

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1153

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Diana G. Baller
Operator's Signature

10/2/03
Date

2003 HOUSE EDUCATION

HB 1153

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Debra M. Holladay
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. HB 1153

House Education Committee

Conference Committee

Hearing Date January 20, 2003

Tape Number	Side A	Side B	Meter #
1	x		3415- end
Committee Clerk Signature <i>Linda Giechta</i>			

Minutes:

Chairman Kelsch open hearing on HB 1153

Rep. Bellew, District 38, NW Minot and Ward County. See Attached Testimony

Rep. Solberg While the concept is good. However, I have some serious questions on 1153, on line 11 of this document, Who can submit a signed document?

Bellew: I would hope that it would be the local law enforcement.

Rep. Solberg This says anyone could submit this signed document.

Rep. Williams You say that if this bill is passed, it would elevate local school boards from having to deal with this emotional issue. At the present time, if there is a offense, we follow the NDHSAA policy and procedures. Under this the principal would decide and the parents could appeal, appeal to the school boards. And with the board of the school district. This appears to me that it will be much more emotion on the part of the board. Clarify this if you would.

Bellew: School boards enact the NDHSAA guidelines and then go beyond those guidelines. This would make it uniform for all boards.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Donna Baller
Operator's Signature

1/21/03
Date

Page 2
House Education Committee
Bill/Resolution Number HB1153
Hearing Date January 20, 2003

Rep. Jon Nelson Statement about we should not allow one free crime. Explain this?

Bellew: To me the free crime it is the 6 weeks suspension.

Rep. Jon Nelson If someone is kicked off an activity for 6 weeks, that could be an entire season. Often times there is a situation on the fringe area. The unattended associated of someone that is in trouble. This will bring more cases not free up the emotion. You can't disassociated the principal and board in these cases, if this doesn't go through the court system, it is a call of the school system to discipline. The binge drinking aspect of students in ND doesn't really apply to the ones that are involved in the extra curricular activities. They are the ones that are not involved.

Rep. Herbel Duration of the school calendar. So if the student is in violation on May 24 and school is out on the 25th. If the student is caught on Sept., they would serve the whole year not 2 days like the other.

Bellew: I to have those same concerns. It was to be for a year.

Rep. Herbel I realize that their needs to be consequences for things, but I see many non athletes that are doing the same thing and the schools have no consequences for those situations. That is a little unfair, the extra activities are sometimes the only thing kids have to hang on to and that is what is keeping them in school and grades up. And so to punish them doesn't seem right.

Rep. Hawken: I believe that if a student is picked up, they do pay a penalty through the court system. They are punished.

Bellew; They do go through the courts

Hawken: So then they get an additional punishment to get the 6 weeks probation.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna G. Ball
Operator's Signature

10/2/03
Date

Page 3
House Education Committee
Bill/Resolution Number HB1153
Hearing Date January 20, 2003

Rep. Mueller This is a tough question. A educational philosophy. How you learn is the process of mistakes. I have learned a lot of things. I'm interested in your philosophy on this. We are taking about a person who has made a mistake, and certainly having to pay some consequences. How excessive should that consequence be? And if we aren't reasonable about that, then we have not served that individual well. The question is what is your philosophy about people who make a mistake.

Bellew: If it were my child, I would remove him from the activities for that school year.

Rep. Hunsakor You will not be in for 6 weeks, and they come back with a better attitude and are ready to do better. we are in the business of constructing lives, we make mistakes, and we get our hands spanked and we come back as better people. I think that if this bill becomes law were going to be saying that we will not give them a second chance.

Rep. Sitte If your intent is to tighten up laws on youth. This committee feels that you should do it through the legal system not the school system.

OPPOSITION:

Dr. Kent Hjelmstad, Superintendent of Mandan Public Schools, President of the NDASA and member of the NDHSAA Board of Directors. See Attached Testimony

(5800) read testimony, Flip tape

Rep. Norland: This issue would come up each year, we would deal with each the best we could. Basically, we would find that the 6 weeks, 18 weeks was maybe not the true answer but it was the best answer. And I would guess since you arrived on the board, the same issue has been brought before the board. Schools can go beyond what the ND High School Activities rules, or they can stay with the minimum.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Donna Baller
Operator's Signature

10/2/03
Date

Page 4

House Education Committee
Bill/Resolution Number HB1153
Hearing Date January 20, 2003

Rep. Hunsakor : 1st offense is 6 weeks, 2nd 18 weeks, 3rd is also 18. I heard there was some community service that can be added, is this true?

Hjelmstad: There is a component related to some counseling for possible treatment that doesn't reduce the penalty but it is a option to assist the child.

Rep. Hanson Does that penalty carryover to the second year?

(230) Hjelmstad: Children receive a fresh start each year.

Rep. Hanson Is there any jurisdiction during the summer?

Hjelmstad: The HS activities doesn't deal with this.

Rep. Herbel HS Activities rules go into effect?

Hjelmstad: When practice begins the rules begin.

Rep. Mueller Are there schools keeping track and have it carry into the next year.

Hjelmstad: If there are schools doing this, it is probably very few. Teams follow image, reputation, and team concept. we don't want to downgrade the child.

Rep. Mueller Are there many school districts that have tougher rules of the NDHSA.

Hjelmstad; A high percentage us these rules.

Larry Klundt, Executive Director of NDCEL, See Attached Testimony (600)

Rep. Herbel Do process, if a student has possession of alcohol a week before state tournament, may not take due process before a tournament just days away. He's not guilty until proven guilty.

Klundt: If information is brought to the principal. The principal has the obligation to investigate, he/she doesn't need to wait, they can conduct a due process sat the school as soon as possible. It doesn't have to go to a court.

Rep. Herbel to Hjelmstad: General knowledge on 3rd party allegation and investigation.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilm. All records were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Dorinda J. Ballantyne
Operator's Signature

1/21/03
Date