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ROLL NUMBER

DESCRIPTION

1370

2007 HOUSE EDUCATION

HB 1370

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1370**

House Education Committee

Check here for Conference Committee

Hearing Date: **30 January 2007**

Recorder Job Number: **2264 and 2294**

Committee Clerk Signature



Minutes

Chairman Kelsch opened the hearing of HB 1370.

Representative Don Vigessa, District 23, introduced the bill. This bill asks for appropriations to provide grants to school districts for after school learning programs.

Dale Patrick, assistant director, DPI, testified in favor of the bill. (Testimony Attached.)

Representative Hunskor: Are the folks responsible for the after school program part of the staff of that particular school? If they are helping with chemistry, are they chemistry teachers? Are they qualified under NCLB?

Patrick: One of the requirements of the grant and as grant manager I required our schools to attempt to hire licensed teachers in almost all cases. If they are unable to do so, they must be under the direct supervision of a licensed school teacher.

Representative Mueller: On page 3 you say that 85% offer high quality services in core academic services. 85% is good, but 100% is better. Can you explain why there are some that are not up to speed?

Patrick: They are all up to speed. It just happens to be what mix they have. They may have more recreational activities. A typical day would be right after school is out then they would probably have a snack and then go to breakout sessions, some go to science, reading, etc. They also get homework help. So it's a mix.

Chairman Kelsch: The \$5.0 million is that what we are receiving. Why another \$5.0 million.

Patrick: I can't answer that for the bill sponsors. We currently receive \$5.0 million annually from the federal government and the amount asked for in this bill is for the biennium.

Solberg: When will those federal grants no longer be available?

Patrick: It is not anticipated they will go away. This is one of the federal programs that has a positive outlook. It is considered to be one of those successful programs on the federal level and so has not suffered any cuts.

Senator Curtis Olafson, District 10, testified in favor of the bill. I agreed to sign on as a cosponsor. I'm normally pretty tight fisted when it comes to spending the taxpayer's money, but I think this is a great investment in our future. This program is a great investment in the future of our children and I encourage your support.

Representative Kari Conrad, District 3, testified in favor of the bill. I want to get a perspective from all the experts here as to how kids achieve and what they learn. As a parent, this is important to me that my daughter has a place where she is a very important person. We have a lot of working families in our area because of this program they have the security that their kids are well taken care of.

J. Leininger, project director East Central Educational Consortium, testified in favor of the bill. **(Testimony Attached.)** He included a letter of support from **Beth Stokka, project coordinator. (Attached.)**

Representative Hunskor: Is there any accommodation for students participating in extra curricular activities or sports or music whose teachers require them to be at practice?

Leininger: There is accommodation for extra tutoring. We have not had a lot of call for those who are in extracurricular activities?

Representative Hanson: If you keep these kids until 6 p.m., do you provide transportation home? Can part of this money be used for transportation?

Leininger: In most cases there is a shuttle bus. We try to coordinate with the bus returning the athletes home. We ask the school districts to provide the transportation.

Chairman Kelsch: Do parents participate by paying fees?

Leininger: Yes, there is a fee. If a student is free or reduced lunch, the fee is accordingly. In our situation, the family maximum is \$80 for full pay.

Representative Mueller: Who are the folks that provide this program? Are they community members? Staff members? How do you fill those positions and what are the qualifications of the people that do this.

Leininger: All of our teachers are certified ND teachers. Over 90% are regular classroom teachers. Some teach every night. We ask them to rotate.

Vice Chairman Meier: How many teachers do you have for how many students?

Leininger: We try to keep it at 1 to 10.

Representative Herbel: What kind of financial arrangement do you have with the teachers that work in this program?

Leininger: They receive \$18 per hour. They are still with the retirement program. We utilize for aides, high school students that qualify for AmeriCore where they earn money for their college education and a stipend.

Representative Mueller: Do you coordinate or work with the JPAs at all?

Leininger: In some areas of the state the grant goes through the JPA—in Williston and Dickinson that happens. In the future I see the coordination and grants going through the JPAs.

Lorna Bannister, elementary school principal, Minot, testified in favor of the bill. When we heard of the possibility of funding for before after school programs, we jumped at the chance.

We believed that we could set and run successfully a quality program to accomplish locally all that congress sought to achieve in establishing the program. This allowed rural and urban

schools, or a combination thereof, activities which benefit the education health, social, economic, cultural, and recreational needs of the communities they serve. This community learning center provide a safe and drug free, supervised, and cost effective haven to children and their families. We service 479 children in 5 sites in Minot. We are not a day care center, but we fulfill that need.

Representative Herbel: If the legislature chose not to fund this issue, what would happen to your program?

Bannister: It would become very costly and the children we serve will be limited to those children who could pay a large fee.

Chairman Kelsch: You could still receive the federal grant funding?

Bannister: Yes, we are on our second cycle, but last year it was cut 10%. This year I understand it will remain at the same funding level. As the program grows, you have to hire more staff.

Representative Hunskor: You talk about students improving academically and yet you are talking about the social aspect of what goes on too. Do you have an idea of what percent of time is spent academically versus socially?

Bannister: I think we are doing academics all the time. Children walk through the lunch line; they're punching in their numbers. We are learning social lessons all the time too.

Macy Erickson, fourth grade student, Hope ND, testified in favor of the bill. She told the Committee of the activities at their learning center and the improvement in math and other subjects since she is participating in the center.

Karen Alm, the after-school coordinator for four school districts in the East Central Dakota Consortium, testified in favor of the bill. **(Testimony Attached.)**

Representative Hunskor: What percentage of the school population participates in your program?

Alm: We have 1/3 or better that participate in the after school programs.

Clyde Naas, director of the Standing Rock Night Lights Program, testified in favor of the bill. (Testimony Attached.)

Mark Sondag, project coordinator, Standing Rock Night Lights Program, testified in favor of the bill. (Testimony Attached.)

Beth Stukka, coordinator, East Central Dakota Educational Consortium, introduced two friends to talk about the after school program.

Taylor Zimprich, fourth grader from Cooperstown. My daddy is a farmer and my mother teaches school. I've been in the after school program since I was in kindergarten. I have also been in the summer program each year. There is no good quality day care in my community and without the after school program I would have to wait in my mom's office for two or three hours each day and keep myself busy until she is done with work. Even if my dad works in the yard and I was at home, I would have to keep busy by myself as he would be working outside. I have time to do my homework and get help if I need it. I can do art, science, and cooking in the afternoon program.

Christine Berge, grade five, at Biggs County Central School in Cooperstown. I would like you to pass the bill for the after school program. The after school club is so much fun. On Mondays we do art, on Tuesdays we do Science, Wednesdays we do cooking and Math, Thursdays we do Language Arts and Fridays we go on field trips. Also we get help doing our homework. I really like family night. The after school program is great for working parents like my mom. So please pass this bill so all kids can go to after school clubs like ours.

Marc Bluestone, superintendent of the New Town Public School District, testified in favor of the bill. (Testimony Attached.)

Caesar Alvarez, sophomore in the Northern Lights After School Program, testified in favor of the bill. I am here to speak on behalf of my peer involved in the after school program.

The programs are very beneficial programs and are critical to the success of our overall education. The funding is especially needed in rural areas especially the Reservations. A few examples of the programs are, The Native Youth Council, and Native Empowerment Youth Council. It has representatives from all five towns we have. We work together and find ways to get youth involved in these programs. We have incentives for the youth. I've been involved all through my school years.

Kathy Truax, parent, spoke briefly on behalf of the bill. She told the Committee that the tutoring programs to help with homework were of great benefit to children.

Catlin McDonald, appearing on behalf of the State Association of the Non Public Schools, testified in favor of the bill. (Testimony Attached.) She proposed an amendment to insert non public schools in to the bill.

Lori Zahradka, project director for the North Valley Extended School Project, testified in favor of the bill. (Testimony Attached.)

Lodee Arnold, project director for the 21st Century Community Learning Centers, testified in favor of the bill. (Testimony Attached.)

Sheyenne Vandal, 2nd grade student, who attends the Bismarck CLC, told the Committee how much she enjoyed the Kids Club after school program. If she could not attend Kids Clubs she did not know what she would do at home alone each day as mother works.

Nathanial Wells, student, who attends the Bismarck CLC, also told the Committee how much he enjoys Kids Club.

Amy Clemons, coordinator for the Extended School Program at Riverside Elementary, testified in favor of the bill. (Testimony Attached.)

Suzie Odegaard, site coordinate at Mary Stark Elementary School in Mandan, testified in favor of the bill. (Testimony Attached.)

Michelle Effertz, site coordinator for the Extended School Program at Roosevelt

Elementary School in Mandan, testified in favor of the bill (Testimony Attached.)

Cody Carik, site coordinator at Custer Elementary School, testified in favor of the bill.

(Testimony Attached.)

Due to a lack of time the following people did not testified but **submitted testimony:**

David Richter, coordinator of the Great Northwest Education Cooperative.

Kay Barker, St. Thomas Public School. Testimony included letters of support and survey results.

A packet of Support Resolutions is included.

Two packets of Letters of Support are included.

There was no opposing testimony.

Hearing Closed:

At a later time on the same day, the Committee discussed HB.

Chairman Kelsch: There is more testimony in the box behind this table.

Representative Herbel: For purposes of discussion I **move a Do Not Pass.**

Representative Karls: I **second.**

Representative Herbel: This is a great program. If we don't fund it, will it go away? I do believe they will continue them.

Representative Haas: It has gone away for some parents who can no longer afford it.

Representative Herbel: Is there some kind of guideline they have to follow as regards to need.

Chairman Kelsch: Dale Patrick, DPI, said the \$.48.5 million will remain the same after it was cut from \$5.0 million two years ago. I was impressed with the increased proficiency of the

test. Data is very convincing. My biggest reservation is the felling I got that this is an after school day care. That does not sit well with me.

Representative Herbel: I would hate to see the program go away. If it gets in jeopardy, we need to step to the plate. It is not as dire as some of the funding needs we have.

Representative Mueller: We have a responsibility to be fiscally responsible. We complain that the Appropriations people sometimes make policy. Maybe we should just let them determine if this is a good thing or not. If it comes out of this committee with a Do Not Pass, it's a pretty done deal over there; we took care of their job for them. We heard a lot of good things and I'm not sure it's our decision to decide if we have the money. I'm going to support the bill because those other folks will take care of deciding if we have the money.

Representative Solberg: We heard some very compelling testimony in favor. It was mentioned several times that the fees had gone up drastically for the folks that couldn't afford it and therefore the attendance went way down. I agree that we need to send this out with a Do Pass and if Appropriations thinks it's too much money, at least we made an effort as the Education Committee to help these kids that are behind in their studies and give them encouragement and maybe help them so we wouldn't be putting them in jail later in life which costs a lot of money. Maybe we should compare the cost of education to the cost of ignorance.

Representative Wall: I have reservations about the bill but one of the positive things I heard today and the things I'm seeing in my own district, the after school learning programs do have a positive impact. I think these people have done an excellent job, and I would like to see something positive happen here even if we amend a reduction to the \$5.0 million. I am concerned that some of it is just day care, but the average daily progress that came in and the proficiencies vastly improved, I think it's a good gamble.

Representative Haas: The thing that struck me was the mother who was looking for a math tutor and found one in the after school program. Would she have found a tutor if that program hadn't been there? Perhaps she would have but it was certainly the most convenient and effective way to do so. It helped the son immensely. Where else is that going to happen? I think Representative Wall had some excellent comments. We know that we have a billion dollars in requests than we have in budget. That's a lot of money to pare out of requests. Is the fiscally responsible thing for us to do is to think about what might be realistically appropriated for the bill. Instead of \$5.0 mil maybe it should be \$1.0 mil. I don't know.

Representative Hanson: We need to get this bill out of here but I think it's going to have a rough time in Appropriations.

Chairman Kelsch: The way it is currently written, I would have to support a do not pass. I could go down to \$1.0 million. I'm being realistic. While every one thinks we have a ton of money and every one has their way to spend it, there needs to be priorities. If we as an Education Committee believe that this is a priority, then let us be responsible in saying what is a good sum to put in there and that we truly believe would worth while and would still help given the fact that they do receive federal funding. We can put in here a local match or not. Let's send it out with a chance of survival.

The Committee asked for Dale Patrick, DPI, to join them to clarify some issues.

Representative Hanson: I make a motion to Amend HB 1370 in line 4, change \$5.0 million to \$1.0 million.

Representative Haas: I second.

Representative Herbel: I Withdraw my motion to Do Not Pass.

Representative Karls: I withdraw my Second.

Chairman Kelsch: We have a motion to amend; we will take a voice vote.

The amendment was accepted by the Committee.

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House Education Committee

Bill/Resolution No **HB 1370**

Hearing Date: **30 Jan 07**

Representative Haas: I move Do Pass as Amended and rerefer to Appropriations.

Representative Hanson: I Second.

A roll call vote was taken: Yea: 12, Nay: 1, Absent: 0

Representative Solberg will carry the bill.

Date: 30 JAN 07

Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1370

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

Do Not Pass

Motion Made By

Herbel

Seconded By

Karls

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunsakor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukat					
Rep Wall					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

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

Date: 30 Jan 07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1370

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

Amend line 4 to change \$5.0m to 1.0m

Motion Made By

Hanson

Seconded By

Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch			Rep Hanson		
V Chairman Meier			Rep Hunskor		
Rep Haas			Rep Mueller		
Rep Herbel			Rep Myxter		
Rep Johnson			Rep Solberg		
Rep Karls					
Rep Sukat					
Rep Wall					

Total Yes Passed No _____

Absent _____

Floor Assignment _____

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

Chg as above

Date: 30 Jan 07
Roll Call Vote #: 3

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1370

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do Pass as Amended & refer to Appropriations

Motion Made By Haas Seconded By Hanson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep Hanson	✓	
V Chairman Meier	✓		Rep Hunskor	✓	
Rep Haas	✓		Rep Mueller	✓	
Rep Herbel		✓	Rep Myxter	✓	
Rep Johnson	✓		Rep Solberg	✓	
Rep Karls	✓				
Rep Sukat	✓				
Rep Wall	✓				

Total Yes 12 No 1

Absent 0

Floor Assignment Solberg

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

Change \$5 million to \$10 million on line of

REPORT OF STANDING COMMITTEE

HB 1370: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1370 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "\$5,000,000" with "\$1,000,000"

Renumber accordingly

2007 HOUSE APPROPRIATIONS

HB 1370

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1370

House Appropriations Committee

Check here for Conference Committee

Hearing Date: February 2, 2007

Recorder Job Number: 3405

Committee Clerk Signature

Shirley Branning

Minutes:

Chm. Svedjen called the meeting to order to take up HB 1370, a bill relating to appropriations for afterschool learning program grants, by calling on **Rep. Raeann Kelsch**, District 34.

Rep. Kelsch: This bill originally provided \$5m to afterschool learning programs and was amended to #1m. I recommend a Do Not Pass on this bill. Currently the federal fund is \$4.8m annually and funds 14 grants across the state in which 70 schools are participating. Because the federal funding is still there and has stayed the same, we should look at this during the interim and further study the needs.

Rep. Williams moved a Do Not Pass to HB 1370. **Rep. Kempenich** seconded the motion.

The Do Not Pass motion carried by a roll call vote of 24 yeas, 0 nay, 0 absent. **Rep.**

Kelsch will be the carrier of the bill.

Date: 2/12/07
 Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 1370

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Williams Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Representative Wald	✓		Representative Aarsvold	✓	
Representative Monson	✓		Representative Gulleson	✓	
Representative Hawken	✓				
Representative Klein	✓				
Representative Martinson	✓				
Representative Carlson	✓		Representative Glassheim	✓	
Representative Carlisle	✓		Representative Kroeber	✓	
Representative Skarphol	✓		Representative Williams	✓	
Representative Thoreson	✓				
Representative Pollert	✓		Representative Ekstrom	✓	
Representative Bellew	✓		Representative Kerzman	✓	
Representative Kreidt	✓		Representative Metcalf	✓	
Representative Nelson	✓				
Representative Wieland	✓				

Total (Yes) 24 No 0

Absent 0

Floor Assignment Rep. Kelch

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

REPORT OF STANDING COMMITTEE (410)
February 13, 2007 9:08 a.m.

Module No: HR-29-2996
Carrier: R. Kelsch
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1370, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)
recommends **DO NOT PASS** (24 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1370 was placed on the Eleventh order on the calendar.

2007 TESTIMONY

HB 1370

HB 1370
30 Jan 07

TESTIMONY ON HB 1370
HOUSE EDUCATION COMMITTEE
Tuesday, January 30, 2007
By Dale Patrick, Assistant Director
328-1644
Department of Public Instruction

Chairperson Kelsch, Members of the Committee:

Thank you for the opportunity to address your committee.

My name is Dale Patrick representing the Department of Public Instruction in support of House Bill 1370. I manage the 21st Century Community Learning Centers Grant (21 CCLC) program funded by the US Department of Education. This program is sometimes referred to as the Before and After School Program. The State of North Dakota currently receives \$4.85 million annually and funds 14 grants across the state in which 70 School Districts participate.

Authorized under Title IV, Part B, of the Elementary and Secondary Education Act (ESEA), as amended by the No Child Left Behind Act of 2001, the law's specific purposes are to: (1) provide opportunities for academic enrichment, including providing tutorial services for students (students in high-poverty areas and those who attend low-performing schools as determined on the State Assessment) to meet State and local

student performance standards in core academic subjects such as reading, mathematics, and science; (2) offer students a broad array of additional services, programs, and activities, programs, and activities, such as youth development activities, drug and violence prevention programs, counseling programs, art music, and recreation programs, technology education programs, and character education programs, that are designed to reinforce and complement the regular academic program of participating students; and (3) offer families of students served by the community learning centers opportunities for literacy and related educational development.

Objectives identified by the Department of Public Instruction in the performance indicators when the grant was awarded to the State are:

1.1 Achievement. Students regularly participating in the program will show continuous improvement in achievement through measures such as test scores, grades, and/or teacher reports.

1.2 Behavior. Students participating in the program will show improvements on measures such as school attendance, classroom performance, and decreased disciplinary actions or other adverse behaviors.

2.1 Core educational services. More than 85% of Centers will offer high quality services in core academic areas, e.g. reading and literacy, mathematics, and science.

2.2 Enrichment and support activities. More than 85% of Centers will offer enrichment and support activities such as nutrition and health, art, music, technology, and recreation.

2.3 Community involvement. All centers will establish and maintain partnerships within the community that continue to increase levels of community collaboration in planning, implementing, and sustaining programs.

2.4 Services to families of eligible students. More than 85% of Centers will offer services to families of eligible students.

2.5 Extended hours. More than 75% of Centers will offer services at least 15 hours a week on average and provide services when school is not in session, such as during the summer and holidays.

3.1 High-need communities. More than 80% of Centers serve students that attend schools that are in need of improvement.

The Department of Public Instruction requires that at least 70% of the funds be used for academics, specifically reading, math, and science.

Grantees are required to have a Sustainability plan on file with the Department. Some components of the sustainability plans include a sliding fee schedule with no student being denied access to the program based upon ability to pay or other local funding sources such as actual cash allocations out of the local district budget, transportation costs, and staff to name a few of those sources.

Grants are geographically distributed throughout the State with the south-central part of the state being the exception. There are no dollars available to allow expansion into any other school districts with the current funding allotment. The current grants are slated to end June 30, 2008, at which time there would be a competition to distribute new funding to those grantees chosen from the applications submitted at that time. Grants can be awarded for any period of 3-5 years. Grants must be awarded to those schools that are identified as high-poverty or schools that are low-performing.

Attached to this testimony is data from several schools that currently participate in 21 CCLC programming. The first is a comparison from an elementary school in Mandan, ND using the North West Evaluation

Association (NWEA) Measurement of Academic Progress (MAP) scores from fall of 2005 to spring of 2006. These scores are for the same class of students for both math and reading in grades 3, 4, and 5. It is worth to noting that in almost all cases, the gain for those students attending 21 CCLC is higher than the gain for those students not attending.

Pages 7-12 list several schools from across the State that are participating in the program and compares State Assessment scores of those students that participate in the program with students from the same school that do not participate in the program. It should be noted that in most cases, students that participate in the 21 CCLC program score more often at the proficient or advanced level than those students that do not participate in the program. This seems to be true for both reading and math.

Your favorable consideration of this funding request would allow many more students to participate in extended learning opportunities and promote enhanced academic achievement.

