION

HB 1386

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1386
2/7/2023

Relating to local boards of school districts' discretion to designate educational professional development content areas; relating to youth behavioral health professional development.

9:00 AM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

Discussion Topics:

- Reporting requirements
- Professional development
- High quality teaching
- Analysis feedback
- 2 required reports
- B-HERO
- Data driven

Rep Timmons, District 26, introduced HB 1386, Testimony 19533
Steven Holen, Superintendent, McKenzie County Public School, Watford City, Testimony 19430

Dr. Aimee Copas, Executive Director, NDCEL, Testimony 19486

Alexis Baxley, Executive Director NDSBA, Testimony 19498

Shannon Faller, HS Principal, Alexander Public School District, Testimony 19409

Rachel Tabler, Assistant Director of Educational Improvement and Support, DPI, Testimony 19495

Additional written testimony:

Leslie Bieber, Superintendent, Alexander Public School, Testimony 19420

9:29 AM Chairman Heinert closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1386
2/8/2023

Relating to local boards of school districts' discretion to designate educational professional development content areas; relating to youth behavioral health professional development.

Chairman Heinert opened the hearing at 10:22 AM

Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

Discussion Topics:

- Committee action
- Amendment (23.0890.01001)

Representative Hoverson moved a Do Pass

Seconded by Representative Dyk.

Joe Kolosky, Director, Office of School Approval and Opportunity NDDPI, Oral testimony

Motion is withdrawn.

Representative Timmons Moves to adopt the amendment. (23.0890.01001)

Representative Heilman second's motion

Voice Vote: motion carries

Representative Hoverson moves a DO PASS as amended.

Representative Dyk seconds motion

Roll call Vote:

| Representatives | Vote |
|---------------------------------------|------|
| Representative Pat D. Heinert | Y |
| Representative Cynthia Schreiber-Beck | Y |
| Representative Liz Conmy | Y |
| Representative Scott Dyk | Y |
| Representative LaurieBeth Hager | Y |
| Representative Dori Hauck | Y |
| Representative Matt Heilman | Y |
| Representative Jeff A. Hoverson | Y |

| | |
|-----------------------------------|---|
| Representative Jim Jonas | Y |
| Representative Donald W. Longmuir | Y |
| Representative Andrew Marschall | Y |
| Representative Eric James Murphy | Y |
| Representative Anna S. Novak | Y |
| Representative Kelby Timmons | Y |

Motion carried: 14-0-0

Bill carried: Representative Timmons

Chairman Heinert closes meeting at 10:32 AM

Kathleen Davis, Committee Clerk By: Leah Kuball

February 8, 2023

2/8/23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1386

Page 2, line 11, after the period insert "This training must qualify for continuing education credits that count towards license renewal."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1386: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1386 was placed on the Sixth order on the calendar.

Page 2, line 11, after the period insert "This training must qualify for continuing education credits that count towards license renewal."

Renumber accordingly

2023 SENATE EDUCATION

HB 1386

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1386
3/8/2023

| |
|---|
| Relating to local boards of school districts' discretion to designate educational professional development content areas, relating to youth behavior health professional development. |
|---|

9:00 AM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Education for whole person
- Numerous trainings
- Non-accountable training
- Unintended consequences
- 'May' vs 'Shall'

Rep Timmons, Dist 26, bill sponsor testified in support #22936, #22933.

Leslie Bieber, Supt Alexander School, testified via TEAMS in support #22811.

Dr. Aimee Copas, ND Council Educational Leaders, testified in support #22792. Steven Holen, Supt McKenzie County School, testified in support #22853.

Brandt Dick, Burleigh County Schools, testified in support with no written testimony. Alexis Baxley, School Boards Assoc., testified in support with no written testimony.

Rachel Tabler, Dept Public Instruction, Improvement/Support testified neutral #22896, #22951.

Sen Conley moved a DO PASS. Sen Axtman seconded.

| Senators | Vote |
|----------------------------|-------------|
| Senator Jay Elkin | Y |
| Senator Todd Beard | Y |
| Senator Michelle Axtman | Y |
| Senator Cole Conley | Y |
| Senator Randy D. Lemm | Y |
| Senator Michael A. Wobbema | Y |

VOTE: YES – 6 NO – 0 Absent – 0

Motion PASSED

Sen Conley will carry the bill.

9:45 AM Chair Elkin closed the hearing.
Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1386, as engrossed: Education Committee (Sen. Elkin, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1386 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY

HB 1386

February 7, 2023

Good morning Chairman Heinert and Board Members,

My name is Shannon Faller; I am the high school principal from Alexander Public School. I am here to testify in favor of House Bill 1386.

Every year at Alexander Public School a needs assessment is conducted collaboratively with teachers, staff and administration. This needs assessment covers all aspects of function within the school. From this we develop a plan for professional development to satisfy the needs of the district which includes any mental health training needed. The needs change from year to year and the changes HB 1386 brings will enable us to better address the needs of our district.

Thank you for your time and consideration.

02/06/2023

Dear Chairman Heinart and Education Committee Members,

My name is Leslie Bieber and I am the Superintendent of Alexander Public School. I am writing in support of HB 1386.

HB 1386 directs professional development for each school district to be defined by the local school board. Every school is required to conduct a local needs assessment annually via Cognia, for our accreditation process. I would like to share our needs assessment process with the committee. Data from our local interim assessments and the NDSA is one point of reference. All certified and noncertified staff members meet three to four times in the spring to assess and measure our initiatives. Students and parents are surveyed annually. This information gathered is a second point of reference. Student performance, mental health data, staff evaluation outcomes, other information such as special education, ELL, at risk outcomes, etc. are a third point of data. The three points of data form our needs assessment. Professional development is planned in accordance for continuous improvement. The information is presented to our local school board for final approval. I wanted to share this process to give you an understanding of how professional development is established. Our local needs determine our local professional development with final approval given by our locally elected school board.

Respectfully,

Leslie Bieber

HB 1386
Chairman Heinert
House Education Committee
February 7th, 2023

Good morning. Chairman Heinert and members of the House Education Committee, for the record, my name is Steven Holen and I am the Superintendent of Schools for the McKenzie County Public School District #1 in Watford City. I am here to testify in support of HB 1386 and its intent to provide greater flexibility to individual school districts by allowing professional development decisions to be made at the local level and in the best interest of local students, staff, and community.

Professional development mandates currently included in NDCC are well intending and in reaction to events and circumstances prevalent during a particular legislative session. The challenge with mandates related to specific professional development topics is it can be limiting and inefficient or lack relevance for each of the approximately 170 school districts in North Dakota. Each school district has varying demographics in terms of new teachers versus veteran teachers and general retention rates. Professional development mandates do not take into account the various specific needs of an individual school district based on previous professional development offered or the actual needs of a school district related to their academic performance or general school climate. Each school district, school board, administration, and professional staff understands its needs, challenges, and opportunities to improve and grow in the educational experience offered to students. With limited school calendars and professional development opportunities, it is essential to maximize the impact of professional development days as determined in negotiated agreements and to focus on the specific areas of need for each individual school district. Mandated professional development requirements restrict the ability of a school district to meet the unique needs of its students and the individual demographics of its professional staff.

The McKenzie County Public School District #1 may have very different needs in terms of professional development compared to other North Dakota school districts. Sustained enrollment growth has brought a variety of challenges to our school district related to EL students, core curriculum, and intervention programs to address the varied academic backgrounds present with significant numbers of students migrating to our region. The ability to focus professional development efforts to specific areas of need is critical to making academic progress and providing professional staff with the resources to meet the unique challenges. Our high volume of new teachers to the profession also directs focus to specific areas of which may not be the priority for school districts with veteran professional staffs and minimal turnover rates. Each school district in North Dakota strives to meet the needs of its students on all levels and professional development is the essential tool to meet those goals. Without state mandates, school districts will continue to maximize their professional development opportunities and align them to their local school board and school administration priorities.

Quality professional development should be correlated to Cognia school improvement reviews and school district strategic planning processes. School districts will address areas such as mental health in their individual plans and as needed; the mandate of these efforts is not necessary to ensure important areas such as mental health training and identification are provided to professional educators. These efforts will take place regardless of mandates and as needed and prioritized by each school district as necessary; however, the timing and length of such training should be related to the needs and circumstances related to that particular school district and its previous history of professional development in an area.

Please consider a yes vote on HB 1386 and allow school districts the opportunity to identify and address the needs of their own students, staff and families by maximizing the limited professional development opportunities available and best meet the needs of all North Dakota students.

Thank you for your time and consideration and I will stand for any questions.



1 HB 1386 – PD Local Decision

2 Testimony in Support

3 Chairman Heinert and members of the House Education Committee. We are here today
4 speaking for the field in support of HB 1386. Schools are often looked at being the place
5 where we can intercept, correct, or prevent any myriad of issues with students and our
6 communities. Oftentimes the expectations of schools are far better than educating our
7 student. We are in a place in society where schools are entrusted often with the wellness
8 and education of the whole person.

9 With that has come (while well intentioned) a flurry of bills including mandated
10 trainings over the years. Each year there are a couple additional requests for added
11 training – ironically – another one was just passed recently. These trainings are ongoing
12 and, while important, having them completed continually can be outside of the scope of
13 what that district needs at that given time. Sometimes that professional development
14 becomes deemed as redundant and may not be what the teachers and staff have been
15 identified to need to best serve the students. Understanding what development teachers
16 and staff needs is a decision that is best determined locally. The ability to be responsive
17 to the development needs of the staff and taking advantage of each opportunity to enable
18 that growth is critical to student success. We heard yesterday in testimony that when
19 good professional development is offered (in the case of the interactive behavioral health
20 training that Rep. Schreiber-Beck and Pam Sagness), and it is a need for a district, it is
21 taken advantage of.

22 This bill leaves the determination of what professional development will take place to
23 the local district on an annual basis. It leaves in place the opportunity to list important

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for all students in North Dakota.*

Executive Director: Aimee Copas-----Government Lead and Special Projects: Kevin Hoherz



1 topics that legislatively there is concern for local consideration to implement as they are
2 needed. As districts look at their ND Insights Data and deciphers the results and needs.
3 As such, their PD should be locally driven and relevant based on the needs determined
4 by the locally elected school boards in partnership with their administrators and
5 teachers.

6 From a field-based standpoint this will enable schools to spend more time in
7 development of high-quality teaching to directly impact student learning with an
8 ongoing consideration and implementation of the important topics that still need to be
9 addressed. Teachers have been begging administrators around the state for this
10 flexibility for years.

11 It was agreed that for this biennium the science of reading PD would continue and the
12 K12 funding bill includes an appropriation to support that. Your field of educators asks
13 for your support in allowing this local decision making to be just as valuable to you as
14 legislators as it is for the educators trying to do the best for their students. We ask for
15 a DO PASS on this bill.

**TESTIMONY ON HB 1386
HOUSE EDUCATION COMMITTEE**

February 7, 2023

**By Rachel Tabler, Assistant Director of Educational Improvement and Support
701-328-3731
North Dakota Department of Public Instruction**

Chairman Heinert and Members of the Committee:

My name is Rachel Tabler, and I am an Assistant Director in the Office of Educational Improvement and Support with the Department of Public Instruction. I am here to provide information regarding HB 1386.

As it stands now, districts are only required to complete two reports to NDDPI pertaining to professional development: the behavioral health PD report outlined in HB 1386 and science of reading implementation. All districts are required to offer eight hours of behavioral health professional development every two years.

Currently, school districts use STARS reporting to report on the behavioral health professional development (PD) offered within their district. However, many districts and teachers do much more than eight hours. High-quality professional development is an integral part of every school and is intensive, collaborative, job-embedded, and data-driven.

The current law also requires that each school assigns a dedicated behavioral health resource coordinator. This individual is identified in the STARS reporting system and is shared on the NDDPI website. In addition, a sister bill was passed in 2019 (SB

2313) for the department of health and human services to offer resources to schools regarding behavioral and mental health services. This is now called the B-HERO program, whose mission it is to engage K-12 Behavioral Health Resource Coordinators in training, technical assistance, and opportunities to facilitate connections. This program utilizes this list as a point of contact for outreach to individual schools and to share resources and information regarding mental and behavioral health.

Currently, responding to behavioral health needs is one of the most common requests from administrators, teachers, and students. Last year, NDDPI updated the report to collect additional data for the B-HERO program to ensure that it provides the proper resources to the K-12 Behavioral Resource Coordinators. I've included a screen shot below of what the report looks like in the STARS reporting system:

| Categories | 2022-2023 | |
|---|---|---|
| | Elementary PD Title, Hours, and Number of Staff in Attendance | High School PD Title, Hours, and Number of Staff in Attendance |
| A. Trauma | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| B. SEL, including resiliency | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| C. Suicide Prevention | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| D. Bullying | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| E. Understanding of the prevalence and impact of youth behavioral health wellness on family structure, education, juvenile service, law enforcement, and health care and treatment providers | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| F. Knowledge of behavioral health symptoms and risks | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| G. Awareness of referral resources and evidence-based strategies for appropriate interventions | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| H. Other evidence-based strategies to reduce risk factors for students | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| I. Current or new evidence-based behavior prevention or mitigation techniques | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> | Title: <input type="text"/> Hours: <input type="text"/> Number of Staff in Attendance: <input type="text"/> |
| <input type="checkbox"/> I assure the district staff and administration has completed the minimum of 8 hours of professional development within the above required categories during the current biennium. Date: MM/DD/YYYY <input type="text"/> | | |

Since this bill was originally passed, a report has never been requested by legislators.

Chairman Heinert and Members of the Committee that concludes my prepared testimony, and I will stand for any questions that you may have.



NDSBA
NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION

P.O. Box 7128
Bismarck ND 58507-7128
1-800-932-8791 • (701)255-4127
www.ndsba.org

HB 1386

Testimony of Alexis Baxley House Education | February 7, 2023

Chairman Heinert and members of the House Education Committee, my name is Alexis Baxley. I am the executive director of the North Dakota School Boards Association. NDSBA represents all 170 North Dakota public school districts, their boards, and several multi-district special education units.

The North Dakota School Boards Association stands in support of HB 1386. Every legislative session a number of bills come before this body that require professional development of teachers on a myriad of topics. NDSBA is often in the awkward position of opposing these bills. Not because the topics they cover aren't important, but because we believe professional development decisions are best left to local school boards and their administrators. These people are in the best position to understand what continued learning their staff needs in order to achieve the greatest outcomes for their students.

District wide professional development can be expensive and time consuming. The topics currently required in state law are important topics, but may not present the best use of time for every staff member in our buildings, particularly at a time when the difficulty finding substitute teachers is particularly high. Allowing districts to choose topics that are relevant to their district's needs – perhaps addressing a new curriculum, new technology, or new best practices – will allow the district's time and resources to be spent in a way that is most effective for their staff and students.

The topics in this section of code are certainly important topics, but as that list has continued to grow districts' ability to spend time providing PD to their teachers on necessary teaching skills and strategies is lessened. Removing the requirements in this section of code will not mean teachers stop receiving professional development – renewing their licenses will still require college credit hours, and districts will always be looking for ways to increase their effectiveness – it just means that the PD will be able to be tailored to teachers – and their students. NDSBA believes this approach increases the odds of success for our students, our staff, and our districts.

Finally, requiring the board of a district to approve its PD will allow the board to ensure that administrator-recommended PD is aligned with the goals the board has set for the district and its students.

For these reasons, NDSBA supports HB 1386 and respectfully encourages this committee to give it a DO PASS recommendation. Thank you for your time, and I will stand for any questions.



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Kelby Timmons

District 26
P.O. Box 26
Watford City, ND 58854-0026
C: 701-339-5471
ktimmons@ndlegis.gov

COMMITTEES:

Education
Transportation

February 7, 2023

Good morning Chairman Heinert and members of the House Education Committee. For the record, I am Rep. Kelby Timmons from District 26 in McKenzie and Dunn Counties. I put this bill in for the school districts in my area. This bill is to give local school boards of school districts' discretion to designate educational professional development content areas for each school district.

Schools are often looked at for being the place where we can intercept, correct, or prevent any myriad of issues with students and our communities. We are in a place in society where schools are entrusted often with the wellness and education of the whole person.

With that has come a flurry of mandated training over the years. Each year there are a couple additional requests for added training. These trainings are ongoing and, while important, having them completed continually can be outside of the scope of what that district needs at that given time. Sometimes that professional development becomes deemed as redundant and may not be what the teachers and staff have been identified to best serve the students.

Over the last several sessions, there have been various reactionary bills "requiring" certain hours of professional development and levels of training for schools and they do not take into account previous trainings or actual local need. While the required trainings are well intended, they don't account for the ability to address specific needs of a local school district with limited professional development days in the calendar. Professional development should vary with every school district based on their actual needs and the staff demographics; efforts to mandate professional development at the state level often do not return positive results and do not effectively use contract days and state/taxpayer dollars. Professional development is a very local decision made by administration and school boards based on their strategic plans. This bill helps to alleviate the mandates of previous sessions and bring it back to a local decision. Recommendations from the state level are fine, however, mandates can provide unintended consequences for local school districts.

This bill leaves the determination of what professional development will take place to the local district on an annual basis. It leaves in place the opportunity to list important topics that legislatively there is concern and a desire for legislature to have administration ensure that staff are equipped to handle well.

From a field-based standpoint, this will enable schools to spend more time in development of high-quality teaching to directly impact student learning with an ongoing consideration and implantation of the important topics that still need to be addressed.

This bill also eliminates a report from the very long list of reporting requirements which is the professional development report to NDDPI.

Thank you for your consideration of HB 1386 and I would urge a do pass. I would be happy to answer any questions you have that I am able to. However, the people behind me, may be able to handle the questions better than I.



1 HB 1386 – PD Local Decision

2 Testimony in Support

3 Chairman Elkin and members of the Senate Education Committee. We are here today
4 speaking for the field in support of HB 1386. Schools are often looked at being the place
5 where we can intercept, correct, or prevent any myriad of issues with students and our
6 communities. Oftentimes the expectations of schools are far better than educating our
7 student. We are in a place in society where schools are entrusted often with the wellness
8 and education of the whole person. This is no different this session – in just this week
9 alone we’ve discussed science of reading training, dyslexia training, child abuse and
10 neglect training – just to name a few.

11 Each session there are a couple additional requests for added training. At the same time,
12 nothing ever seems to come off as a requirement. These trainings are ongoing and often
13 detract from what a district might need at any given time. Often this training begins to
14 feel redundant and some would say it is making us take our eye off the ball.
15 Understanding what development teachers and staff needs is a decision that is best
16 determined locally. The ability to be responsive to the development needs of the staff
17 and taking advantage of each opportunity to enable that growth is critical to student
18 success.

19 This bill leaves the determination of what professional development will take place to
20 the local district on an annual basis. It leaves in place the opportunity to list important
21 topics that legislatively there is concern for local consideration to implement as they are
22 needed. As districts look at their ND Insights Data and deciphers the results and needs.

23 As such, their PD should be locally driven and relevant based on the needs determined

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for all students in North Dakota.*

Executive Director: Aimee Copas-----Government Lead and Special Projects: Kevin Hoherz



1 by the locally elected school boards in partnership with their administrators and
2 teachers.

3 From a field-based standpoint this will enable schools to spend more time in
4 development of high-quality teaching or on issues that need to be addressed to directly
5 impact student learning. Teachers have been begging administrators around the state
6 for this flexibility for years.

7 It was agreed that for this biennium the science of reading PD would continue and the
8 K12 funding bill includes an appropriation to support that. Your field of educators asks
9 for your support in allowing this local decision making to be just as valuable to you as
10 legislators as it is for the educators trying to do the best for their students. We ask for
11 a DO PASS on this bill.

03/08/2023

Chairman Elkin and Education Committee Members,

My name is Leslie Bieber and I am the Superintendent of Alexander Public School. I am writing in support of HB 1386.

HB 1386 directs professional development for each school district to be defined by the local school board. Every school is required to conduct a local needs assessment annually via Cognia, for our accreditation process. I would like to share our needs assessment process with the committee.

We utilize different points of data to build our needs assessment:

- Data from our local interim assessments and the NDSA
- All certified and noncertified staff members meet three to four times in the spring to assess and measure our initiatives
- Students and parents are surveyed annually
- Student engagement survey for Cognia and Eleots (assessment of student engagement)
- Staff and Administration evaluation outcomes
- Other information such as special education, ELL, and at risk outcomes
- The Cognia self-assessment survey
- Mental Health needs of students and staff

I could go on and on because it seems that more and more information is added regularly. The points of data together form our needs assessment. Professional development is planned in accordance for continuous improvement based from our local needs. The information is presented to our local school board for final approval. If our local need is mental health professional development, we will address it.

I wanted to share this process to give you an understanding of how professional development is established. Our local needs determine our local professional development with final approval given by our locally elected school board.

I ask for a Do Pass on HB1386. Thank you for allowing me to be here and I will stand for any questions.

Respectfully,

Leslie Bieber

HB 1386
Chairman Elkin
Senate Education Committee
March 8th, 2023

Good morning. Chairman Elkin and members of the Senate Education Committee, for the record, my name is Steven Holen and I am the Superintendent of Schools for the McKenzie County Public School District #1 in Watford City. I am here to testify in support of HB 1386 and its intent to provide greater flexibility to individual school districts by allowing professional development decisions to be made at the local level and in the best interest of local students, staff, and community.

Professional development mandates currently included in NDCC are well intending and in reaction to events and circumstances prevalent during a particular legislative session. The challenge with mandates related to specific professional development topics is it can be limiting and inefficient or lack relevance for each of the approximately 170 school districts in North Dakota. Each school district has varying demographics in terms of new teachers versus veteran teachers and general retention rates. Professional development mandates do not take into account the various specific needs of an individual school district based on previous professional development offered or the actual needs of a school district related to their academic performance or general school climate. Each school district, school board, administration, and professional staff understands its needs, challenges, and opportunities to improve and grow in the educational experience offered to students. With limited school calendars and professional development opportunities, it is essential to maximize the impact of professional development days as determined in negotiated agreements and to focus on the specific areas of need for each individual school district. Mandated professional development requirements restrict the ability of a school district to meet the unique needs of its students and the individual demographics of its professional staff.

The McKenzie County Public School District #1 may have very different needs in terms of professional development compared to other North Dakota school districts. Sustained enrollment growth has brought a variety of challenges to our school district related to EL students, core curriculum, and intervention programs to address the varied academic backgrounds present with significant numbers of students migrating to our region. The ability to focus professional development efforts to specific areas of need is critical to making academic progress and providing professional staff with the resources to meet the unique challenges. Our high volume of new teachers to the profession also directs focus to specific areas of which may not be the priority for school districts with veteran professional staffs and minimal turnover rates. Each school district in North Dakota strives to meet the needs of its students on all levels and professional development is the essential tool to meet those goals. Without state mandates, school districts will continue to maximize their professional development opportunities and align them to their local school board and school administration priorities.

Quality professional development should be correlated to Cognia school improvement reviews and school district strategic planning processes. School districts will address areas such as mental health in their individual plans and as needed; the mandate of these efforts is not necessary to ensure important areas such as mental health training and identification are provided to professional educators. These efforts will take place regardless of mandates and as needed and prioritized by each school district as necessary; however, the timing and length of such training should be related to the needs and circumstances related to that particular school district and its previous history of professional development in an area.

Please consider a yes vote on HB 1386 and allow school districts the opportunity to identify and address the needs of their own students, staff and families by maximizing the limited professional development opportunities available and best meet the needs of all North Dakota students.

Thank you for your time and consideration and I will stand for any questions.

**TESTIMONY ON HB 1386
SENATE EDUCATION COMMITTEE**

March 8, 2023

**By Rachel Tabler, Assistant Director of Educational Improvement and Support
701-328-3731
North Dakota Department of Public Instruction**

Chairman Elkin and Members of the Committee:

My name is Rachel Tabler, and I am an Assistant Director in the Office of Educational Improvement and Support with the Department of Public Instruction. I am here to provide information regarding HB 1386.

As it stands now, districts are only required to complete two reports to NDDPI pertaining to professional development: the behavioral health PD report outlined in HB 1386 and science of reading implementation. All districts are required to offer eight hours of behavioral health professional development every two years.

Currently, school districts use STARS reporting to report on the behavioral health professional development (PD) offered within their district. However, many districts and teachers do much more than eight hours. High-quality professional development is an integral part of every school and is intensive, collaborative, job-embedded, and data-driven.

The current law also requires that each school assigns a dedicated behavioral health resource coordinator. This individual is identified in the STARS reporting system and is shared on the NDDPI website. In addition, a sister bill was passed in

2019 (SB 2313) for the department of health and human services to offer resources to schools regarding behavioral and mental health services. This is now called the B-HERO program, whose mission it is to engage K-12 Behavioral Health Resource Coordinators in training, technical assistance, and opportunities to facilitate connections. This program utilizes this list as a point of contact for outreach to individual schools and to share resources and information regarding mental and behavioral health.

Currently, responding to behavioral health needs is one of the most common requests from administrators, teachers, and students. Last year, NDDPI updated the report to collect additional data for the B-HERO program to ensure that it provides the proper resources to the K-12 Behavioral Resource Coordinators. I've included a screen shot below of what the report looks like in the STARS reporting system:

Since this bill was originally passed, a report has never been requested by legislators.

As it stands now, if this HB1386 passes the Senate Education Committee, NDDPI recommends striking all of section 1, as there is no reason to include a "may" section of statute since local school districts already have this authority. The same is true of the Professional Development- Discretionary section. School districts already have local control to determine professional development needs beyond Science of Reading and do not need statutory authority to do so. I have

included an example of some language that could be removed from statute if this committee is moving towards a do-pass recommendation.

Chairman Elkin and Members of the Committee that concludes my prepared testimony, and I will stand for any questions that you may have.

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1386

Introduced by

Representatives Timmons, Bosch, Jonas, Mock, Murphy, Pyle, Richter, Sanford

Senators Conley, Lemm, Meyer

1 A BILL for an Act to create and enact a new section to chapter 15.1-18.2 of the North Dakota
2 Century Code, relating to local boards of school districts' discretion to designate educational
3 professional development content areas; and to amend and reenact section 15.1-07-34 of the
4 North Dakota Century Code, relating to youth behavioral health professional development.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 15.1-07-34 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-07-34. Youth behavioral health training to teachers, administrators, and ancillary**
9 **staff.**

- 10 1. ~~Every two years, each school district shall~~ provide a minimum of eight hours of
11 ~~professional development on youth behavioral health to elementary, middle, and high~~
12 ~~school teachers, and administrators. Each school district shall~~ encourage ancillary
13 ~~and support staff to participate in the professional development. Based on the annual~~
14 ~~needs assessment of the school district, those hours must~~ be designated from the
15 ~~following categories:~~
 - 16 ~~a. Trauma,~~
 - 17 ~~b. Social and emotional learning, including resiliency;~~
 - 18 ~~c. Suicide prevention,~~
 - 19 ~~d. Bullying;~~
 - 20 ~~e. Understanding of the prevalence and impact of youth behavioral health wellness~~
21 ~~on family structure, education, juvenile services, law enforcement, and health~~
22 ~~care and treatment providers;~~
 - 23 ~~f. Knowledge of behavioral health symptoms, and risks;~~

1 ~~g. Awareness of referral sources and evidence-based strategies for appropriate~~
2 ~~interventions,~~

3 ~~h. Other evidence-based strategies to reduce risk factors for students; or~~

4 ~~i. Current or new evidence-based behavior prevention or mitigation techniques.~~

5 2. Each school district shall report the professional development hours required under
6 subsection 1 to the department of public instruction.

7 3. Each school within a district shall designate an individual as a behavioral health
8 resource coordinator.

9 4.3. The superintendent of public instruction shall collaborate with regional education
10 associations to disseminate information, training and instructional materials, and
11 notice of training opportunities to school districts and nonpublic schools. This training
12 must qualify for continuing education credits that count towards license renewal.

13 5.4. The superintendent of public instruction shall maintain the contact information of the
14 behavioral health resource coordinator in each school.

15 **SECTION 2.** A new section to chapter 15.1-18.2 of the North Dakota Century Code is
16 created and enacted as follows:

17 **Professional development - Discretionary.**

18 A school administrator shall recommend professional development content areas

19 appropriate for a public school or school district to the board of a school district. ~~The board of a~~

20 ~~school district may designate professional development for a school district. Professional~~

21 ~~development may include content areas, including behavioral, physical, or mental health.~~

22 Professional development must include the professional development training required under
23 section 15.1-21-12.1.

Engrossed House Bill No. 1178

A BILL for an Act to amend and reenact section 15-20.2-04 of the North Dakota Century Code, relating to the appointment of additional community members to career and technology center boards.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-20.2-04 of the North Dakota Century Code is amended and reenacted as follows:

15-20.2-04. Center boards - Appointment of members - Terms - Compensation - Vacancies.

1. An area career and technology center must be operated by a center board of ~~not less than~~ at least five members ~~nor~~. No more than a total of one member for each participating district; provided, however, that each participating school district with three hundred or more high school students must be allowed one member for each three hundred high school students or fraction thereof with a limitation of not no more than three members from any one school district. Center board members must be members of the school boards. The terms of office of the school district members of center boards must be for at least one year and terminate upon the expiration of ~~their~~ the member's terms on ~~their~~ the member's respective school boards. Members are eligible for reappointment to center boards.

2. A center board may appoint up to three five community board members in addition to the school district members permissible under subsection 1, but not so many as to equal the number of school district members possible under subsection 1. The center board may appoint one community member members from each of the following entities to serve on the center board:

- a. One from an institution of higher education, including an institution under the control of the state board of higher education, a North Dakota nonpublic accredited institution of higher education, ~~or~~ a tribally controlled community college;
- b. One from a parochial or private school; and
- c. A private sector entity Remaining positions to be filled from private sector entities, with each position representing a different sector.

3. The terms of office of the community board members of center boards must be three years.

4. Center board members shall receive the same compensation and expenses for attending center board meetings or for otherwise engaging in official business for the center as provided in section 15.1-09-06 for members of school boards.

Compensation and expenses of center board members must be paid out of center funds. Vacancies

5. School district member vacancies on a center board must be filled by the school board whose representation was lost when the vacancy occurred. Community member vacancies on a center board may be filled by the center board pursuant to subsection 2.



North Dakota House of Representatives

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COMMITTEES:

Education
Transportation

March 8, 2023

Good morning Chairman Elkin and members of the Senate Education Committee. For the record, I am Rep. Kelby Timmons from District 26 in McKenzie and Dunn Counties. I put this bill in for the school districts in my area. This bill is to give local school boards of school districts' discretion to designate educational professional development content areas for each school district.

Schools are often looked at for being the place where we can intercept, correct, or prevent any myriad of issues with students and our communities. We are in a place in society where schools are entrusted often with the wellness and education of the whole person.

With that has come a flurry of mandated training over the years. Each year there are a couple additional requests for added training. These trainings are ongoing and, while important, having them completed continually can be outside of the scope of what that district needs at that given time. Sometimes that professional development becomes deemed as redundant and may not be what the teachers and staff have been identified to best serve the students.

Over the last several sessions, there have been various reactionary bills "requiring" certain hours of professional development and levels of training for schools and they do not take into account previous trainings or actual local need. While the required trainings are well intended, they don't account for the ability to address specific needs of a local school district with limited professional development days in the calendar. Professional development should vary with every school district based on their actual needs and the staff demographics; efforts to mandate professional development at the state level often do not return positive results and do not effectively use contract days and state/taxpayer dollars. Professional development is a very local decision made by administration and school boards based on their strategic plans. This bill helps to alleviate the mandates of previous sessions and bring it back to a local decision. Recommendations from the state level are fine, however, mandates can provide unintended consequences for local school districts.

This bill leaves the determination of what professional development will take place to the local district on an annual basis. It leaves in place the opportunity to list important topics that legislatively there is concern and a desire for legislature to have administration ensure that staff are equipped to handle well.

From a field-based standpoint, this will enable schools to spend more time in development of high-quality teaching to directly impact student learning with an ongoing consideration and implantation of the important topics that still need to be addressed.

Thank you for your consideration of HB 1386 and I would urge a do pass. I would be happy to answer any questions you have that I am able to. However, the people behind me, may be able to handle the questions better than I.

23.0890.02000

FIRST ENGROSSMENT

Sixty-eighth
Legislative Assembly
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- 22 ~~care and treatment providers;~~
- 23 ~~f. Knowledge of behavioral health symptoms, and risks;~~

Sixty-eighth
Legislative Assembly

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8 resource coordinator.

9 ~~4.3.~~ The superintendent of public instruction shall collaborate with regional education
10 associations to disseminate information, training and instructional materials, and
11 notice of training opportunities to school districts and nonpublic schools. This training
12 must qualify for continuing education credits that count towards license renewal.

13 ~~5.4.~~ The superintendent of public instruction shall maintain the contact information of the
14 behavioral health resource coordinator in each school.

15 **SECTION 2.** A new section to chapter 15.1-18.2 of the North Dakota Century Code is
16 created and enacted as follows:

17 **Professional development - Discretionary.**

18 A school administrator shall recommend professional development content areas
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21 ~~development may include content areas, including behavioral, physical, or mental health.~~

22 Professional development must include the professional development training required under
23 section 15.1-21-12.1.