

1999 SENATE EDUCATION

SB 2143.

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2143

Senate Education Committee

Conference Committee

Hearing Date January 6, 1999

Tape Number	Side A	Side B	Meter #
1	x		1010-1610
Committee Clerk Signature <i>Linda Christman</i>			

Minutes:

SENATOR FREBORG opened the hearing on SB2143, A BILL RELATING TO THE PLACE OF FILING CERTIFICATION OF INOCULATION FOR A CHILD RECEIVING HOME-BASED INSTRUCTION.

Linda Johnson, Director of School Health Programs testified in favor of SB2143. Testimony is attached.

SENATOR WANZEK: What is the difference with having North Dakota which is crossed out and the word this state? Why is that is there?

Linda: I'm not sure, there might be yet another amendment to this bill over in the Senate Human Service Hearing and that is going to deal with adding more immunizations here and theirs is also in this format. So Legislative Council did this and it must be something that they are doing across the board. So I would guess all of the other changes are no to a, North Dakota

to this state, such to the on the other amendment to this bill so there will be no reconciling of that small language and I assume it is Legislative Council that has done this for us. Our only language change was basically in the last sentence and when we got it back it had these other small format changes.

SENATOR FREBORG : For as long as I have been here they continually decide that one way of saying something is not proper and they change the language. Look at line 7 where they say no child can be admitted, and now it isn't proper so they say a child may not be admitted. It is simple the way that the Council decided which is a better way to write the bill or it is more proper. You'll find that in two years it might be back and they'll change it again.

SENATOR WANZEK : I have a simple mind in reading that what is the difference as it says the same thing to me. North Dakota and this state and I'm wondering if I missed something.

SENATOR FREBORG : If you think we are going to argue that statement with you. Council takes the opportunity when a draft comes in to correct language in that particular section of law. It wasn't part of what they asked to be drafted. Any other questions?

Closed the hearing on SB2143 at 9:50 AM.

SENATOR FREBORG called for discussion on SB 2143.

A twenty minute discussion took place on various interpretations of the wording and meaning of SB2143. Dr. Richard Ott, Executive Director of the North Dakota School Board Association was questioned about the feeling of local school districts on home based school records.

SENATOR FREBORG : This bill is speaking only of home based and where their records are stored and who is in charge. It was decided that they were basically making the language compatible concerning home schoolers with 1534.1.06.

SENATOR KELSH : I don't blame you for throwing up your hands, we are way to lax in the home school areas.

Roger Rieger, Director of Secondary Education for Accreditation Approval Rating, addressed the committee in hopes to answer any questions that were still unclear. He explained that the bill was drawn up to clear up where home educated immunization records go to and should not go to the Superintendent of Public Instruction but locally.

SENATOR FREBORG : What happens with records with the county superintendent of schools.

Roger: The school files stay where the student is enrolled.

SENATOR COOK : Students attending a parochial school, where do their records go?

Roger: They stay at a local level.

SENATOR COOK : The intent of legislation is to have the law comply.

Roger: I wasn't prepared to speak.

SENATOR KELSH : It is my understanding that SB2143 deals with records for children receiving home based education.

SENATOR O'CONNELL: Only home school?

SENATOR COOK : I believe that this bill is now cleared

Motion was made by SENATOR COOK and seconded by SENATOR WANZEK to do a roll call vote on SB2143. SB2143 passed with 7 (Yes) 0 (No). Carrier is SENATOR WANZEK .

Date: 1/6/99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2143

Senate EDUCATION Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Cook Seconded By Wanzek

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin	✓				

Total (Yes) 7 No -0-

Absent -0-

Floor Assignment Wanzek

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

REPORT OF STANDING COMMITTEE (410)
January 6, 1999 11:05 a.m.

Module No: SR-02-0326
Carrier: Wanzek
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2143: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2143 was placed on the
Eleventh order on the calendar.

1999 HOUSE HUMAN SERVICES

SB 2143

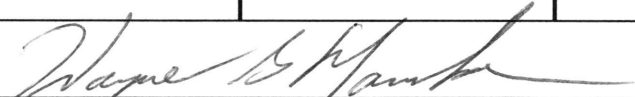
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2143

House Human Services Committee

Conference Committee

Hearing Date March 1, 1999

Tape Number	Side A	Side B	Meter #
1	x		0.0 - 13.0
Committee Clerk Signature 			

Minutes:

LINDA JOHNSON, Director of School Health Programs, Department of Public Instruction testified. (Testimony attached). There is a conflict in the law where home school people have been told to file immunization records in two different places; State Superintendent and with Superintendent of local school district.

Rep. BRUCE ECKRE asked about those counties that have done away with the school superintendent position. LINDA JOHNSON replied that someone in the district has the responsibility.

Rep. WILLIAM DEVLIN asked if there is any question as to what is the local school district. LINDA JOHNSON replied that the local school district is the one in which the student resides.

Rep. WILLIAM DEVLIN noted that in some larger communities a student may live closer to a school in the next district than to the school in his/her district which may cause some confusion.

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House Human Services Committee

Bill/Resolution Number 2143

Hearing Date March 1, 1999

Rep. WANDA ROSE asked how long the language differences have been in the law. LINDA JOHNSON replied two sessions ago.

OPPOSITION

Hearing was closed on SB2143.

Committee Discussion

Rep. WILLIAM DEVLIN moved DO PASS on SB2143. Seconded by Rep. BLAIR

THORESON

Rep. ROBIN WEISZ would like to see an amendment that clarifies what the local school district is. He proposed an amendment that would replace "local school district" on line 16 with 'where the child resides'. Rep. CAROL NIEMEIER seconded. Rep. WILLIAM DEVLIN "how about 'of residence'?" Rep. BRUCE ECKRE asked about a small country school district in western North Dakota that is completely within another larger school district. Rep. ROBIN WEISZ the school district in this case would be the small one during grades 1-6 and then the larger one for higher grades. Sees little conflict. Rep. CLARA SUE PRICE noted that terminology "the public school district in which the child resides" is used in law. Rep. RALPH METCALF asked about those students who are paying tuition to attend another school district. Rep. CLARA SUE PRICE replied that this bill only applies to home school students. Rep. ROBIN WEISZ proposed an amendment to his amendment saying 'public school district in which the child resides'. Rep. ROXANNE JENSEN seconded. Rep. WILLIAM DEVLIN moved the amendment. Passed 12-0. Rep. WILLIAM DEVLIN agreed to change his do pass motion to 'do pass as amended'.
Roll Call Vote # 1. 12 Yeas, 0 Nays, 3 Absent.

CARRIER: Rep. WILLIAM DEVLIN

Date: 3/1/99
 Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2143

House Human Services Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Rep Devlin Seconded By Rep Thoreson

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairwoman	X		Bruce A. Eckre	X	
Robin Weisz - Vice Chairman	X		Ralph Metcalf	X	
William R. Devlin	X		Carol A. Niemeier	X	
Pat Galvin	X		Wanda Rose		
Dale L. Henegar			Sally M. Sandvig	X	
Roxanne Jensen	X				
Amy N. Kliniske					
Chet Pollert	X				
Todd Porter	X				
Blair Thoreson	X				

Total Yes 12 No 0
 Absent 3

Floor Assignment Devlin

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

Carrier - Devlin

REPORT OF STANDING COMMITTEE (410)
March 1, 1999 4:13 p.m.

Module No: HR-36-3811
Carrier: Devlin
Insert LC: 98148.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2143: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2143 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "local" with "public" and after "district" insert "in which the child resides"

Renumber accordingly

1999 TESTIMONY

SB 2143

TESTIMONY ON (SB # 2143)
SENATE EDUCATION COMMITTEE

January 6, 1999

by Linda L. Johnson, Director of School Health Programs

328-2753

Department of Public Instruction

Mr. Chairman and members of the committee:

My name is Linda Johnson and I am the Director of School Health Programs for the Department of Public Instruction. I am here to speak in favor of language change indicated in SB #2143.

This is a housekeeping change to allow two sections of the law dealing with immunization records to comply with each other. In home-based instruction according to 15-34.1.06 no. 4 “ *A parent intending to supervise home education for the parent's child shall file an annual statement with the **superintendent of the public school district in which the child resides**. If the school district does not employ a local school superintendent, the statement must be filed with the **county superintendent of schools for the county of the child's residence**. The statement must include: ...f. Proof of an immunization record as it relates to section 23-07-16.*”

Therefore, to align reporting language with 15-34.1.06 , we recommend changing the filing of the certification on immunization referred to in 23-27-17.1 with the local school district rather than the superintendent of public instruction.



**STATEMENT OF INTENT
HOME EDUCATION - STATUTORY REQUIREMENTS**
NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SFN 16909 (6-97)

North Dakota Century Code (NDCC) 15-34.1-06 - "A parent intending to supervise home education for the parent's child shall file an annual statement with the superintendent of the public school district in which the child resides. If the school district does not employ a local school superintendent, the statement must be filed with the county superintendent of schools for the county of the child's residence."

Name of parent supervising home education		Address	
City	State	Zip Code	Telephone (optional)
Name of child receiving home education		Birth date of child	Grade level of child

Proof of identity as it relates to NDCC section 54-23.2-04.2 has been provided

Proof of immunization as it relates to NDCC section 23-07-17.1 has been provided

The child will participate in the following courses or extracurricular activities offered by the public school district.

QUALIFICATIONS OF PARENT: Check appropriate category and attach supporting documentation

North Dakota Educator's Professional Certificate Number _____ Expiration date _____

Met or exceeded the cut-off score of the national teacher exam (NTE) in North Dakota or in any other state if North Dakota does not offer such a test Year _____ Attach a copy of the NTE report

Bachelors Degree Year Graduated _____ College or University _____

High School graduation or General Equivalency Diploma (GED) Certificate.
High school: _____ State: _____ Year Graduated: _____
GED Year: _____ Attach copy of GED Certificate.
Name of Monitoring Teacher _____ ND Certificate Number _____ Exp. Date _____

Monitoring requirements of NDCC section 15-34.1-06 have been fulfilled:
 monitored during the first two years or until the child completes the third grade, whichever is later.
 completed monitoring requirement on first child home educated.

I am the parent of the above identified child and intend to supervise that child in home education.

Parent's signature	Date
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School District	Date filed with school district
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Superintendent's signature	Date
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A separate Statement of Intent must be completed annually for each child in home education.