

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2058 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1433

2001 HOUSE EDUCATION

HB 1433

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1433

House Education Committee

Conference Committee

Hearing Date 01/30/01

Tape Number	Side A	Side B	Meter #
#1	X		305 to 6245
#1		X	1 to 144
Committee Clerk Signature <i>Dea Gilbertson</i>			

Minutes:

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

Chairman Kelsch: We will now open the hearing on HB1433.

Rep. Boucher: (District 9) \*Please refer to written testimony\*

Rep. Mueller: Do you see that much public notice being necessary maybe, with the exception of the superintendent, with these other areas?

Rep. Boucher: I presume you're addressing Section 1 of the bill, where we lay out the process. I think my process that you have in dealing with these types of public occurrences can be cumbersome, but necessary, so I think the first thing is to inform the public as to what's going on. Secondly, I think it's critical that the public has its opportunity. This is affecting those local communities. We're trying to imply that something that we have directed from this particular

perspective but at the same time, it has to be decided there, and we have to develop the process for that to happen.

Rep. Nottestad: I have the concern for Section 4. When you get to that point, four years later, DPI will have to use great discretion on which of these they permit, so a viable school district can happen in part four. Is there any provision in the bill so that four years down the road, all of these districts, all of these districts wouldn't be best together?

Rep. Boucher: I think that's one of the reason's for the four year period of time, because not all of these are going to be good marriages. We've seen this sort of thing happen with our attempts with consortium and so forth, in terms of how we're going to make those ultimate decisions. I put a bill on the table I felt would send the general direction. I'm certainly relying a lot on the expertise that's around this table and within DPI and within the school systems across the state of ND. I don't look at this as being the law or the rules for the process, I'm looking at this as displaying the groundwork and getting it started. I think we have to bring the school districts to the table, we have to have DPI at the table, we have to have people from the legislature at the table to iron those kinds of things out.

Rep. Nelson: I, too, am a proponent of cooperation. I think we've gone a long ways in the consolidation plan that we started two years ago in my district, but one of the areas that probably caused the most hear burn was when that consolidation went before the voters. In four years, the DPI can give the payments out, the school district can receive them. What happens in four years if one or more of the school districts don't approve the consolidation plans at that point?

Rep. Bouche: Those are things you're going to have to deal with, but I think that's why this should be left at the local level. The impetus should be to encourage it to happen and do

everything possible to make it happen. I think a lot of this is communication. There will come a time when people locally will make that decision, and that decision will be made by a vote. I think in time, people come to understand and appreciate what's been done.

Rep. Thoreson: Could you give me a little idea of why you feel that this particular process would be better than just going into reorganization?

Rep. Bouche: I'm not quite sure I understand what your implications of reorganizations and I guess I have to assume, you're saying that we develop a plan here and look over the state of ND, and start carving out and saying, this is the logical way to reorganize these systems based upon location, populations and things like that. Is that what you're telling me?

Rep. Thoreson: That might be a good idea, but what I'm talking about is, you're asking for a program that gives schools an opportunity to try it out as opposed to schools reorganizing ahead of time and making a good organization. Why would we have to have this cooperative program ahead of time?

Rep. Bouche: I guess in the ideal world, what you're saying would happen and I think a lot of that is going on, and I think those districts know what their future holds, but I think that there's something about human nature, we're always reluctant to make those moves, #1 for the opposition and such that we're going to encounter along the way, and often times we're not going to make that move until there's something that makes us do it. That's what we're doing here, we're offering the incentive to get them to move in the direction that they're probably already thinking about right now.

Chairman Kelsch: You talked about your ultimate goal being forty school districts. You don't have that in here. How do you envision this? How long do you envision that to happen?

Rep. Bouche: I guess I didn't say specifically 40, I'm just using 40. Will that be what happens here in ND? Who knows. It may be 100, it may be 80, it may be 40. What the appropriate number is, I'm not going to stand here and say it, but ten years from now, if we're a responsible legislature, we're going to have an administrative structure and school district structure that's efficient, makes efficient use of the resources we have. I know that 227 is not an efficient number.

Rep. Hawken: In this, you would just have the shared superintendent and some of the specialists, but you would still have the four separate entities of the school board?

Rep. Bouche: In the beginning, year one, year two, year three, year four.

Rep. Hawken: Is there any possibility, because you said in your testimony that one of the hardest thing was the fact that you had to deal with the different boards. Looking at setting up a regional board that would deal with all of this. I'm not sure if we have all those separate entities we're moving forward.

Rep. Boucher: After thoughts and deliberations, if this committee thought that a mechanism such as that would be very useful and appropriate, I'm always agreeable to amend it.

Rep. Monson: (District 10) I do have some districts that have been doing this on their own. Besides being the superintendent at Edinburg, I'm a school board member in Osnabrock, and these two Milton and Osnabrock had an agreement somewhat like this. They shared superintendents, they shared teachers, one had the elementary, one had the secondary. We figured that maybe we could make that marriage last, in the beginning. This particular bill would actually make those districts tie the knot after four years. We've had a number of coops throughout the years and they worked. I see this bill as a possibility for those smaller districts

that aren't sure that they actually want to tie the knot, they can have a trial marriage, share some specialists, share their staff members, and maybe in three or four years, those school districts will be able to go together. I don't see that setting up a certain size is always proper, I don't see that setting up a certain number of kids is always proper, I believe that we have to let local people control the situation to an extent.

Sen. Krauter: (District 35) The reality is out there, the hammer doesn't work, and in the past couple sessions, we've gone more to the incentives and we're actually seeing some of these things work. In my district, when I go to the right side, I see Elgin and Leipzig, who went through cooperative arrangements and things started clicking. When I look on my left hand side, I see Regent and Mott, who went through this reorganizational bonus process, and those school boards said down and said, 'our mission is education and how are we going to do it', and they came up with committee after committee, and when it came to the vote, I think there was over 80% support for it. What we have in front of us is one of those tools.

Larry Klundt: (NDCEL) I'm neutral. Rep. Monson gave some history of some of the things that have gone on in the state. In 1989, a bill was introduced that was basically the brain child of two superintendents from our association. This bill created about 48 administrative units, bringing all of those districts together into super districts with a regional school board. That didn't survive, and we would end up with a consortium situation. I'm not speaking on this from a concern for membership at NDCEL. Of course, we're membership driving, but in 1989, the NDCEL had 604 full time members. At the time, 250 of those were superintendents. We're down to about 180 superintendent types today, but our membership as of June was 614, and we've been able to do things with recruit and maintain membership in the face of consolidation, so it's not a

membership issue for us. I think that it's absolutely possible for one person to administer more than one school district, but our association is very certain that when we do that, we ought to have one school board, and we ought not to have four or five policy manuals, negotiation processes, salary schedules, board meetings, etc. What I'm wondering about, however, is what's the potential for this bill. We did some research that was just reported yesterday. We know that there are about 230 school districts, but according to DPI's numbers, there are 188 people that call themselves superintendents in ND. We've also checked Fees and we know that that's 136 Fees in that number. Of the 188, 45 of them are also serving as principal, 133 of them are responsible for some other program course code, 45 of them have another supervisory position like librarian or counselor, and some of those have as many as three of those assignments, 44 of them are teaching a class or more. In fact, one of the superintendents is teaching six classes. If these numbers are correct, what's the potential for additional kinds of sharing to happen? I'm just a little bit cautious as to the number that are going to jump at it. One more concern I have is, in HB1507, when the consortium thing happened, money went out to school districts to do some sharing and then they had to vote to consolidate at the end. Only one voted to consolidate that I remember. It appears to me that this bill does about the same. We put the money out there as an incentive to share, but in the end, if they vote no, they've got the money, and they still haven't come together in that consolidated school district.

Chairman Kelsch: Based on your last comment, would you be opposed to putting in a penalty clause, saying that the school district would have to pay the moneys that they received?

Kludt: I wouldn't be opposed.

Chairman Kelsch: Anyone who wishes to appear in opposition to HB1544?



