

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
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ROLL NUMBER

DESCRIPTION

1149

2001 HOUSE EDUCATION

HB 1149

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1149

House Education Committee

Conference Committee

Hearing Date 01/23/01

Tape Number	Side A	Side B	Meter #
#2		X	890-3108
#3	X		1-1295
Committee Clerk Signature <i>Roni Gilbert</i>			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunsakor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelsch: We will now open the hearing on HB1149.

Rep. Froelich: I'm here on behalf of schools in my district that have this problem that they border ND and SD.

Tom Decker: (DPI) *Please refer to written testimony*

Les Kramer: (Superintendent of Wilton public schools) Wilton, over the past three years, has lost over a third of its enrollment. Three years ago, we were offering a vocational program. My feeling was, it was not very responsible on our part not to pursue a viable program, such as the one in Bismarck. Not only were we not taking advantage of one of the best vocational programs in the upper Midwest, but we weren't even considering it, so with this past year, through a

negotiation process with Bismarek school district and Bismarek State College, we arranged for a cooperative agreement, where we are busing our senior high secondary students to BSC, and are working together on a cooperative basis. Everything starts in ND fairly slowly and there's nothing wrong with that, but in our case, I was anticipating 25-30 students taking advantage of this program. Today we only have six, but as a result of those students participating, they have now carried the message back home, and now I'm expecting a significant influx next year, so the cooperative agreement that Wilton is not involved in is probably as good as it can get, and any legislation you can pass that would support that sort of agreement or arrangement, I believe would be a positive step for the state of ND.

Rep. Bellew: Are there any current laws that you are aware of that allows your students to go to Bismarek to take an advanced math course?

Kramer: I believe we could participate at that level as well, and I certainly hope we could, but as a result of the colonial that exists in rural ND, it always takes someone to start the ball rolling. I'm pretty happy that Wilton has gone first on this kind of thing.

Rep. Hawken: Could this kind of cooperative arrangement bend down through the state vocational board? I mean, I wonder if it's already happening?

Kramer: I'm not too sure, my initial contact was Dr. Jensen of the Bismarek school district. It's my understanding that we're just kind of loosening up the legislation.

Rep. Meier: Is there a cost incurred by the schools for transferring these kids into these particular programs?

Kramer: We're coming out with our six students who cost approximately \$6000 to us, but we're being reimbursed for transportation and the ND Vocational Department pays also a portion of the

cost. I think we're getting about \$600 per student. I would say that the only problem here would be if they only would have only so many slots available. Fortunately we're not faced with that at this time, but if suddenly we have 25 students instead of six, now it becomes something of a problem.

Rep. Thoreson: What's the configuration of your schools as far as in your district?

Kramer: This is my 29th year in education in ND. I saw Wilton as somewhat of a unique situation. I basically determined that our people are on the move, and that they will be moving to our larger trade centers. I saw Wilton as having tremendous potential. Moving to Bismarck has enhanced our program.

Rep. Nelson: It's great to share, especially vocational programs, because of the rural shortages, but my only question is Section 3, which is the new section. What does this do? I guess it loosens up the ability for you to do this. I don't read anything into this section that you didn't already do. Explain that to me if you could.

Kramer: Mr. Decker shared with me that this legislation would make that process we went through two years ago in getting our programs off the ground, would make it happen easier. Our school boards alone could have alone carried this off, without having to visit with the vocational people in Bismarck and the superintendent and having to arrange that prior.

Rep. Nelson: Under the situation you went through to get this agreement, you had to go to the vocational board?

Kramer: Yes, and get their approval, and there was some hesitancy on their part, and I can see that on their part. It all worked out well, but if it could have worked our quicker it would have been nice.

Rep. Nelson: This does cut out a layer of bureaucracy in the process?

Tom Decker: I think that there are a great number of situations where just a hand full of students that want a vocational program and there's provisions to do that now that they require a membership in a center or an approved cooperative agreement. This will give a little more local control.

Dulbert Frye: (Superintendent of Selfridge public schools) I was in counseling for about twenty years in vocational counseling. Two years ago, I came to Selfridge. I have about 105 students in my district. I have approximately 30% of my students that are tuitioned out into Lemon, Macintosh, McLaughlin. When I came to Selfridge, we had a co-op. It was a co-op that consisted of all SD schools. I was the only school system in ND. What the co-op provided me was a vocational trailer that is located on my school's property. They would rotate that every semester. There were eight different units, so that my students would have course work informed that that to-op would no longer go buy trailers for my district. Therefore, I had to come up with a solution to the problem of getting vocational education to my students. Approximately 80% of the students in our society are going to be needing a vocational background or a college four year degree. Probably 95% of my kids would choose vocational instead of college. My solution was to transport my kids. I contacted DPI, and I was told that I had to provide six nits of vocational on a rotating basis, so we do not lose accreditation. Currently the closes district that would have provided a resource for me to tap into was the Flasher school system. I was advised that I was in violation of the schools current policy, because I didn't have an LEA that could handle the financial aspects of my district. We need to have approximately 15 or so students that would be involved in vocational. Currently I have 10 students that would meet that criteria. My problem

is that if I went to the Flasher system, they would have a bus ride that would last at least an hour and a half. I would lose that time for education as well as the time away from the classes when they're on the road. Therefore, I went across the border. That's approximately a twenty minute trip. The bubble I ran into then was that Melaughlin had to reach an agreement with me, and my students became secondary not primary. Therefore, if they did not have vacancies, my students would not be allowed to attend their school system, so we had to negotiate with the Melaughlin district. I got my school's accreditation notice a couple of weeks ago, the problem that I ran into was that the SD instructors, who used to be certified in ND, but since they are not crossing the border anymore, they do not need accreditation, they didn't want to spend the extra \$100, so I find that the people that are giving the grades in SD are not allowed to give these grades to my students, so then I had to go back down and have SD give the grades down there, and then they transferred the grades into my district, so they could meet the accreditation standards. This bill gives me the flexibility that I need in my districts, because I don't have that many options.

Rep. Nelson: To make your trip even more worthwhile, I would invite you to also go up to visit with Janet Welk from ESPB, and ask about teacher certification.

Rep. Haas: The \$5000 figure, that's per student right?

Frye: That's correct.

Rep. Haas: And how many students do you have in that category?

Frye: There are currently nine.

Rep. Thoreson: In your situation, are you the only school in that particular area?

Frye: The closest other school system would be Standing Rock Public, they're having problems as a vocational

Chairman Kelsch: Is there anyone that wants to appear in opposition to HB1130?

Wayne Kutzer: (State Director of Vocational Technological Education) I'm appearing neutral. As far as cooperative agreements, there are over sixty school districts that are sharing in cooperative arrangements with the State Board of Vocational Technical Education. All that requires is that the school districts talk together, it comes before our board and those cooperative agreements are approved on an annual basis, actually twice a year. The school that receives the student gets a 2% increase in their vocational reimbursement; the school that sends the student gets a 43% reimbursement on the cost of educating that student. Those cooperative arrangements apply in three different areas: in sharing instructors, in transporting students and also in interactive television. We have many situations where there's only one student that participates. The whole purpose of those cooperative arrangements is to provide access to vocational programming, and I'm in favor to anything that promotes vocational programming, I'm just not sure the need for this.

Rep. Haas: Can you give us a little more background on the possibilities down there between Selfridge and Standing Rock and Fort Yates.

Kutzer: My understanding is that they've been trying to work together. Currently federal legislation, which is called Perkin's legislation, provides federal dollars to school districts. The minimum amount of grant is \$15,000. Schools have to combine in order to reach that threshold, so we have many consortiums across the state that do it. My understanding is that with those schools, there has been trouble trying to get them to cooperate to utilize those dollars.

Chairman Kelsch: We will close the hearing on HB1149.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1149 B

House Education Committee

Conference Committee

Hearing Date 1/31/01

Tape Number	Side A	Side B	Meter #
3	X		0-830
Committee Clerk Signature <i>Robin D. Small</i>			

Minutes:

REP. R. KELSCH called the committee to order, with all members present except

REP. SOLBERG.

ACTION:

REP. NELSON explains to the committee as to what the decision of the subcommittee was. The first people to contact is DPI. They should go to the vocational board first and then set up the payment. Currently they are getting foundation aid payments, the Perkins fund from the vo-tech board. The only question of money is because of going into South Dakota, DPI can not pay transportation past the North Dakota, South Dakota border. So that is the only payment that their missing in this whole situation. The other question is from Superintendent Frye had was who would be able to receive the funds from the vo-tech board, and they are receiving them in Selfridge at the high school. So we didn't offer any amendments because we think that the law completely allows for these types of agreements. If the committee feels that this added section

three, I guess we can pass it, if it is necessary. But from a personal stand point I don't think that is necessary. I think that we can kill the bill.

REP. R. KELSCH asks if they had consulted with the bill sponsors on this. REP. NELSON replies that they did, REP. FROELICH completely signed off. When we called the superintendent he stated that he was happy with what ever we did with this thing.

REP. HAAS states to the committee that REP. NELSON also asked him to look at the bill.

REP. HAAS comments that he agrees with REP. NELSON, I don't think we need this bill. I think that there already are provisions in place that take care of this issue.

General discussion.

REP. NELSON then motions for a DO NOT PASS, seconded by REP. BRUSEGAARD. The roll call vote was taken with 14 YES, 0 NO, and 1 ABSENT AND NOT VOTING. The motion carries. The CARRIER of the bill is REP. NELSON.

HB 1149: DO NOT PASS 14-0

CARRIER: REP. NELSON

Date: 1/31/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB1149

House House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not PASS

Motion Made By Rep. Nelson Seconded By Rep. Brusegaard

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo	✓	
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson	✓	
Rep. Larry Bellew	✓		Rep. Bob Hunsakor	✓	
Rep. C.B. Haas	✓		Rep. Phillip Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg		
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meler	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				

Total (Yes) 14 *Click here to type Yes Vote* No 0 *Click here to type No Vote*

Absent 1

Floor Assignment *Click here to type Floor Assignment* Rep. Nelson

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

REPORT OF STANDING COMMITTEE (410)
January 31, 2001 5:08 p.m.

Module No: HR-17-2055
Carrier: Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1149: Education Committee (Rep. R. Kelsch, Chairman) recommends DO NOT PASS
(14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1149 was placed on the
Eleventh order on the calendar.

2001 TESTIMONY

HB 1149

