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2007 SENATE EDUCATION

SB 2173

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2173

Senate Education Committee

Check here for Conference Committee

Hearing Date: January 15, 2007

Recorder Job Number: 1064, 1065

Committee Clerk Signature

Minutes:

Chairman Freborg opened the hearing on SB 2173, an action to plan the merger of the North Dakota vision services – school for the blind with the North Dakota school for the deaf. All members were present.

Senator John Andrist introduced and testified in favor of the bill. (Written testimony attached)

Senator Flakoll asked if there are any collaborative efforts between the School for the Blind and UND. (Meter 7:06)

Senator Andrist said he is not aware of any but the director of the School for the Blind is here today and will testify. There is an extensive outreach program. He is impressed with their broadened scope.

Senator Gary Lee asked if there is some curriculum at UND that lends itself to the School for the Blind.

Senator Andrist said nothing was presented on his tour that would indicate a tie between the two institutions.

Senator Bakke asked how much renovation of the buildings at the School for the Deaf in Devils Lake would be necessary to accommodate blind students.

Senator Andrist said virtually nothing would be required other than modifications to assist them in moving around, He expects it would be very minimal.

Senator Taylor asked about the residential population in Grand Forks.

Senator Andrist said they do not have a residential program in Grand Forks. More people are served by services for the blind than by services for the deaf.

Senator Bakke asked if he envisions blind people needing residential services. if not, why would they need all the space that is available in Devils Lake.

Senator Andrist said more services could be offered in the consolidated schools. Montana has consolidated their schools for the blind and deaf. There could be more focus on the multi-handicapped. He said North Dakota will consolidate the two schools, the question is when.

Senator Aaron Krauter testified in favor of the bill. (Meter 11:43) He chaired the budget section on health care during the interim. When on a tour of the School for the Deaf and the School for the Blind, he saw an opportunity for consolidation and decided to introduce the bill. The UND School of Medicine has a center for rural medicine and they are looking for space. If the space currently occupied by the school for the blind were available, the center for rural health could use it. The facility at Devils Lake is underutilized. Half of the space at the School for the Blind in Grand Forks is leased to a public school entity. With that much space, we could let UND use it. He will get maps and minutes from the tour to the committee before the hearing ends.

Senator Flakoll asked how the space in Grand Forks relates to the available space in Devils Lake. (Meter 15:03)

Senator Krauter said there is ample space available.

Senator Bakke asked if he has visited with the employees at the School for the Blind or the School for the Deaf to determine what impact this merger might have on staffing or services.

Senator Krauter said no, that is what the bill asks Department of Public Instruction to do. He is not looking at closing down or stopping any services. He wants to provide better services in a more economical environment.

Representative Dan Ruby testified in favor of the bill. Senator Andrist and Senator Krauter are on the right track. Our constituents expect us to look at these kinds efficiencies. (Meter 17:05)

Dr. Wayne Sanstead, Superintendent of Public Instruction, testified in favor of the bill. (Meter

18:04) Senator Andrist called and said there was a need to look at both facilities and a potential merger. He was pleased with the decision to have a study and they discussed whether it should be a legislative study. We all know many legislative studies never see legislative action. They decided it should be a detailed study complete with architectural

expertise. The School for the Deaf needs extensive renovation, they need an elevator. The governor did not include the renovations to the School for the Deaf in his budget. This would be a feasibility study, nothing would happen immediately. Chairman Freborg has mentioned the fiscal note. The fiscal impact would be considerable. Transportation enters in because of the residential students. There would be some economies in staffing; there are now two business managers and two superintendents. He does not want a merger to affect services. He supports the idea of a study but only if it is funded so it can be a complete study. There may be an expansive opportunity for services. There have been other studies for the School for the Blind and the School for the Deaf. Dr. Worner did a report on the School for the Blind in 2003. While relevant, they are program services reports, they did not study joint occupancy of facilities. There was a blue ribbon task report for the School for the Deaf in July 2004. He recommends this move; the fiscal note does include \$15,000 for architectural expertise and \$35,000 for a consultant for the study and to draft a plan.

Senator Bakke said there is a difficulty maintaining staff at the School for the Deaf, there is a large turnover. If the School for the Blind is moved, will that become a problem for them?

Dr. Sanstead said the School for the Blind has taken on many outreach programs. It is the most highly regarded program in the country. Much of their staff is in the field. In the School for the Deaf, with their residential program, they have experienced such demise in numbers. Our school districts have taken on some of the expertise. He can't defend the per pupil costs. This needs to be done for efficiency and effectiveness.

Senator Bakke said if the School for the Blind is renting space to the alternative high school in Grand Forks, maybe there would be space for the School for the Deaf to move to Grand Forks.

Dr. Sandstead said both facilities rent out space. In Devils Lake, they have rented space to Head Start; it's a good fit with the shared food service operations. He has a real desire to see the facility used and it would be possible with extensive renovations.

Senator Flakoll asked if Minnesota residents use the services in Grand Forks and at what level.

Dr. Sandstead said he doesn't think so. At the School for the Deaf yes, services are used by Minnesota residents but the costs are paid by Minnesota.

Senator Flakoll asked if either study recommended the elements contained in this bill.

Dr. Sanstead said he thinks they will, also the business manager report will apply to this study.

Senator Flakoll asked if he has a rough estimate of the dollars involved in the possible merger.

Dr. Sanstead said there were 11 recommendations in the last blue ribbon analysis; several are fiscal and staffing recommendations.

Christina McComish, former student at the Underwood School District and now proudly attending Century High School, testified in favor of the bill. (Written testimony attached)

(Meter 30:52)

Senator Bakke asked if she would have preferred the services come to her rather than her going to the services.

Ms. McCornish said yes.

Senator Flakoll asked how old was she when she began attending the School for the Blind.

Ms. McCornish said eight or nine years old.

Representative Ole Aarsvold testified on the bill, not in opposition but to bring concerns. (Meter 41:21) He has a bias for the School for the Blind; he has had an opportunity to observe the school and their students. It is a wonderful experience for their young students. He is concerned that it is not wise to predispose the outcome of a study. This bill predetermines the merger to occur in Devils Lake. He hasn't been to the School for the Deaf in a year but there are real issues in maintenance and bringing the facility up to speed. Grand Forks offers partnership opportunities that are not available at the Devils Lake site. They have existing relationships with UND. The medical school is helpful. It is wise to look at opportunities for efficient government.

Senator Flakoll asked if an amendment opening the option of a Grand Forks location would be better.

Representative Aarsvold said it would feel better.

Senator Nick Hacker testified in opposition to the bill. The School for the Blind is in his district. It works well. The downtown setting is valuable in training students to get around in a city.

Devils Lake does not have a busy downtown. He knows our constituents want us to be fiscally responsible but they also want us to look out for their lives. The professional employees would have to relocate; some have spouses with businesses in Grand Forks. We are affecting their lives in a negative fashion.

Senator Bakke asked if recruiting would be difficult.

Senator Hacker said yes. Many studies don't look at the effect on lives and families.

Senator Judy Lee testified in opposition to the bill. (Meter 48:07) The Human Services committee has spent much time on the services offered by School for the Deaf and School for the Blind. It goes far beyond the classroom. With our aging population, more and more North Dakotans may need these services. The School for the Deaf is specifically geared as a residential facility. Most disabled students are mainstreamed. There is a need for services beyond those of school age children. Each facility has satellite offices, but we are not providing all the services we should.

Senator Gary Lee asked if we have studied this subject enough.

Senator Judy Lee said there was a task force, the director of the School for the Blind served on it; it was quite comprehensive and done about 2 or 3 years ago. This would be a good resource. We have never looked at blending the two facilities. Human Services covers more of the missions of these schools than education. We should not start at ground zero; we should work with the information we already have.

Beth Bakke Stenehjelm, President of the North Dakota School for the Blind Foundation, testified in opposition to the bill. (Written testimony attached)

Allan Peterson, Legislative Liaison for the North Dakota Association for the Blind, testified in opposition to the bill. (Written testimony attached) He also later distributed a petition of people opposed to the bill.

Carmen Grove Suminski, superintendent of the North Dakota Vision Services/School for the Blind testified in opposition to the bill. (Written testimony attached) (Meter 1:03:06) Senator Andrist, in an editorial, said we are serving poorly when we get stuck in ruts. The School for the Blind is definitely an agency that is not stuck in a rut. Regarding the question about serving Minnesota residents, they are served very minimally and always for a fee. There is

significant collaboration between the School for the Blind and UND. UND uses their facility for summer vision training. They have an intern from the counseling department at UND and a doctoral student from the psychology department. They have a teletherapy program through the UND psych department where clients can call in confidentially. One client said it saved her life. Occupational therapy students work with the School for the Blind. The move would not impact her personally but it would impact their staff and those they serve.

Senator Flakoll asked about the staff turnover rate.

Ms. Suminski said they have minimal turnover, it is usually a result of retirement.

Senator Flakoll asked if North Dakota produces enough graduates in the field to fill open positions.

Ms. Suminski said just a bare minimum.

Senator Flakoll asked if there are other places in higher education that train their professional staff other than UND.

Ms Suminski said no, the closest alternate program would be in Colorado.

Senator Flakoll asked about the number of students that are served.

Ms. Suminski provided a chart of the number of people served and a map showing the service areas. (Written testimony attached)

Gerald Balzer testified in opposition to the bill. (Meter 1:19:11) He has retired after 40 years with Job Service. His second son was born deaf and attended K – 12 in Devils Lake. He then attended Gallaudet University, the only liberal arts college for deaf kids in the world. He was an all conference basketball player and played football at Gallaudet. Is this bill Grand Forks vs. Devils Lake, blind vs. deaf? Both have their place. Someone has already made the decision to move and who made that decision? The North Dakota School for the Deaf has a high percentage of students who qualify for admission to Gallaudet, which is difficult to

achieve. The School for the Deaf is a 24 hour learning experience. We are putting the cart before the horse.

Paul Verlinde testified in opposition to the bill. (Meter 1:27:41) His wife is an outreach consultant for the School for the Blind. The quality of their programs is excellent.

Chairman Freborg closed the hearing on SB 2173.

Senator Flakoll asked Ms. Suminski to return to the podium for a question. He asked about people who require the services of both the School for the Deaf and the School for the Blind. How are they served?

Ms. Suminski said North Dakota has a coordinator of the deaf blind project that is federally funded and is based in Devils Lake. There is strong collaboration between the two schools; they work together and like each other.

Chairman Freborg again closed the hearing on SB 2173.

Senator Bakke said from a professional standpoint, more outreach is the way to go. She is concerned about putting dollars into a facility we may not eventually be using. What would happen to the quality of vision services if the school moved away from UND? She is not sure she can support the bill.

Senator Taylor said he would like to see a copy of the Blue Ribbon Study before acting on the bill.

Senator Gary Lee agrees. We should see what has been done. The ties between the School for the Blind and UND are significant.

Senator Flakoll said he would like to discuss the issue to see if anything better can be offered. A bill such as this is usually in Human Services rather than Education. Changes are long away. He is more inclined to support in interim study hosted by Human Services. He would like to save the fiscal note at this point and allow for other delivery options.

Chairman Freborg asked if he would prefer to put the study in the hands of the legislature rather than Department of Public Instruction.

Senator Flakoll said the bill as it now stands give Department of Public Instruction a specific charge and the study is how to accomplish it. A study resolution would look at the merger option.

Chairman Freborg agreed a merger is dictated in the bill. There is no need for action today.

Chairman Freborg closed the discussion on SB 2173.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2173

Senate Education Committee

Check here for Conference Committee

Hearing Date: January 16, 2007

Recorder Job Number: 1188, recorder failed for afternoon session

Committee Clerk Signature

Minutes:

Chairman Freborg opened the discussion of SB 2173. All members were present.

Senator Flakoll said there has been some discussion of what the North Dakota constitution says regarding the School for the Deaf and the School for the Blind. (Copies attached) The constitution does specify the School for the Deaf will be in Devils Lake. The School for the Blind is not constitutionally required to be in Grand Forks.

Senator Gary Lee said the bill is correct in that the School for the Blind could move to Devils Lake but the School for the Deaf could not move to Grand Forks. The clerk has distributed two studies that contain several recommendations. He would like some time to look over the studies and see where we are at in terms of the recommendations, particularly those for the School for the Deaf. It seems the School for the Blind has done a yeoman's job of meeting their missions and the changes recommended for them. The School for the Deaf is facing declining enrollments and this makes it a cost inefficient program but they are meeting a badly needed service. He is not sure what to do with the bill.

Senator Flakoll asked the intern to see if the provisions of the bill have been studied before.

Senator Gary Lee said he has already asked the intern to do the research.

In the afternoon session, Senator Flakoll said the intern found SCR 4044 from 1999; it was a study resolution for the School for the Blind.

Senator Bakke said she is not as concerned about the School for the Blind as she is about the School for the Deaf. Are there any studies of the School for the Deaf?

Senator Flakoll said he asked the intern to look for studies of both schools and this is what he found.

Senator Gary Lee asked the result of the study resolution. The name was changed in 2001 that probably came from the study.

Senator Taylor said it looks like the study resulted in bringing adult and children's services together.

Chairman Freborg closed the discussion of SB 2173.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2173

Senate Education Committee

Check here for Conference Committee

Hearing Date: January 17, 2007

Recorder Job Number: 1309

Committee Clerk Signature

Minutes:

Chairman Freborg opened the discussion on SB 2173. All members were present.

Chairman Freborg said he has handed out to the committee a report from Senator Krauter from the tour he and Senator Andrist took of the School for the Blind and the School for the Deaf and regarding the proposed addition to the School for the Blind.

Senator Flakoll asked what portions of the School for the Blind are being rented out.

Chairman Freborg described the area, using the map in Senator Krauter's report.

Senator Bakke said the space is rented to the alternative high school and the adult learning department of the Grand Forks schools. It would have to be extensively remodeled to meet the same needs as the proposed addition.

Chairman Freborg asked what the space was used for before it was rented out.

Senator Bakke said it was the residential area. Now the School for the Blind no longer has a residential program.

Senator Flakoll asked if there is a bill before appropriations relating to remodeling of the School for the Blind.

Chairman Freborg said he doesn't know. The intern has distributed a copy of the report that came from the study resolution from the 1999 session on the School for the Blind.

Senator Bakke said she is inclined to vote do not pass on the bill.

Chairman Freborg said we may need more discussion.

Senator Gary Lee said if you look at the studies, there are issues that need to be dealt with.

This bill gives us an opportunity to encourage the recommendation from the studies are followed, that the needs of the people they serve are being met and their institutions are running efficiently. He has considered a study resolution but it shouldn't drag on for 5 years. If we do nothing, they will limp along.

Chairman Freborg said he has spoken with the chairman of the Appropriations Committee and they are hearing the budgets tomorrow for the School for the Blind and the School for the Deaf. He is aware of the problem. He said he would pay special attention.

Senator Taylor said moving vision to Devils Lake is the wrong idea. The sponsors are looking for a positive future for the school in Devils Lake and that is admirable. Maybe we can use this bill to encourage the school in Devils Lake to make them more successful and to perhaps make use of that space.

Chairman Freborg said there are some things we cannot do because it is constitutional.

Senator Bakke said she doesn't see how we can turn this into a bill we could support.

Chairman Freborg explained a hog house amendment.

Senator Flakoll said there has been a fair amount of discussion and interim studies. Part of the problem is what we might recommend is prohibited by the constitution. He thinks others might be better candidates to change the constitution; the sponsors may not want this bill to do that.

Chairman Freborg said any changes along those lines would be better made by

Appropriations. We are up against a wall.

Senator Bakke moved a Do Not Pass on SB 2173. Senator Flakoll seconded the motion.

Senator Flakoll said he fully understands the intent of the sponsors of the bill and it is admirable. Appropriations has the authority and ability to do more good than this bill will be able to do.

The motion passed 3-2-0. Senator Bakke will carry the bill.

FISCAL NOTE
 Requested by Legislative Council
 01/11/2007

Bill/Resolution No.: SB 2173

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$50,000	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

SB 2173 requires the Superintendent of Public Instruction to develop a plan to outline the merging of North Dakota Vision Services/School for the Blind onto the premises of the North Dakota School for the Deaf in Devils Lake.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The plan must address the effective and efficient delivery of services, transportation, staffing, administration, governance, the short and long-term utilization of facilities, the cost of merging the institutions, and any other matters necessary to effect the merger.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

\$15,000 - Architectural fee

\$35,000 - Consulting firm to conduct study and draft plan.

These dollar amounts are not included in any agency budget or in the executive budget.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

All work would be contracted through the procurement process. No FTE would be needed.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

See answer under A. Revenue.

Name:	Dr. Gary Gronberg	Agency:	Public Instruction
Phone Number:	328-1240	Date Prepared:	01/12/2007

REPORT OF STANDING COMMITTEE

SB 2173: Education Committee (Sen. Freborg, Chairman) recommends DO NOT PASS
(3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2173 was placed on the
Eleventh order on the calendar.

2007 TESTIMONY

SB 2173

ND Legislative Assembly

John M. Andrist'
State Senator - District 2
P.O. Box E
Crosby, ND 58730

Phone: 701-965-6798
Office: 701-965-6088
Fax: 701-965-6089

January 15, 2007

RE: SB 2173
TO: Members Senate Education Committee
FROM: Sen. John Andrist, District 2

Many blind students and most deaf students are main streamed today, so the mission of the School for the Blind and School for the Deaf has changed dramatically.

Enrollment at Devils Lake over the last quarter century has dwindled from 130 a quarter century ago to 26 resident students. So it now voluminous unused space and an extremely high budget for the numbers it serves.

When we did a budget section tour of the facilities a year ago it became apparent to Senator Krauter and me, and I'm sure to other committee members, as well, that it is time we find more productive use for this property, and that merging with the school for the blind, as Montana (and probably other states, as well) has done would be a good beginning..

Consider for the moment some of these numbers:

- The proposed budget for the School for the Deaf is \$6.8 million. That's a per pupil cost of \$119,000.
- Granted they provide many nonresidential hearing assistance services, But just the cost of education and transportation will be \$47,000 per student, not counting administrative and operating expenses.
- The budget for housing alone is \$837,000. That's almost \$30,000 per resident -- very high priced rent.
- There are about 50 full-time positions, more than one FTE for every student.

There are three reasons why this bill proposes combining the services at Devils Lake, rather than Grand Forks.

The first is that the Devils Lake school is constitutional. The school for the blind isn't. Therefore, co-locating at Devils Lake would not require a constitutional change.

The second is the facility itself. The Devils Lake school is immense in square footage. It has better recreational facilities, including an indoor swimming pool.

A third consideration is that the Grand Forks school is squeezed into the University complex. It is my belief that the University could make effective use of the buildings and grounds, with little impact on the community, other than to those on the staff who might have to relocate. Loss of the school at Devils Lake would seriously impact the local economy and we would be left with the problem of looking for a way to utilize the real estate.

When we talked about this bill we discussed whether there should be a study or whether we should just move to consolidate right away. We took the middle ground, which in essence says "do it", but gives DPI and the next legislative session an opportunity to review any plan put forward by DPI.

Combining the two will most certainly accomplish significant savings in administrative expense. It would likely provide even greater benefits to those with multiple handicaps, because of the broadened mission.

We hope you will support the bill. It does provide an escape at the next session if DPI finds serious problems. But if we roll this proposal we could accomplish the task in perhaps 3 years.

Converting it to a study resolution, which might be better than nothing, at the least would delay the inevitable. We hope you will agree.



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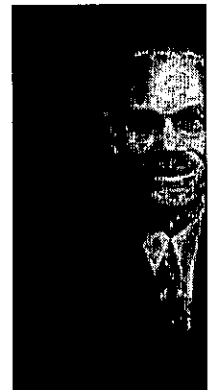


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School Tour

Welcome to the Montana School for the Deaf and the Blind website. As a state special purpose school, and part of the Montana public education system, MSDB mission is to provide quality early intervention, outreach and school-based educational services to the State's deaf and blind children from birth through age twenty-

MSDB serves two primary functions. First, using specialized instruction and MSDB provides an education for deaf and blind children that is appropriate for their needs and commensurate with the education provided to their hearing and sighted peers in the local school districts. This education enables children being served by the school to become independent and self-supporting members of their communities. Second, MSDB serves as a consultative resource for parents of deaf and blind infants and toddlers and for school districts where deaf and blind children are enrolled. Upon request, MSDB assists school districts assuring that services and programs for their deaf and blind students are appropriate.



MSDB maintains a staff of highly qualified and experienced teachers and specialists trained to meet the specific educational needs of deaf and blind children. Regardless of where they are enrolled in their local districts or at the school in Great Falls, our staff is committed to technical expertise and quality services to all students.

I invite you to tour our website where you will find general information about our programs and answers to frequently asked questions from parents and educators. If you have additional questions, please feel free to contact the School.

Sincerely,

Steve Gettel, Superintendent

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