

**1999 SENATE EDUCATION**

**SB 2175**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2175

Education Committee

Conference Committee

Hearing Date January 25, 1999

Tape Number	Side A	Side B	Meter #
1	x		0-6170
2	x		0-803
1/27 2	x		900-2355
Committee Clerk Signature <i>Jinda Christman</i>			

Minutes:

SENATOR FREBORG opened the hearing on SB2175: RELATING TO AUTHORIZING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO WAIVE ANY STATUTES OR RULES RELATING TO EDUCATION TO ENCOURAGE INNOVATIVE EDUCATION PROJECTS.

GREG GALLAGHER, Education Improvement Team Leader for DPI testified in favor of SB2175, and asked for approval of the bill. (See attached testimony)

SENATOR COOK asked about a parent who might move from a district that is not an innovative site and moves into a district that is innovative, what would be different.

GREG GALLAGHER replied that the nature of an innovative site is unique. Some districts may make changes and say that they no longer need to follow a restriction of number of minutes on a particular class over the course of a year. It could be that several courses would be combined

into a more unified curriculum structure. Everything depends upon a particular district's approach as to what they are trying to achieve and how to go about it.

SENATOR COOK asked if a student transferred to a different district during a school year, would the same classes be there for the student.

GREG GALLAGHER replied the courses may be different, depending upon the approach in the district. What would be required by law is that a plan is clearly defined in meeting standards.

SENATOR COOK asked if the number of credit hours to graduate would be waived.

GREG GALLAGHER replied yes, because it is based on units and a level of competency in achieving knowledge and skills which will be defined in the plan.

SENATOR COOK asked how is time measured to reach these proficiencies.

GREG GALLAGHER stated according to the layout of SB2175, a plan could be up to 3 years, but could be renewed. There would be some improvements rather quickly, and others that may be more long term. The districts may innovate beyond what the state requires.

SENATOR FLAKOLL asked if there is a time when an innovation becomes a norm.

GREG GALLAGHER stated it is possible if a district is showing good progress, and if the district is seeking to go beyond 3 years and to make it ongoing, they could do so.

SENATOR FLAKOLL asked if the bill were to pass, would there be a possibility of accessing certain federal funds, and if those funds are not acquired, what would happen.

GREG GALLAGHER replied the funding option is totally independent of the innovative education site itself. The innovative education site would be an expansion of the current state waiver law. The federal funding that may be accessed could be used, if the districts chose to, that

money could help them in the first 3 years. This is start up money to help districts align themselves.

SENATOR KELSH asked if the new approach of time units mean as much if someone could meet this criteria at the age of 15/16, have completed high school, and be able to go on to college at this age. Is this what it is meant to do.

GREG GALLAGHER replied that with the expansiveness of the ability to waive current statutes in law, it may be possible.

SENATOR COOK asked how the state money would be defined under this.

GREG GALLAGHER replied the money afforded to districts per student would not be affected because this is law.

SENATOR COOK asked if roll still has to be taken and would a day still be defined as an average 6-hour school day.

GREG GALLAGHER replied that would be an application that a district could decide they could do in a different time frame and would be afforded that opportunity. Payment of funds would be based upon a 180 day program.

SENATOR COOK asked if a constituent or parent had an idea of improvement how would they affect the process of controlling an innovative site.

GREG GALLAGHER replied there would be assurances to parents that any innovation will protect their child by assuring that a student's performance is paramount. That is not currently in law. The law now provides that a formula of activities can be shown that there is the capacity to teach. We judge our system on capacity and input, not on results. Parents can work directly with the schoolboard or the teachers and any type of initiative they might have, we will implement.



SENATOR COOK asked if the decision-making authority lies within the board and they do not have to subject themselves to a majority of what the constituents might want.

GREG GALLAGHER replied the board is ultimately responsible for any decision-making at a district level. The elected board members set forth the overall policy for the district.

SENATOR FLAKOLL asked if there was a mechanism to wipe out a program that isn't working.

GREG GALLAGHER replied this is left up entirely to the local district and the district can at any time move to have the program ended.

SENATOR WANZEK stated it appears we are removing all of the requirements to follow statutes and rules and I am not convinced that it will be totally driven from the local level because they still need approval from the waiver committee. Are we just transferring a lot of authority from the legislative rule-making and DPI to a committee and who is that committee accountable to.

GREG GALLAGHER replied SB2175 is modeled in terms of the current waiver law. The legislature grants to districts the ability to waive any statutory rules as it would deal with innovation experimentation. The legislature has offered that as an opportunity to occur right now. What is essential about SB2175 is that it does build into it assurances and safety valves of a good quality plan. Our current law offers no guidance and it offers no sense of criteria in how you will be selected. It does allow itself to be brought before a panel for review at the current law.

SENATOR WANZEK asked is there potentially going to be times when a school program or proposal for innovation will be refused by the labor committee.

GREG GALLAGHER replied it is possible if a plan were to come in and it is not a good plan, deficiencies would need to be addressed and recommendations would be made for improvement.

SENATOR FREBORG asked about the language which states a means for local districts to waive any statutes or rules. Will you allow the districts to waive any statute or rules unless you approve it so the end result is the DPI can waive any statute or rule.

GREG GALLAGHER replied the DPI is not in the equation. The review with any proposal would go directly to the committee of three as a schoolboard, education leaders or NDEA. The DPI is not a player in this at all. The districts do have the right to have every option explored and reviewed. The current law has no accountability safeguard.

BEV NIELSEN, ND School Board Association, testified being neutral. The language the association would require is that only the locally elected school boards of a district could apply for waivers, and also that DPI could not override the waiver committee.

JANET PLACEK, Executive Director of Education Standards and Practices Board, testified in a neutral position. (See attached testimony)

SENATOR WANZEK asked if the board would like to have veto power over any potential proposal.

JANET PLACEK replied what the board felt was that they were concerned that a proposal would come through waiving all certification of teachers.

WILLIAM SCHUH, a private citizen, testified against SB2175 and recommended a DO NOT PASS. (See attached testimony)

GERALD CHRISTIANSON, Superintendent of Schools of Parshall-Plaza, ND, testified in favor of SB2175. This bill would allow the rural schools to explore some innovative ways of addressing how we might deliver quality education in rural North Dakota.

SENATOR FREBORG asked about being uncomfortable about the fact that the schools can request and a small committee can request waiving any and all of the school century code including any and all administrative rules.

GARY CHRISTIANSON replied a little bit when we don't know what we might be asked to be waived.

MAX LAIRD, ND Education Association, testified in favor of SB2175. (See attached testimony)

SENATOR FREBORG closed the hearing on SB2175.

JANUARY 27, 1999 Tape 2, Side A, Meter 900-2355

SENATOR FREBORG : I did speak to SENATOR O'CONNELL on this bill and he said to take care of it.

SENATOR COOK : Could they have teachers that were uncertified.

SENATOR FREBORG : Anything they want to cause they could waive the entire statute plus all administrative rules and that is one thing people are concerned about is that they could use anyone for a teacher.

SENATOR WANZEK : Certainly think being innovative and creative is a wonderful idea. This opens it wide open and circumvents the legislative. Why do we pass laws if they are hindering the schools that much. Seem to put it in control of a few people who really aren't accountable.

1-27-99

SENATOR WANZEK : Motion for a DO NOT PASS on SB2175.

SENATOR FLAKOLL : 2nd

SENATOR FREBORG : We have a Motion for a DO NOT PASS on SB2175.

Vote: 7 (Yes) 0 (No)

CARRIER: SENATOR WANZEK

SENATOR KELSH : Concept is not totally bad.

SENATOR FREBORG : Committee could support a study resolution. Simply study the possibility of new and innovative ways to teach our children, just so we get the word innovative in there. Maybe an interim committee could take a look at it.

SENATOR KELSH : I so move we request a study resolution on SB2175 along the lines of new innovative, different approaches, blocks of learning, etc.

SENATOR FREBORG : Do we still have the possibility from your memory that the Senate Education Committee can introduce a resolution.

SENATOR KELSH : I think so.

SENATOR FREBORG : We have a greater impact possibly if it was a committee resolution.

SENATOR REDLIN : 2nd

SENATOR FLAKOLL : Should our resolution include a number of things we want them to include. It will include blocks, etc.

SENATOR FREBORG : If they do a study they pretty well delve into every possibility. Some of us will certainly be on the committee.,

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Education Committee

Bill/Resolution Number SB 2175-Education

Hearing Date ~~January 25, 1999~~

1-27-99

SENATOR FREBORG : Motion is that we introduce a study resolution on innovative education.

Vote: 7 (Yes) 0 (No)

SENATOR KELSH will see about getting this drafted.

Hearing closed

# FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: SB 2175

Amendment to: \_\_\_\_\_

Requested by Legislative Council

Date of Request: 1/4/99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

**Narrative:**

The waiver proposal contained in SB 2175 would allow a limited number of school districts to enter a voluntary process of establishing results-based school operations. These districts would receive the same amount of foundation aid as previously. They may be eligible to access federal charter school monies as well. There would however, be no identifiable additional cost to the state or the school district.

2. **State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Fund	General Fund	Special Funds	General Fund	Special Funds
Revenues:	0	0	0	0	0	0
Expenditures:	0	0	0	0	0	0

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: None
- b. For the 1999-2001 biennium: None
- c. For the 2001-03 biennium: None

4. **County, City, and School District** fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
0	0	0	0	0	0	0	0	0

If additional space is needed, attach a supplemental sheet.

Signed 

Typed Name Tom Decker

Date Prepared: 1/6/99

Department Department of Public Instruction

Phone Number 328-2267

Date: 1/27/99  
Roll Call Vote #: \_\_\_\_\_

**1999 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2175**

Senate EDUCATION Committee

- Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Move a study resolution on innovative education on SB2175

Motion Made By Kelsh Seconded By Redlin

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 \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

Date: 1/27  
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2175

Senate EDUCATION Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Motion for a Do Not Pass on SB 2175

Motion Made By Wanzek Seconded By Flakoll

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 \_\_\_\_\_

Floor Assignment Wanzek

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



REPORT OF STANDING COMMITTEE (410)  
January 29, 1999 5:28 p.m.

Module No: SR-19-1520  
Carrier: Wanzek  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2175: Education Committee (Sen. Freborg, Chairman) recommends DO NOT PASS**  
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2175 was placed on the  
Eleventh order on the calendar.

1999 TESTIMONY

SB 2175

**TESTIMONY ON SB 2175**  
**SENATE EDUCATION COMMITTEE**  
**January 25, 1999**

**By Greg Gallagher, Education Improvement Team Leader**  
**Department of Public Instruction**  
**328-1838**

Mr. Chairman and Members of the Senate Education Committee:

I am Greg Gallagher, Education Improvement Team Leader within the Department of Public Instruction. I am here to speak in favor of SB 2175 and to present an overview of the comprehensive waiver proposal.

The Department has identified four principles that should guide the development of any meaningful education improvement and that should form the basis for effective accountability:

- (1) *All students should be taught to challenging standards;*
- (2) *All students' performance should be measured against these standards;*
- (3) *All schools should be accountable for their students' performance levels;*
- (4) *All schools should be afforded optimum flexibility to achieve these aims.*

SB 2175 addresses these four principles.

SB 2175 provides for the creation of a new section in NDCC that would expand the state's current waiver law (NDCC 15-21-04.5), thereby allowing for the establishment of locally defined innovative education project sites. An innovative education project site is any public school setting that accomplishes its educational mission in a manner that may not be compatible with the restrictions of current law. SB 2175 offers a means for local districts to waive any statutes or rules, except those relating to health, safety, and civil rights, for the purpose of creating a unique school setting and implementing innovative practices. In return for receiving the privilege to waive statutes and rules, local districts commit themselves to achieving improved student performance levels.

Under current statute and rules, quality education is defined in terms of inputs and capacity: e.g., classes defined in terms of seat time requirements, curriculum defined in terms of categorical units, staffing defined in terms of student per staff ratios, and more.

Districts are accountable for meeting certain input and capacity levels. Student performance levels are not considered. Under SB 2175 districts shift their accountability from a focus on performing activities (e.g., a student who is required to be in a class for 40 minutes a day for 180 days a year) to a commitment to achieving results (e.g., a student who can perform to proficiency). Districts are responsible for achieving student proficiency in terms of challenging standards. Districts, in turn, are granted optimal flexibility to achieve this goal.

SB 2175 protects the state's overriding responsibility to assure a uniform system of education and implied literacy levels. To accomplish this balance, SB 2175 incorporates the following measures.

1. Districts submit a plan detailing what is being waived, what is being developed, governance arrangements, community involvement efforts, and accountability measures. Districts pursue *their* priorities, develop *their* plans and submit *their* applications.
2. A three-member committee reviews waiver applications based on quality criteria and forwards recommendations to the State Superintendent. The State Superintendent issues any waiver and awards an innovative site status.
3. An innovative site status lasts up to three years and may be renewed.
4. To allow for a manageable transition into this initiative, the State Superintendent may limit the total number of innovation awards to 20 sites.

SB 2175 offers substantial improvements over the state's current waiver law. The current law is vague and offers no guidance on application or selection criteria. SB 2175 clearly defines the components of good planning, the elements of an application, and the criteria for selection. Research indicates that districts who conduct thorough planning will more likely experience improved results than those who do not plan well.

SB 2175 allows for more comprehensive innovations than does current law. Systemic innovations offer the best opportunities for making progress to improve teaching and learning; however, such innovations require safeguards to protect the consumer. The combination of good planning and a clearly stated accountability provision in SB 2175 offer assurances to citizens that any innovations will result in

improved performance. The state's responsibility to secure literacy is maintained. Current law does not seek such an assurance.

SB 2175 opens the possibility for the state to apply for and receive competitive federal charter school funds. Congress established the charter school fund to encourage states and localities to seek innovations in education. To be eligible for accessing charter school funds, states must enact legislation that allows districts to seek a release from legal restrictions in return for performance-based accountability. We believe SB 2175 meets the requirements of federal charter school rules; our current law does not. It is important to note, however, that if a district were to seek a comprehensive waiver under SB 2175 *they would be entirely free to access or ignore the option of federal charter school funding*. With the enactment of SB 2175, the Department of Public Instruction would apply for competitive federal charter school funds to make them available to eligible local districts. Competitive charter school funds could amount to between \$50,000 and \$80,000 per year per site for a three-year startup cycle. The total state allocation could run approximately \$1,500,000 per year, depending on need. SB 2175 is North Dakota's charter school legislation, *unique unto ourselves and reflective of our governance model*.

How might SB 2175 be used? The comprehensive innovation waiver is simply a *voluntary* tool to improve education, it is not an innovation program in itself. How it is used is left entirely to local districts to decide. Our survey indicates that there is keen interest in this comprehensive waiver. Whether a district might completely restructure their curriculum, adjust their class period structure, introduce a specialized instructional field, or expand their approach to support services rests entirely on their ability to plan, implement, and achieve success according to *their* vision. The comprehensive waiver simply offers a means for such visions to find expression.

The state constitution places responsibility on the legislative assembly to provide for a uniform system of education statewide. The legislative assembly, in turn, holds local districts accountable for the delivery of educational services within the bounds of the law. SB 2175 honors the legislative assembly's responsibility to assure a uniform system based on four foundational principles: (1) teaching to challenging standards; (2) student performance against these standards; (3) district accountability for student performance; and (4) flexibility to local districts to perform these goals. This fourth

principle of flexibility is critical if true innovation is to flourish within our schools. If the state is clear about what is expected of its districts and schools regarding student performance, then every appropriate effort should be made to free districts and schools *voluntarily* from those obstacles that may impede them from achieving beneficial innovations.

The Department of Public Instruction believes that SB 2175 has the potential to be among the more important education opportunities to be afforded local districts in the state's history. It is rooted in the state's current waiver law, grounded on clear educational principles, and supported by evidence of success in the real world. The Department endorses SB 2175 and any legislation that accomplishes the aims of these principles. SB 2175 is a good bill and sound policy. The Department respectfully requests your approval of SB 2175.

Mr. Chairman, this completes my testimony. I am pleased to answer any questions from members of the Education Committee. Thank you.

Testimony on SB 2175  
Max Laird, NDEA President

This is a bill to expand the waiver options for North Dakota public schools without hampering the system of high quality public schools that we have in place today.

I would urge that you consider this bill under that light.

We presently have in place a good waiver process that nominally addresses many of these issues -- eg. 15-21-04.5.

A number of stakeholder groups met at length over this issue and have come to the compromise you have in front of you.

The ability of North Dakota's public schools to improve, and not be hampered by, the inability to try a new idea and access resources is important in the changing demographic times we are in.

This bill attempts to align our processes with federal priorities without compromising the excellent system we have in place.

In light of our changes in the level of authority, we would support an amendment to include the ESPB in having waiver authority over areas under their jurisdiction.

Thank you for your time on this important issue.



*Laerd*

**15-21-04.5. Waiver of conditions for accreditation and approval.** The superintendent of public instruction may waive any conditions for accreditation and approval imposed by statute for a reasonable length of time, provided the waiver encourages innovation or permits experimentation and provided the plans and purposes document the potential for an improved program. The superintendent may waive the conditions only upon the concurrence of a majority of a waiver committee composed of one person appointed by the North Dakota education association, one person appointed by the North Dakota council of school administrators, and one person appointed by the North Dakota school boards association.

**Source:** S.L. 1991, ch. 166, § 1.

**Effective Date.**

This section became effective on July 3, 1991, 90 days after filing, pursuant to N.D. Const., Art. IV, § 13.



Neutral

TESTIMONY OF JANET L. PLACEK

ON

Proposed Amendments to SENATE BILL 2175

M. Chairman, members of the committee, I am Janet L. Placek, Executive Director of the Education Standards and Practices Board and wish to propose amendments to Senate Bill 2175.

Many studies and much research have been done with regard to teacher effectiveness, teacher qualifications and student achievement. *Quality Counts* a report by *Education Week* released on *January 7, 1999* reported people believe having quality teachers is a critical factor in the success of schools and students, they want information about a school's teachers, such as average number of years of experience, certification status and whether they are trained to teach what they are teaching. Safety and teacher qualifications clearly rate high with the public. As the researchers put it: "Parents and taxpayers want the students to be safe and have qualified teachers."

The Education Standards and Practices Board in statute has the authority to regulate the certification of our teachers in North Dakota. The Board takes this responsibility very seriously and works very hard

to maintain professional qualified teachers for every classroom in North Dakota.

Please consider the following amendments to SB 2175. These amendments include the Education Standards and Practices Board who has the legal authority for the certification of educators in North Dakota with the Superintendent of Public Instruction in the waiver process. Each agency would be responsible for the waiver of those statutes and rules over which they have legal authority.

Page 1, Line 9, after "instruction" insert "and the Education Standards and Practices Board, respectively,"

Page 1, Line 10, after "rules," insert "over which they have authority in statute"

The new language would read: The superintendent of public instruction and the Education Standards and Practices Board, respectively, may waive any statutes or administrative rules, over which they have authority in statute, except those relating to health, safety, and civil rights, for the purpose of creating an innovative education project site.

Page 3, Line 15, after "instruction" insert "and the Education Standards and Practices Board, respectively,"

Page 3, Line 16, after "rules," insert "over which they have authority in statute"

The new language would read: The superintendent of public instruction and the Education Standards and Practices Board,

respectively, may waive any statutes or administrative rules over which they have authority in statute respectively, and issue an award designation of innovative education project site status to any applicant that meets the requirements and achieves the concurrence of a majority of a waiver committee.

Page 4, line 17 after "instruction" insert "and the Education Standards and Practices Board, respectively,"

Page 4, Line 18, after "rules," insert "over which they have authority in statute"

The new language would read: The superintendent of public instruction and the Education Standards and Practices Board, respectively, may waive any statutes or administrative rules, over which they have authority in statute," except those relating to health, safety, and civil rights, for the purpose of creating an innovative education project site.

Page 6, line 18 after "instruction" insert "and the Education Standards and Practices Board, respectively,"

Page 6, Line 19, after "rules," insert "over which they have authority in statute"

The new language would then read: The superintendent of public instruction and the Education Standards and Practices Board may waive any statutes or administrative rules over which they have authority in statute and issue an award designation of innovative education project site status to any applicant that meets the

application requirements and achieves the concurrence of a majority of a waiver committee.

The Education Standards and Practices Board would like the opportunity in this waiver bill to work with the Superintendent of Public Instruction to maintain our quality of education in North Dakota through the certification of our quality teachers.

Please consider these amendments to Senate Bill 2175. If you have any questions, I would be happy to answer them at this time.

Thank you for the consideration given these amendments.

Against

Written Testimony Presented to the Senate Education Committee  
(of the 56th Legislative Assembly / on January 25th, 1999)  
Concerning Senate Bill 2175

by  
William M. Schuh

Chairman Freborg and honorable members of the Senate Education Committee. I ask you to vote **do not pass on Senate Bill 2175**. SB 2175 enacts a large transfer of power, wherein virtually all legislative control of education, all laws enacted by the legislature, and all rules and regulations approved by the legislature in all previous and all future sessions, are placed at the discretion, and in the hands of a committee of four, of which only one member is an elected official. Senate bill 2175 places large powers, effecting too many children, in the hands of too few, with too little public control and oversight.

(1) SB 2175 is intended to enable large changes, on a whole-district and whole-school scale, in a manner contrary to current laws, rules and regulations as directed by the legislature. This is the stated and only purpose of this bill: to promote changes contrary to state law, rule, and regulation, on a large scale.

(2) SB 2175 is not necessary to protect a reasonable level of careful experimentation. There is no current law prohibiting a teacher or district from experimenting in the classroom, as long as they do not violate the rather broad boundaries of state law, which basically ensure a minimal number of school days, a minimal number of courses in basic areas, objective grading standards, and limitations on the invasion of the privacy and the affective domains of the student's life. Within these frameworks, educators can experiment now. SB 2175 is not even needed to achieve a limited waiver from current legal restrictions. These are allowed under current provisions of 15-21-04.5.

(3) There is a difference between being innovative, and promoting innovationism, wherein constant and destabilizing changes are sought for their own sake, to the detriment of the students. While some experiments lead to beneficial results, most fail, and even successful experiments are seldom wholly successful. History is full of educational experiments, the Summerhill school, the open school, the new math, that left many students with gaps in their education. Experimentation and innovation should be done slowly and carefully. Some current fads include (i) an imbalanced and excessive use of group learning strategies, to the detriment of individual incentive and initiative, under the name of cooperative learning; (ii) group grading schemes which destroy individual incentive for students; (iii) attempts to do away with objective grading standards, and use subjectively oriented portfolios, (iv) ignoring the teaching of computational skills (adding, subtracting, multiplying, dividing), on the belief that these will be unnecessary in the computer age; (v) greater movement of schools into the personal, emotional, and affective lives of the students which belong under the supervision of parents; and many others. Experiments in these areas have already been tried in many schools. They have seldom succeeded. SB 2175 will remove safeguards against tendencies toward excessive and destabilizing experimentation with the lives and educations of our children.

(4) What kind of changes can we expect that are contrary to current law? The field of potential experiments is wide open. Some examples are: current laws prohibiting schools from distributing contraceptives; current laws requiring a prescribed length for the school year; and current laws requiring that in school-to-work programs students must be over sixteen years of age to be placed in the work place. Any of these, and many others as well could be suspended in "innovative education sites". Is this what

proponents have in mind? I can't say. But even if today's proposed programs are reasonable, will tomorrow's remain that way?

(5) The scale of SB 2175 (up to 20 districts per three year period (5.) ) is massive. This is not a slow and carefully considered process. The sheer number of potential schools, districts, and students involved argues against this bill.

(6) Checks and balances provided by SB 2175 are inadequate. Several nebulous requirements referring to evaluation of potential benefits are enumerated under proposed Sections 1-(2) and 1- (4). But there are no objective standards of assessment required, such as increased CTBS performance, or other rigorous evaluative criteria for assessing success. And success after three years is evaluated by the same committee of four that initially authorized the experiments.

(7) SB 2175 is not voluntary at all for the parents and children who do not want to be part of an educational experiment. Provisions for parental or community "input" (2e) do not protect unwilling subjects from being forced into these "innovational settings". It might be excusable for a private school to undertake these kinds of experiments with willing and paying people. But no one should be forced to place their children into a public school that may subject them to unproven or potentially controversial educational practices, or otherwise jeopardize their education. Children have a right to proven, and stable educational environment.

(8) If passed, SB 2175 will render all legislative action and control of education, past, present, and future, to be selectively ineffective, as long as it is in effect. It will subject restraints and controls on educational practices imposed by citizens through their legislature, to the approval of educational officials, rather than vice versa. It will constitute a large erosion of legislative power over education.

#### In Conclusion

Senate bill 2175 will diminish effective legislative power and authority over education, it will encourage excessive experimentation at the expense of sound educational practices, it will potentially remove too many children in too many districts from the protection law and rule, and it will do so for many against the will of their parents. This bill places large powers, effecting too many children, in the hands of too few, with too little public control and oversight.

I ask you to vote do not pass on Senate Bill 2175

Thank you for your Consideration