

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

EDUCATION COMMITTEE

Wednesday and Thursday, January 23-24, 2002
Roughrider Room, State Capitol
Bismarck, North Dakota

Senator Dwight Cook, Chairman, called the meeting to order at 9:00 a.m.

Members present: Senators Dwight Cook, Tim Flakoll, Jerome Kelsh, David O'Connell; Representatives Larry Bellew, Lois Delmore, Howard Grumbo, C. B. Haas, Lyle Hanson, Kathy Hawken, Bob Hunsakor, Dennis E. Johnson, RaeAnn G. Kelsch, Lisa Meier, David Monson, Phillip Mueller, Darrell D. Nottestad, Dorvan Solberg, Laurel Thoreson

Members absent: Representatives James Boehm, Thomas T. Brusegaard; Senators Layton Freborg, Terry M. Wanzek

Others present: See Appendix A

It was moved by Senator O'Connell, seconded by Representative Johnson, and carried on a voice vote that the minutes of the previous meeting be approved as distributed.

Chairman Cook welcomed Representative Wesley R. Belter, Chairman, Legislative Council.

At the request of Chairman Cook, Mr. Tom Decker, Director, School District Finance and Organization, Department of Public Instruction, presented testimony regarding school district demographics. Mr. Decker distributed a document entitled *North Dakota K-12 Enrollment Projections - State Totals*. A copy of the document is attached as Appendix B. He said there is every indication that outmigration will continue. He said the kindergarten through grade 12 public school enrollment for the current school year is 105,214. He said the projected public school enrollment for 2008 is 87,912 and the projected public school enrollment for 2012 is 77,329. He said there is every indication that the declining numbers represent a long-term trend. He said the document he distributed also includes historical, present, and projected student numbers on a district-by-district basis. He said the only places experiencing stability or growth are the suburban rings surrounding the large cities. He said even this state's large urban centers are showing significant declines.

Mr. Decker said during the last few years Department of Public Instruction student projections have been more optimistic than the actual enrollments. In response to a question from Representative Solberg, Mr. Decker said the projections are cohort survival projections. He said cohort survival is a standard projection model that has been used for many years.

He said during the last few years, the decline in student numbers has been worse than estimated. He said overall the projections have been within 1 to 1.5 percent of the actual result statewide.

In response to a question from Representative Thoreson, Mr. Decker said it is harder to accurately predict future trends on a district-by-district basis. He said state numbers, however, have been very accurate.

In response to a question from Representative Mueller, Mr. Stephen Hiebert, Research Analyst, Management Information Systems, Department of Public Instruction, said kindergarten and first grade enrollments are based on the census of three-year-olds. Mr. Hiebert said by using this data, a more accurate result is achieved than by using birth data. He said if the Legislative Assembly makes some significant education-related decisions in the 2003 legislative session, it will probably take four to five years before the results are fully implemented. He said the Legislative Assembly therefore needs to look at what the student population will be at the time action is ultimately implemented, not just at the time of the legislative decision.

Mr. Decker distributed a document entitled *ND Public School Enrollment History*. A copy of the document is attached as Appendix C. He said the courts in Wyoming have retained jurisdiction over education funding issues and are in effect making decisions about the delivery of education in the state. He said the Wyoming situation is similar to the Association for Retarded Citizens lawsuit in North Dakota.

Mr. Decker said in the rest of the country, a "small" high school is defined as one having at least 400 students. He said there is hardly any discussion in the literature about high schools with fewer than 100 students. He said North Dakota has 105 school districts with fewer than 100 students in high school. He said an adequate elementary education can be provided to a small number of students just about anywhere. He said that is not the case at the high school level, or even more accurately, in grades 7 through 12. He said the problem is with the school district governance structure.

Mr. Decker said the state continues to rely heavily on local funding for the support of schools. He said that in and of itself is not a problem. He said the

problem lies in the fact that the state does not equalize those local moneys. He said other states have looked at a heavier reliance on state funding rather than local funding to achieve fiscal equity.

Mr. Decker said the range of courses that can be made available is simply a matter of numbers. He said many state legislatures are talking about the number and type of course offerings that school districts make available to students. He said there is a lawsuit underway in California regarding equity of educational offerings.

Mr. Decker said the SAT is taken by a very small percentage of North Dakota students. He said SAT scores should therefore not be looked at as being representative of student achievement in this state. He said 75 to 80 percent of North Dakota students take the ACT. He said North Dakota's ACT results are only at or just slightly above the national average.

Mr. Decker said the teacher shortage is reflected in the increase in emergency credentials, particularly in the rural districts. He said the state is entering a phase in which there will be numerous retirements of both teachers and administrators. He said all states are recruiting teachers, many of them aggressively. He said other states are also experiencing the retirement of teachers.

Mr. Decker said, with respect to technology, the state spends a great deal of money on equipment and not much money on educating teachers regarding how the available technology can and should be used. He said the end result is that the manner of teaching has not changed much.

Mr. Decker said North Dakota has some very small districts that continue to operate. He said the school districts in Burleigh County are examples of such very small districts. He said the reality is that the only reason these tiny districts continue to exist is because they are tax shelters.

Mr. Decker said many districts have become part of service delivery units or cooperatives. He said such service or delivery units are not particularly efficient. He said the state of Iowa has regional service agencies that provide one-stop shopping for all the services they need. He said 29 states currently have regional service agencies.

Mr. Decker said if North Dakota went to a system of county school districts, the state would have a student population range of 35 to 19,000 and would still have a couple of county districts that would not have the student population to be high school districts.

In response to a question from Senator Kelsh, Mr. Decker said the total enrollment in all North Dakota schools, other than public schools, is 8,700. He said that number includes students who attend Bureau of Indian Affairs schools, state institutions, and church-based schools. He said during the last couple of years, nonpublic school enrollment has

been close to stable. He said prior to that the nonpublic numbers had been dropping as well.

In response to a question from Senator Kelsh, Mr. Decker said the state still has situations in which three buses travel the same road each morning. He said the 67 cents per mile payment for large buses is an incentive for school districts to run those large buses even if doing so is not efficient. He said the Legislative Assembly has talked about the need for data envelopment analysis so that transportation reimbursement could be based on the cost of the most efficient district in a given school size group. He said the present system does not promote efficiency. He said the organization of districts, coupled with open enrollment and each district providing its own transportation, only serves to promote inefficiency.

In response to a question from Senator Cook, Mr. Decker said most states have some statutory graduation requirements.

In response to a question from Senator Cook, Mr. Decker said declining enrollment has made some of the inequity aspects worse, but declining enrollment did not create the inequities. He said even with stable enrollments, districts such as Surrey and Williston would still have very low valuations per student and would continue to have trouble raising sufficient funds for operations. He said in the past the state has equalized up to 42 mills. He said the state has fallen behind in mill equalization.

In response to a question from Senator Cook, Mr. Decker said the state can look at guaranteeing the amount that a set number of mills would bring in with the state contributing the difference. He said the state could set target spending per student, adjusted by school size. He said there are very significant local moneys that are not in the formula. He said the state equalizes 32 mills of whatever is levied at the local level. He said roughly half the moneys school districts receive is equalized. He said oil, gas, and coal moneys, Taylor grazing funds, etc., go into the pool but are not taken into account for purposes of equalization. He said the longer the inequities continue, the harder they will be to correct. He said most of the issues that were identified in the lawsuit are still very much alive.

At the request of Chairman Cook, Mr. Jerry Coleman, Assistant Director, School Finance and Organization, Department of Public Instruction, presented testimony regarding the cost of education. Mr. Coleman distributed a document entitled *General Fund Expenditure, Instructional Cost Per Pupil and PK-12 ADM History*. A copy of the document is attached as Appendix D. Mr. Coleman said total costs are going up about 5 percent each year. He said as the number of students declines, the cost of education per student is rising approximately 8 percent per year.

Mr. Coleman also distributed a document entitled *North Dakota K-12 School Districts Equity Indicators*,

a copy of which is attached as Appendix E. He said the document shows sources of current revenue, per student revenue, indicators of variation in revenues, property wealth per student, operating levies, and indicators of variation in the operating levies of North Dakota school districts. He said the top and the bottom 5 percent are eliminated from the equation to alleviate abnormalities. He said federal disparity measures require that there be no more than 25 percent variation between the top and the bottom school districts. He said North Dakota school districts reach a 62 percent variation rate.

Mr. Decker said state support for education has declined, while the trend in local support has increased.

In response to a question from Representative Delmore, Mr. Decker said county support includes oil, gas, coal, and grazing funds.

At the request of Chairman Cook, Ms. Anita Decker, Director, School District Approval and Accreditation, Department of Public Instruction, presented testimony regarding school district fire inspections. Ms. Decker distributed a document that sets forth the applicable North Dakota Century Code sections and which includes the annual school district certificate of compliance. A copy of the document is on file in the Legislative Council office. She said in order to approve a school, the school must have licensed teachers, must meet the minimum curricular requirements, must meet the minimum requirements for a school calendar, and must meet the state's health, fire, and safety requirements.

Ms. Decker said in October 2001 the committee was told there were some repeat deficiencies in school inspections. She said the State Fire Marshal is responsible for conducting school fire inspections and uses the Life Safety Code as the basis for school inspections. She said the inspection documents are forwarded to the Superintendent of Public Instruction and, if all is well, the Superintendent receives a compliance report. She said there are a number of school districts that are not in compliance with the state's fire safety requirements.

Mr. Ray Lambert, State Fire Marshal, presented testimony regarding repeat deficiencies in school inspections. A copy of his testimony is attached as Appendix F. Mr. Lambert said between January 2000 and January 2002 his office inspected 219 schools. He said over 50 percent of those schools had repeat deficiencies. He said his inspections are conducted in nine categories--compartmentation, hazardous areas, emergency lighting, exit signs, alarms, fire protection, egress, operating features, and special provisions. He said 25 percent of the schools' repeat deficiencies had to do with compartmentation, 21 percent of the schools had repeat deficiencies relating to hazardous areas, and 16 percent of the schools had repeat deficiencies in emergency lighting.

In response to a question from Representative Nottestad, Mr. Lambert said in the larger communities the local fire departments perform the inspections on behalf of the State Fire Marshal. He said the reports are given to the State Fire Marshal and to the Superintendent of Public Instruction for action.

In response to a question from Representative R. Kelsch, Mr. Lambert said before enactment of the 1997 law, the State Fire Marshal had been starting a process of inspections. He said the 1997 law required that the schools remedy their deficiencies by the end of their next budget cycle.

Senator Flakoll said he is most concerned about the repeat offenders.

In response to a question from Senator Flakoll, Mr. Lambert said when the State Fire Marshal's office conducts compliance inspections for licensing purposes, the licensee must be in full compliance before receiving a license.

In response to a question from Representative Mueller, Mr. Lambert said the principal comment he hears is that not complying is a matter of money. He said the highest repeat violations would require replacing doors, undergoing structural changes, and installing fire alarm systems.

In response to a question from Senator Kelsch, Mr. Lambert said he does not have the statutory authority to close schools.

In response to a question from Senator Cook, Mr. Lambert said he has responses from the schools that say they will make the corrections by a date certain. He said the problem is that on repeat visits, the schools have made no movement toward actually remedying the deficiencies.

In response to a question from Senator Cook, Mr. Lambert said there is not a direct correlation between the size of a school or the age of the facility in terms of bringing the schools into compliance with the fire safety codes.

In response to a question from Senator O'Connell, Mr. Lambert said deficiencies that involve gasoline storage under stairways and similar violations fall into the imminent danger category. He said those are generally corrected quickly.

In response to a question from Representative Monson, Mr. Lambert said there are generally multiple ways of coming into compliance. He said his staff has reviewed the files of schools that had repeat violations. He said his staff eliminated those situations in which the original deficiency might not have been corrected per se but in which an alternative response was approved by the State Fire Marshal and implemented by the school.

In response to a question from Representative Thoreson, Mr. Lambert said there is virtually no history of fire injuries that have occurred in North Dakota schools. He said the Life Safety Code is based on accidents that have happened nationally.

In response to a question from Representative Monson, Mr. Lambert said the National Life Safety Code is updated at least every three years. However, he said, any school that exists is inspected by the standards that existed at the time of construction. He said many schools would fully comply with most codes if they had sprinkler systems. He said in many states sprinkler systems are mandated just for that purpose. He said many schools were designed to accommodate a sprinkler system but because of the cost the sprinklers were not installed.

At the request of Chairman Cook, Ms. Sandi Tabor, Deputy Attorney General, presented testimony regarding school fire inspections. Ms. Tabor said if there is a school that is certified as being in compliance with the fire safety requirements, there is the potential for both state liability and for personal liability if the school district superintendent certified that the deficiencies have been fixed and in fact they were not. She said the Attorney General would like to ensure that all school boards are apprised of any deficiencies in their districts.

Ms. Tabor said the Drake School District accommodates kindergarteners and first graders on the third floor of an old school building. She said the challenge is to find a reasonable balance. She said a plan has been developed and the Attorney General's office intends to be serious about its execution.

Ms. Decker said the Superintendent of Public Instruction takes the issue of the public trust very seriously. She said parents expect their children's schools to be safe. She said schools having repeat deficiencies have been notified that they are only conditionally approved until the state process is implemented. She said they will be told that unless all deficiencies have been addressed by August 15, 2002, they will not be approved to operate.

In response to a question from Representative Mueller, Ms. Decker said the actual examination of a school building based on the Life Safety Code is a minimal requirement. She said the schools have been inspected, they have been given the appropriate time to correct the deficiencies, and they have simply failed to do so. She said the Superintendent of Public Instruction is without options. She said many of the repeat deficiencies are not high-cost items and could certainly have been addressed over the budget cycles allowed by statute.

In response to a question from Senator O'Connell, Mr. Lambert said the most hazardous areas in a school include boiler rooms, kitchens, science laboratories, and vocational workshops. He said the activities that go on in those areas are much more hazardous than those that occur in a regular classroom. He said the main concern is that a lot of the doors found in schools are not fire-rated doors. He said the doors have vents or glass or they have nonlatching mechanisms that do not allow them to remain closed.

In response to a question from Representative Thoreson, Ms. Decker said after the State Fire Marshal conducts the inspection, a report is sent to the school. She said the school then sends the State Fire Marshal a plan of correction. She said according to statute the corrections must be made within the next budget cycle. She said if a school does not meet the approval criteria, it cannot continue to operate.

In response to a question from Representative Monson, Ms. Decker said the school districts in question are repeat offenders. She said they have already been given the statutorily mandated time within which to correct their deficiencies.

Representative Nottestad said in 1958 there was a horrendous fire in a Chicago school in which 123 children and 4 adults died. He said the janitor was permitted to store waste paper underneath the stairwell. He said seeing body bags of children on the lawn is a sight that will remain with him for the rest of his life. He said the schools that are the subject of discussion have already been given four years to do something about their deficiencies. He said if the schools have not addressed their deficiencies in four years, legislators need to address the deficiencies. He said the state has a major issue of liability.

In response to a question from Senator Flakoll, Mr. Lambert said if the use of a room is changed, there might very well be some expense in meeting the required criteria. He said one school might choose to have staff fry food in its kitchen that is to be served at lunch. He said another school might choose to have the food prepared elsewhere, transported in, and merely placed on the steamtable. He said the inspection standards for the kitchens in those two examples will differ.

In response to a question from Senator Cook, Ms. Decker said if a school has not completed its renovation by the August 15 deadline, but has shown that a good-faith effort is underway to correct the deficiencies, the Superintendent of Public Instruction will work with the school to avoid a shutdown for lack of approval.

In response to a question from Representative Hunskor, Ms. Decker said the school approval law requires that the schools be in compliance with the fire safety laws. She said the other concern is the level of state liability if something happens.

At the request of Chairman Cook, Mr. Chris Kalash, Program Administrator, Educational Technology, Department of Public Instruction, presented testimony regarding technology grants. Mr. Kalash said he administers the technology grant moneys that the Superintendent of Public Instruction distributes to the schools. He distributed a document showing the technology connections of the schools. A copy of the document is attached as Appendix G. He said there are only a handful of schools that are not connected. He said the Interactive Video Network will be used to deliver training for testing coordinators across the

state. He said only 50 sites can participate at any one time. He said he anticipates that in the future, systems such as the Interactive Video Network will be used a great deal to deliver training.

Mr. Kalash distributed a document entitled *1998-99 Technology Literary Challenge Fund Awards*. A copy of the document is on file in the Legislative Council office.

Mr. Kalash distributed a document entitled *TLCF Percentages*. A copy of the document is attached as Appendix H. He said most school districts spend the majority of their technology moneys on equipment purchases. He said nonpublic schools may apply for technology grants if they cooperate with the local public school district for financial distribution purposes.

Mr. Kalash distributed a document showing the technology grants that school districts received in 1999-2000 and in 2000-01. A copy of the document is attached as Appendix I. He said the new federal education legislation requires that 25 percent of the technology moneys given to school districts must be spent on professional development unless a school can show that it is spending adequate amounts from other sources.

At the request of Chairman Cook, Mr. Dan Pullen, Director, North Dakota Educational Technology Council, presented testimony regarding the council. A copy of his testimony is on file in the Legislative Council office.

In response to a question from Representative Monson, Mr. Pullen said the ratio of students to computers is 3.5 to 1. He said in schools that have small student populations and a good computer laboratory, the ratios are very good. He said these numbers compare favorably with those of other states.

In response to a question from Representative Delmore, Mr. Pullen said there are a lot of professional development opportunities available in the state. He said with these opportunities teachers do have a way to advance themselves technologically. He said, however, teachers are finding that their time is limited and there is a cost for participating in such programs.

In response to a question from Representative Monson, Mr. Pullen said technology and its use is a very complicated issue. He said change within a profession is not easily accomplished. He said teaching staff have been trained to use certain methodologies and they have used those methodologies in the classroom for a number of years. He said they are now being asked to change. He said a majority of teachers are likely to hit a plateau. He said those teachers do not want to delve further into technology. However, he said, teachers can take on the personal and professional challenges afforded by technology and make great strides in the education of students.

In response to a question from Representative Haas, Mr. Pullen said one set of data shows that new teachers are much more adept at using the basic computer tools for productivity, similar to any other profession. He said the preservice students are not getting indepth courses to demonstrate how they can incorporate technology in teaching.

In response to a question from Senator Flakoll, Mr. Kalash said any funds that were not applied for in this cycle will be made available in the next budget cycle.

At the request of Chairman Cook, Mr. Greg Gallagher, Director, Education Improvement, Department of Public Instruction, provided testimony regarding the Quality Counts Report. Mr. Gallagher said every January the Quality Counts Report looks at one aspect of education. He distributed a copy of *Education Week*. A copy of the document is on file in the Legislative Council office. He said North Dakota received a D for standards and accountability, an F for improving teacher quality, a B for adequacy, and an F for equity. He said North Dakota has slipped in its mathematics achievement scores. He said overall North Dakota's test scores are relatively high compared to the national level but only about one-third of our students are achieving a level of proficiency. He said many states have shown significant gains in national assessment of educational progress (NAEP) test results. He said the fact that the leading states are dealing with populations that are not as homogenous as North Dakota is important. He said the leading states are also those that have strongly dedicated themselves to standards and accountability.

Mr. Gallagher said 5,500 North Dakota fourth grade students participated in the NAEP test this year. He said the results corroborate what we see from the state assessments. He said issues of quality and capacity are not declared, they are validated. He said it is no longer enough for people to say that they provide a quality education. He said outside sources must be used to validate quality.

Mr. Gallagher said the Quality Counts Report ranked North Dakota as a low accountability state. He said the Quality Counts Report indicates that overall reporting back to the public requires more than what is done through the accreditation requirements. He said federal law is pushing North Dakota for greater specificity in its accountability standards. He said federal law is also pushing North Dakota toward and reporting our results via public report cards and demanding that various remediation measures be instituted.

At the request of Chairman Cook, Dr. Gary Gronberg, Assistant Superintendent for School Improvement, Department of Public Instruction, presented testimony regarding teacher quality issues. Dr. Gronberg said North Dakota received an overall grade of F for the Quality Counts category of improving

teacher quality. He said North Dakota does not assess its teachers before they are granted a license. He said licenses are awarded based on the issuance of degrees by colleges or universities. He said North Dakota students will soon be required to take a basic skills test as sophomores in order to obtain their teaching licenses. He said if we had had this requirement in place when North Dakota was reviewed by Quality Counts, the state would have earned a grade of D instead of F.

Dr. Gronberg said there are only nine nationally board-certified teachers in the state. He said North Dakota has had a major/minor law on the books for 30 years. He said many other states are now requiring teachers to have at least 30 hours to teach in a particular subject area. He said a minor can be as little as 12 hours or even 6 hours if a composite degree is undertaken.

Dr. Gronberg said the state has a middle-level endorsement but it is not required of middle-level teachers.

Dr. Gronberg said it is also not required that districts report teacher qualifications to parents. He said the state has not done well in terms of the items of quality that have been noted in Quality Counts.

Mr. Decker said with respect to spending per student, North Dakota expends 126.9 percent of the United States average. He said the figure has been adjusted to reflect regional cost differences. He said the problem is not an inadequate level of funding. He said the problem is directly related to how available moneys are spent.

Mr. Decker said it is in the area of equity that the state has problems. He said school districts that have more property wealth have more to spend per student than do other districts.

In response to a question from Senator Cook, Mr. Decker said state-level spending on education is \$60 million to \$80 million more than it was when the lawsuit was ongoing. However, he said, North Dakota still receives an F with respect to equity. He said the way the moneys are spent needs to change in order to achieve a greater degree of equity.

In response to a question from Representative R. Kelsch, Mr. Decker said the state needs to change some things that are thought of as being almost sacred. He said there are a lot of local funds that are not in the formula. He said tuition apportionment needs to be in the formula. He said weighting factors that reflect the five-year average cost of education rather than factors that remain at the 75 to 80 percent level need to be used. He said having another expert conduct a study is not necessary. He said some difficult decisions need to be made. He said the 62-district proposal results in a remarkable increase in equity. He said a big challenge is to impose equity over the variety of situations now represented within 200+ school districts.

In response to a question from Representative Haas, Mr. Decker said it is very difficult in the current organizational structure to make the kind of changes needed to achieve funding equity. He said there is significant merit to fixing the funding formula while fixing the organizational structure. He said the incremental changes being made amount to only small pieces of the overall picture because each change in some way affects a particular district. He said it would be easier to achieve funding equity if the districts were more similar. He said a similarity of districts would also result in greater educational equity.

In response to a question from Senator Cook, Dr. Gronberg said a knowledge-skills-based pay system would achieve some credit for an effort to assess and improve the pay of teachers.

In response to a question from Senator O'Connell, Dr. Gronberg said some efforts need to be made to show attempts to raise the quality of teachers.

In response to a question from Representative Hanson, Dr. Gronberg said when North Dakota instituted its major/minor law over 30 years ago, it was a significant requirement. He said the decision was the major/minor law was good enough and no further changes have been made to advance our teachers. Meanwhile, he said, other states have surpassed North Dakota in their requirements for their teachers.

In response to a question from Representative Delmore, Dr. Gronberg said Quality Counts is a way to determine if there is change. He said the answer is clearly no. He said there are other sources of information that also show how students rank.

In response to a question from Representative Monson, Dr. Gronberg said research tells us that teacher quality impacts what students learn. He said standards and accountability allow us to see whether teaching is to the standards. He said student learning is related to a teacher's knowledge of the subject matter.

Dr. Gronberg said only one-third of our students perform at a proficient level and fully two-thirds of our students do not perform at a proficient level.

Representative Mueller said if teacher requirements were raised, teacher salaries need to be raised to offset the additional requirements.

At the request of Chairman Cook, Dr. Gronberg presented testimony regarding recent federal education legislation. He distributed a document entitled *North Dakota State Information: No Child Left Behind*. A copy of the document is on file in the Legislative Council office. He said this is the reauthorization of the new federal education legislation. He said the No Child Left Behind Act was signed into law on January 8, 2002. He said it is billed as the most sweeping reform of the Elementary and Secondary Education Act since 1965. He said the Act is based on stronger accountability for results, increased flexibility and local control, expanded options and choices for parents, and an emphasis on teaching

methods that work. He said the Act requires the testing of every child in grades 3 through 8 to ensure that the child is making progress, as measured by state standards. He distributed a document entitled *Department of Education - Funds for State Formula - Allocated and Selected Student Aid Programs for North Dakota*. A copy of the document is attached as Appendix J.

At the request of Chairman Cook, Mr. Gallagher presented testimony regarding standards and assessments within the federal education legislation. A copy of his testimony is on file in the Legislative Council office.

At the request of Chairman Cook, Ms. Laurie Matzke, Title I Director, Department of Public Instruction, presented testimony regarding Title I funding in the new federal education legislation. Ms. Matzke said the new program will require all Title I teachers to be certified. She said a school district that receives funds for Title I programs will have to notify parents of their right to request and receive information regarding the professional qualifications of a student's classroom teacher. She said the new federal law requires that there be a single, statewide accountability system. She said the new federal law also provides parents with school choice if their home school continues to fail for two consecutive years. She said "reading first" is a new program to establish reading programs for all children in kindergarten through grade 3. She said North Dakota will be receiving approximately \$2.2 million for the "reading first" program.

In response to a question from Representative Nottestad, Ms. Matzke said the federal law is fairly vague with respect to the information that must be made available under the parents' right-to-know provisions. She said she expects regulations from the United States Department of Education will clarify the information to be provided.

In response to a question from Representative Monson, Ms. Matzke said there is concern in the field about the requirement that all children reach a specific level of proficiency.

In response to a question from Representative Nottestad, Mr. Gallagher said the premise is that all children are to be assessed. He said certain students with significant disabilities will receive alternate assessments and various supports.

Mr. Decker said at the last meeting of the Education Committee, the phrase "raising the bar" was used. He said raising the bar is the most constructive way to address both educational equity and fiscal equity. He said the preferred course of action is to bring all districts up to the highest level. He said North Dakota needs to ensure that its students have access to comparable opportunities. He said parents and a student's home environment, together with local leadership and the student's teachers, all enter into student success rates. He said the state needs to

ensure that there is equity of educational opportunity, which is not done now.

Mr. Decker said regional service agencies, 62 school districts, and joint powers agreements are all mechanisms through which school districts could provide equitable opportunities to their students.

Mr. Gallagher distributed a document entitled *Next Generation of Accreditation - Working Draft*. A copy of the document is on file in the Legislative Council office. He said accreditation is a process by which one validates the capacity of a school's quality and services. He said the Superintendent of Public Instruction has been working on a new set of accreditation rules that address what is expected of a school. He said accreditation stands for quality in the schools. He said what is being talked about in accreditation is applicable regardless of the number of districts that we ultimately have.

Mr. Gallagher said the Superintendent of Public Instruction is looking at a systemic approach to accreditation. He said research shows that schools must have a clarity of direction with respect to instruction, instructors' credentials, learning support services, the budgeting process, and continuing improvement efforts. He said accreditation needs to have all of those components tied together. He said schools must have a clear statement of mission. He said schools must have content standards in place so they know what students should know and be able to do. He said content standards will provide an understanding of the curriculum. He said parents would be able to understand the purpose behind the curriculum.

Mr. Gallagher said districts will need to have a clear plan with respect to professional development and the resources that will be needed to pay for them. He said school districts need to have community involvement, student services, and facility requirements that are applicable now and in the future.

Mr. Gallagher said the finance component includes a process for the development of a budget, a process for fiscal management, and a process to monitor the school's financial condition. He said one can no longer stand up and simply claim that theirs is a "quality" school. He said validation processes are required. He said school improvement is a continuous process. He said schools can define their own strategy and even their own timeframe. He said the important thing is that they recognize the continuing nature of this.

Mr. Gallagher said the Superintendent of Public Instruction is considering a three-year implementation timeline so that districts do not have to tackle all of the accreditation changes at one time. He said accreditation assures the public that a particular school meets particular standards.

In response to a question from Representative Nottestad, Mr. Gallagher said this proposal would be integrated into North Central accreditation standards. He said in order to receive North Central

accreditation, schools have to meet, at a minimum, their state accreditation standards. He said schools that currently hold North Central accreditation would simply integrate North Central accreditation models with respect to areas such as school improvement.

In response to a question from Representative Thoreson, Mr. Gallagher said much of what is in the proposed accreditation plan is currently required. He said the Superintendent of Public Instruction is attempting to streamline the requirements. He said the biggest leap will be in meeting the new requirements regarding curriculum development.

In response to a question from Representative Delmore, Mr. Gallagher said the Superintendent of Public Instruction would like to allow schools to work on one individual component of the accreditation plan and then move on to another component.

At the request of Chairman Cook, Dr. Gronberg presented testimony regarding an increase in educational requirements. He distributed a document entitled *High School Graduation Requirements*. A copy of the document is on file in the Legislative Council office. He said the document shows the high school graduation requirements in other states.

Dr. Gronberg said state law sets forth what a high school must offer in order to be an approved school. He said those requirements are not graduation requirements. He said the state has never established statewide graduation requirements. He said what students must take is determined by local school boards. He said local school boards set their own graduation requirements.

Dr. Gronberg distributed a document showing the current statutory education requirements. A copy of the document is on file in the Legislative Council office. He said he recommends that the Legislative Assembly clarify what is required to be taught in grades 1 through 8 and in grades 9 through 12. He said he also recommends that the minimum graduation requirements for four-year public high schools be set forth in statute. He said the requirements should include 16 units of core courses and six elective units. He said right now languages are only offered as electives. He said two units of a foreign language are recommended for entrance to a college or university.

Dr. Gronberg distributed a document relating to the accreditation of schools. A copy of the document is on file in the Legislative Council office. He said the document suggests that the state could provide schools with an additional \$200 per student if the schools are accredited. He said this would be in contrast to the current system which requires the withholding of \$200 per student if a school is not accredited. He said the condition would be that \$100 per student must be earmarked for professional development.

In response to a question from Representative Thoreson, Dr. Gronberg said there are three accreditation levels--accredited with commendation,

accredited, and accredited warned. He said there currently are no schools that are not accredited. He said this state has never withheld the \$200 per student from a school for not meeting the accreditation requirements.

Dr. Gronberg distributed a document entitled *Doing What Matters Most: Investing in Quality Teaching*. A copy of the document is on file in the Legislative Council office. He said raising teacher quality will require legislative policy decisions. He said those decisions will also result in more teachers. He said rather than addressing teacher shortages, the state tends to lower the bar to attract more people to the field. He said the state needs to look at preservice training, professional development courses, time for professional development activities, the elimination of isolation from colleagues, encouraging or requiring graduate degrees, internships under the guidance of master teachers, and examination of subject matter and teaching methods prior to licensure. He said the document recommends that standards for teachers be linked to standards for students. He said the document proposes that teacher preparation and professional development also be centered on standards for students. He said teachers are allowed to choose what they wish to take for purposes of professional development. He said the state needs to focus on what the students need and what the school districts need. He said the document recommends that the state require teachers to demonstrate an ability to teach and that the state address the issue of promotion. He said teachers now have to leave the classroom in order to be promoted and to be awarded a higher level of pay.

Dr. Gronberg said the document shows us some areas that need to be addressed to ensure that educational equity is achieved. He said 49 percent of the influence on student achievement comes from home and family factors. He said parent education, income, and race constitute the home and family factors. He said 43 percent of the influence on student achievement comes from teacher qualifications, including licensing examination scores, education, and experience. He said class size accounts for only 8 percent.

At the request of Chairman Cook, Mr. Decker presented testimony regarding regional service units. He distributed a document entitled *School Facts at a Glance - Education Committee - January 23, 2002*. A copy of the document is on file in the Legislative Council office. He said under a regional plan there is a great deal more consistency between student-teacher ratios and taxable valuation per student. He said general fund mill levies are also much closer. He said under a regional plan, levies would range from 167 to 266 mills.

Mr. Decker said the only reason regional service units should be considered is to address the need for educational and fiscal equity among school districts. He said regional service units can provide services to

districts in a manner that is cheaper than any member district could obtain the services on its own. He said regional service units may be utilitarian for the districts they serve but they would not necessarily provide educational or fiscal equity. He said the concern is that not all districts in the unit might choose to participate in options that would provide greater educational equity. He said it cannot be said that by creating regional service agencies there would be a guaranteed saving of moneys. He said the savings would come from mandated sharing of administrative services, including business office functions, and programs such as special education.

In response to a question from Senator Cook, Mr. Decker said if school districts would choose to jointly purchase certain services, a regional unit concept could provide them with some efficiencies. He said the number of school districts and the way in which they are administered account for some costs that could be reduced or eliminated under a different method of doing business than what is used today.

In response to a question from Representative Mueller, Mr. Decker said the regional service unit concept has been considered three or four times since the 1960s. He said there is a feeling that the concept is another layer of bureaucracy. He said arguably the cooperative ventures that serve districts now are another layer of bureaucracy. He said any system created to enhance educational and fiscal equity given our current district structure will require additional bureaucracies. He said there are other options, including a reduction in the overall number of districts.

Representative Monson said he wonders if his district and the surrounding districts need to get together and hire an individual who could attend to all the new administrative requirements that are being imposed by the state and federal governments.

Mr. Decker said superintendents in smaller districts are already overwhelmed with the functions that they are expected to carry out. He said larger districts have support people who are specialists and who do some of these things. He said in joint powers arrangements, such as the one in Devils Lake, the individual superintendents are taking on regionwide tasks, given their areas of expertise.

In response to a question from Representative Delmore, Mr. Decker said the focus needs to be on educational equity and fiscal equity. He said there also are some capital construction issues that could result in a lawsuit. He said the state has almost nothing to level the playing field in terms of capital construction equity. He said the state does not want to be in the position of allowing a variety of solutions. He said the state needs to determine what is wanted and how it should be delivered. He said this would provide a uniform approach to dealing with education in general.

In response to a question from Senator Kelsh, Mr. Decker said the solution needs to be thought about conceptually rather than focusing on the details of a bill draft. He said the regional service unit needs an organizational structure. He said as presently conceived the state would mandate certain services that need to be delivered through the regional service units and other services that could be delivered through the region if the member districts so chose. He said school districts are spending a lot of time and money on certain mandatory services right now. He said the regional unit would be in a position to take over some of these tasks and avoid the duplication that occurs now.

In response to a question from Senator Kelsh, Mr. Decker said the expectation for regional services is that there will be additional costs--in part because the same number of local districts would be operating in the same fashion.

Mr. Decker distributed a document that sets forth a plan resulting in 62 school districts. A copy of the document is attached as Appendix K. He said the committee asked for a proposal that would result in no fewer than 50 nor more than 75 school districts. He said the result reflects districts of roughly equal size, taking into account current allegiances and trade zones. He said this is not written in stone. He said there might be districts that for one reason or another would prefer to go elsewhere. He said ideally these would have a single superintendent and a single levy. He said there could be a number of incremental steps that could be added to make the process less painful.

Mr. Coleman said the front page of the document containing the 62-district plan has the district numbers and the document sets forth the finance facts for each of the proposed districts. He said the data includes current, past, and future enrollment, the size of the proposed district, the ratio of classroom teachers to students, the instructional cost per student, the taxable valuation, and the general fund mill levies.

In response to a question from Representative Haas, Mr. Coleman said the difference between the highest and the lowest levying districts is 162.8 mills. He said with 62 districts, the range would be reduced to 149.3 mills.

Mr. Decker said the assumption is that schools in districts currently offering fewer courses than their neighboring districts would be leveled up to the higher number of offerings. He said each of the proposed districts would have at least one high school facility within its boundaries for as long as anyone can predict. He said even within this scenario, there may still be a need to allow for small isolated schools. He said each of these districts would have sufficient valuation to ensure its viability for the long term.

Mr. Decker said with technology even distant schools within a district would be able to communicate instantaneously.

Mr. Decker said demographics are dictating a reduction in the number of districts. He said the Legislative Assembly needs to determine whether or not the reduction will happen in a systematic manner. He said the concern is that when districts close as a last resort, the result is often a school district that is not viable. He said when that happens, the resulting school district has to engage in future consolidations. He said if the state proceeds in a haphazard manner, little equity will be achieved.

Mr. Decker said the only districts that might lose state funds are those that had excessively large ending fund balances.

In response to a question from Senator Cook, Mr. Decker said if the state went to this type of an arrangement, it would be appropriate to look at changes in the way state aid to districts is calculated. He said the retirements being anticipated will account for almost all the reduction in staff that would be necessitated by such a plan.

In response to a question from Representative Delmore, Mr. Decker said any increase in school offerings is an improvement over that to which the students have access today. He said the state may end up providing some additional state funding so that the smaller districts can increase their offerings.

In response to a question from Representative Nottestad, Mr. Decker said public education, especially at the high school level, has been and remains heavily input- and process-based. He said the state is just now beginning to move toward a focus on results. He said the state needs to decide what students should know and be able to do and the state needs to ask school districts to be accountable for how well their students do. He said the tools to provide this information are just becoming available. He said doing a postgraduation followup is another piece of the puzzle and an important accountability piece.

In response to a question from Representative Solberg, Mr. Decker said these 62 administrative units can operate as many facilities in as many locations as they see fit. He said possibly in the future there may be even more one- and two-room elementary schools. He said a central office will ensure an equity of service provision in a way that small separate districts cannot. He said the state can also be more flexible with scheduling. He said the state needs to fund transportation in a way that forces districts to be efficient. He said the state also needs to set a maximum ride time.

In response to a question from Representative Mueller, Mr. Decker said there are a variety of ways to approach the drawing of the lines. He said in drawing the preliminary map, they tried to build around the biggest district in the area. He said if small districts combine only with small districts, they will probably lose out on the ability to achieve fiscal equity and

educational equity. He said districts need to rely on the strengths of larger districts.

In response to a question from Senator O'Connell, Mr. Decker said districts that come together can currently have up to five years to reach the same mill levies. He said districts can also use their ending fund balances to deal with diverse mill levies.

In response to a question from Senator Cook, Mr. Decker said something like this 62-unit plan addresses educational equity in very significant ways. He said arriving at fiscal equity will still require that the state take a close look at how state aid to school districts is calculated.

In response to a question from Representative Haas, Mr. Decker said a similar outcome could also be achieved if the Legislative Assembly would set certain parameters and allow residents to draw their own lines.

Representative R. Kelsch said this plan increases the educational opportunities for students. She said even going from 35 to 59 offerings is a much better opportunity than what the students are getting now. She said the Constitution of North Dakota places education in the laps of the Legislative Assembly. She said the people have had plenty of opportunities to reconfigure themselves.

Representative Hawken said for the last 20 years the state has given incentives and set parameters and has not come close to this kind of outcome.

Representative Haas said all the efforts and incentives have been purely voluntary. He said if the state sets parameters, they would amount to a set of hard and fast guidelines, together with a firm deadline.

In response to a question from Representative Johnson, Mr. Decker said there are districts today that have significant portions of nontaxable reservation land. He said the reservations do receive other types of revenues in place of their tax base. He said the state would still pull together the various revenue sources and build a budget.

Mr. Decker said Drake, Anamoose, Harvey, Pleasant Valley, Goodrich, and McClusky were offered \$90,000 as a reorganization bonus advancement if they would pursue reorganization. He said they are still discussing it. He said perhaps there needs to be an assurance that any districts coming together would still be eligible for their reorganization bonuses.

At the request of Chairman Cook, Mr. Tom J. Tracy, Superintendent, Kensal Public School District, presented testimony regarding the future of kindergarten through grade 12 education in the state. Mr. Tracy said the Kensal Public School District has a graduation requirement of 17 credits. However, he said, the district requires that its students take six credits each year. He suggested the focus be on the number of classes that students take as opposed to the number of classes that are offered by a school district. He said reducing the

number of school districts to 62 will probably not save a lot of money. He said reducing to 32 school districts will save a great deal of money. He said cooks and janitors will lose their jobs if districts consolidate. He said this amounts to wiping out rural North Dakota. He said Burlington Northern Santa Fe plans to cut out some of the spurs that lead to local elevators. He said taking the rail lines and taking the school wipes out the town.

Representative R. Kelsch said the discussion is about a reconfiguration of school district administration. She said the proposal is to reduce the number of school districts to 62. She said those 62 school districts can maintain the same number of schools that are in existence today.

Representative Haas said the proposal for a reduction in the number of school districts was put together at the request of this committee.

At the request of Chairman Cook, Mr. Larry Klundt, Executive Director, Council of Educational Leaders, presented testimony regarding a reduction in the number of school districts to 62. Mr. Klundt said teachers are good and well-trained.

Mr. Bob Marthaller, Superintendent, Harvey School District, presented testimony regarding school fire inspections. Mr. Marthaller distributed a document detailing the fire inspections and subsequent reports pertaining to the Harvey Elementary School. A copy of the document is on file in the Legislative Council office. He said corrections had been made at the elementary school.

Mr. Marthaller distributed a document detailing the fire inspections and subsequent reports pertaining to the Harvey High School. A copy of the document is on file in the Legislative Council office. He said they are working on their deficiencies and doing the best they can with their limited resources.

In response to a question from Representative Monson, Mr. Marthaller said he does not know where the breakdown in communication exists. He said he has had a very good relationship with the State Fire Marshal's office.

Mr. Klundt distributed a document regarding the fire safety inspections conducted at the Beulah High School. A copy of the document is on file in the Legislative Council office.

Mr. Klundt said the Council of Educational Leaders believes in accountability. However, he said, the tests that are used should be designed in a way that are useful to educators and not simply as a measure of performance. He said the results of a single test should never be used to make decisions about students or schools. He said classroom assessment should not be forgotten. He said teachers' evaluations of how things are going in a classroom are valid assessments too.

Mr. Klundt said regional service agencies are different from consolidated administrative units. He said regional service units are used to provide

services to school districts that might need some help. He said in Michigan the regional service agencies are arms of the state's Department of Public Instruction. He said the units are there to provide services. He said under the present proposal, the only mandated items are technical assistance and special education. He said school districts need technical assistance. However, he said, if the number of special education units is to be reduced, there are other ways to do it. He said regional service units should provide assistance to school districts, not replace school districts.

Mr. Klundt said if the superintendent of the largest school district in the region were to become the director of the region, the individual would have several bosses for whom to work.

Mr. Klundt said every school district superintendent in this state would have some concerns and ideas about the 62-district concept. He inquired what problems are attempted to be solved. He said educational equity and fiscal equity are the stated problems.

He said there is probably some potential for resolving those issues with the 62-district concept. He said there ought to be other ways to address equity concerns.

Mr. Klundt said perhaps the concept could provide an opportunity for the early retirement of superintendents and teachers. He said that in and of itself would provide an incentive for districts to come together.

In response to a question from Senator Cook, Mr. Klundt said there are some disparities in fiscal equity and educational equity in North Dakota. He said the state could achieve the same result if it increased the size of the state pie. He said there are a lot of ideas but arriving at a consensus is a problem. He said the question needs to be what the people back home are saying.

At the request of Chairman Cook, Mr. Jeff C. Bata, President, Kensal School Board, presented testimony regarding the future of kindergarten through grade 12 education in this state. Mr. Bata said the Kensal School District has only 80 students. However, he said, the district provides the students with an excellent education. He said his school is accredited with commendation. He said they offer low student-teacher ratios.

In response to a question from Representative R. Kelsch, Mr. Bata said Pingree-Buchanan is the district with which Kensal cooperates for sports.

At the request of Chairman Cook, Mr. Jon Martinson, Executive Director, North Dakota School Boards Association, said if the state does not provide options, there will only be greater educational and fiscal inequities. Mr. Martinson said change is difficult and filled with anxiety. He said many people value their small school districts, their ideals, their communities, and their schools. On the other hand, he said, there is frustration among school board members because surrounding districts refuse to talk about

consolidation. He said the North Dakota School Boards Association is willing to work with the various entities to enhance educational opportunities for students in North Dakota. He said the 62-district concept is in its embryonic stage. He said the underlying factors that are prompting this have been discussed for many years. He said for each year in which action is not taken and for each year of waiting to get all the answers for those who refuse to move forward until they have all the answers, there is yet another class of schoolchildren left behind.

In response to a question from Representative Mueller, Mr. Martinson said the key will be to work with the other interest groups and the Department of Public Instruction staff. He said it is critical that there is a plan and the parties move down the road together. He said school board members will be involved in these efforts.

At the request of Chairman Cook, Mr. Mike Zimmerman, Past President, North Dakota School Boards Association, presented testimony regarding the future of kindergarten through grade 12 education in the state. Mr. Zimmerman said he had served on the Garrison School Board. He said he is also a member of the Workforce Development Council. He said the council was asked to come up with a plan for improving education in North Dakota. He said regional education units could be a good tool for delivering education in this state. He said the state needs a vehicle for tracking student achievement. He said districts would like to think that they are doing an excellent job of educating students but no one knows.

Mr. Zimmerman said nobody is proposing the closure of schools. He said going to a regional system would allow for better administration of our schools. He said one superintendent could head the region and about six assistant superintendents could run the various programs. He said this could result in an \$11 million savings. He said the savings could be redirected to other purposes. He said if school districts are asked to consolidate voluntarily, consolidation will not happen.

At the request of Chairman Cook, Ms. Sandy Clark, North Dakota Farm Bureau, presented testimony regarding the future of kindergarten through grade 12 education in the state. A copy of her testimony is on file in the Legislative Council office.

In response to a question from Representative Haas, Ms. Clark said local school boards and local parents should be making the decisions about educational opportunities for children, not the state.

Representative Thoreson said "local" as in "local control" is an ambiguous term. He said there are school districts that are 10 miles across and school districts that are 100 miles across.

In response to a question from Representative Thoreson, Ms. Clark said there is a problem in education and the dialogue needs to continue. She said the

North Dakota Farm Bureau does not have a proposal to put on the table but will respond to other proposals.

In response to a question from Representative Hawken, Ms. Clark said consolidation has been taking place. She said it will continue to happen as it needs to happen. She said she would like to have equitable funding.

Representative Nottestad said local control is good but if it keeps educational opportunities down in a district, the state has a responsibility to act. He questioned whether it is appropriate to choose local control over educational opportunities for students.

At the request of Chairman Cook, Mr. Hy Schlieve, Superintendent, Ellendale School District, presented testimony regarding the future of kindergarten through grade 12 education in North Dakota. Mr. Schlieve said he has already proposed elimination of his job to his board. He said the communications from the State Fire Marshal's office carbon copy all participating parties. He said the school district responses do not carbon copy the participating parties. He said this simple act of copying the participating parties would be a solution to any kind of miscommunication.

Mr. Schlieve said an increase in offerings does not necessarily mean that students are getting a better education. He said it just means that the students have more from which to choose. He said education needs to aim for depth, not for breadth. He said there is an equity problem. He said a reduction in the number of school districts needs to take place. He said the Legislative Assembly will have to provide for small but necessary schools.

At the request of Chairman Cook, Mr. Dean F. Bard, North Dakota Small Organized Schools, presented testimony regarding the future of kindergarten through grade 12 education in North Dakota. Mr. Bard said he has frequently been asked whether schools should remain open to support Main Street. He said the state is trying to keep kids down on the farm and trying to bolster the rural economy. He said there is a symbiotic relationship between school districts and rural areas. He said some changes will have to be made. He said the question is whether those changes have to be made from the Capitol or whether they can be made locally.

Mr. Bard said with respect to the school district fire inspections, the committee must realize that for those schools that have to go through major construction, the August 15 timeline is too close.

In response to a question from Senator Cook, Mr. Bard said a few years ago, the small organized schools proposed a classroom funding plan. He said it did not get much attention. He said the way to address fiscal inequity is to put more state money into the funding of education.

Representative Hanson said he disagrees with Mr. Bard's comments regarding the shortness of the period for correcting fire violations. He said these districts have already had four years' notice.

Mr. Barry Chathams, Director, Oliver-Mercer Special Education Unit, presented testimony regarding regional service units. Mr. Chathams said special education is the one program that is not broken. He said it is equitable because it has to be provided to all students. He said perhaps reorganization needs to occur through a regional service agency but it should not use special education as the horse.

In response to a question from Senator Flakoll, Mr. Chathams said he has heard of students moving from one district to another in order to get the services they need. He said it may be that one district is unable to hire a particular type of teacher for a special education student while the neighboring district has hired such an individual. He said parents may also take into account the quality of services available at the local school.

Mr. Dick Schaffan, Superintendent, Stanton Public School District, presented testimony regarding the future of North Dakota schools. Mr. Schaffan said the Stanton School Board realized that the district could not continue as an administrative unit. He said he worked very hard to bring the people of his district to that conclusion. He said Stanton and Center started with a sports cooperative to break down some barriers. He said over a period of time he continued to talk to school board members about things needing to change. He said they knew they needed to combine their district with Center. He said other people in other school districts know the same thing. He said guidance is going to have to come from the Legislative Assembly. He said the legislators should find a way to accomplish that end and to educate the people of North Dakota about the need to combine districts.

Mr. Tracy said the Department of Public Instruction has an accreditation process. He said just about every school in North Dakota is accredited. He said if a school is not accredited, it loses foundation aid. He said the reduction in school districts has been a gradual process instituted by the members of local school boards. He said the gradual process gives communities in North Dakota plenty of time to adjust. He said legislators might need to make the accreditation system better and stronger. He said if school districts are not doing the job, the question is why are they being accredited?

Representative Mueller said one of his concerns is the issue of school fire inspections. He suggested that the Superintendent of Public Instruction make the August 15 deadline a little more tolerable. He said Department of Public Instruction staff also need to look into inconsistencies on the list.

Representative R. Kelsch said if the school districts have the information available to show the Department of Public Instruction, they will communicate the information to the department as soon as possible. She questioned whether legislation to statutorily require that the appropriate parties must be copied is appropriate. She said that is common sense and perhaps, given this discussion, people will now provide the requisite copies.

Representative Haas said the Superintendent of Public Instruction has indicated that he and his staff will work with the school districts to ensure that the corrections are at least underway.

Senator Kelsh said interest groups need to testify regarding their positions on the two plans that have been presented and to hear any options they might have. He said achieving fiscal equity is a form of taxation. He said remedial courses at the higher education level are taken by students from across the state, not just from small districts.

Representative Haas said a defined set of districts, like we have with the 62-district plan, or a specific set of guidelines to allow people to reorganize themselves appear to be two ways to approach this issue.

Representative R. Kelsch said it is better looking at a map rather than a detailed bill draft. She said in previous legislative sessions square-mile parameters have been attempted. She said the districts that are part of the 62-district plan will be viable well into the foreseeable future. She said if minimum area requirements are used, that may result in school districts that will not be viable in the future.

Representative Hawken said more information on the financial consequences of redistricting needs to be presented. She suggested a closer look at the Superintendent of Public Instruction's accreditation proposal.

Representative R. Kelsch said the committee should look at ways of reconfiguring the current formula in order to achieve fiscal equity. She said this should be done from the perspective of a 62-district plan and from the perspective of current districts.

No further business appearing, Chairman Cook adjourned the meeting at 1:00 p.m.

L. Anita Thomas
Committee Counsel

ATTACH:11